

Public Report
Improving Lives Select Commission

Committee Name and Date of Committee Meeting

Improving Lives Select Commission – [Click here to enter a date.](#)

Report Title

Proposed Elective Home Education Policy

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Nicola Curley, Strategic Director of Children and Young People's Services

Report Author(s)

Sarah Whitby, Head of Service Access to Education
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Ward(s) Affected

Borough-Wide

Report Summary

The Department for Education recommends that every Local Authority has 'A written policy statement on elective home education, which is clear, transparent and easily accessible by using different formats as necessary, is consistent with the current legal framework and preferably drawn up in consultation with local families who educate children at home so that it can reflect both the challenges and rewards of educating children in this way'.

Rotherham's Elective Home Education Policy was last agreed in 2021 and a review was initiated to ensure that it was easy to navigate and understand, and reflected accurately the current way in which the Elective Home Education Team works with home educators. Home educators and partners were key to this process with a period of public consultation taking place following informal stakeholder events.

The report seeks pre-decision scrutiny of the revised Rotherham Elective Home Education Policy by the Improving Lives Select Commission, prior to presentation to Cabinet for approval.

Recommendations

1. That Improving Lives Select Commission consider the contents of the report and the draft revised Elective Home Education Policy and endorse the draft revised Elective Home Education Policy to go forward for Cabinet approval.

List of Appendices Included

Appendix 1 Summary of consultation responses

Appendix 2 Proposed Elective Home Education Policy

Background Papers

[Elective home education: departmental guidance for local authorities](#) (April 2019)

[Education Act 1996](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Proposed Elective Home Education Policy

1. Background

- 1.1 Rotherham's Elective Home Education Policy was last agreed by Cabinet in September 2021. This review was initiated as part of the agreed cycle of review of the Policy.
- 1.2 Elective home education (EHE) is the term used to describe a choice by parents to provide education for their children at home - or at home and in some other way which they choose - instead of sending them to school full-time.
- 1.3 The Department for Education issues non statutory guidance for Local Authorities [Elective home education: departmental guidance for local authorities](#) (2019) and the Council follows this guidance in discharging duties in respect of EHE.
- 1.4 Additionally, the Council has a statutory duty under s436a of the [Education Act 1996](#) to 'establish (so far as it is possible to do so) the identities of children in their area who are of compulsory school who are missing education. This forms the basis for enquiries to be made to satisfy the Council that children who are known to be electively home educated are in receipt of suitable, efficient and full-time education.

2. Key Issues

- 2.1 Although legislative changes are proposed through the Children's Wellbeing Bill, these have not yet been enacted and are therefore not reflected within the proposed draft Policy. A decision was made to review the Policy at this point given that there is no defined timeline for proposed legislative changes to come into force. A subsequent report to Cabinet will request consideration that any changes required by the proposed Bill are approved via an Officer Delegated Decision to reflect in a timely manner any such changes as they are made.
- 2.2 Numbers of children who are electively home educated are rising both locally and nationally. Source: [Elective home education, Autumn term 2024/25 - Explore education statistics - GOV.UK](#)

Number of children on census data reported by Local Authorities via the Department for Education collection.

	2022/23			2023/24			2024/25
	Autumn	Spring	Summer	Autumn	Spring	Summer	Autumn
England	80900	86200	97600	92000	103500	117900	111700
Rotherham	370	400	450	410	480	560	560

Alongside this, the number of children in Rotherham for whom the Council cannot be satisfied of provision of suitable, efficient and full-time education has also risen from 25 in the 2023/24 academic year to 35 in terms 1 and 2 of academic year 2024/25.

2.3 Parents and carers cite a number of reasons for the decision to home educate, these include:

- Ideological or philosophical views which favour home education, or wishing to provide education which has a different basis to that normally found in schools;
- Religious or cultural beliefs, and a wish to ensure that the child's education is aligned with these;
- Dissatisfaction with the school system, or the school(s) at which a place is available;
- Bullying of the child at school;
- Health reasons, particularly mental health of the child;
- As a short-term intervention for a particular reason;
- A child's unwillingness or inability to go to school, including school phobia;
- Special educational needs, or a perceived lack of suitable provision in the school system for those needs;
- Disputes with a school over the education, special needs or behaviour of the child, in some cases resulting in 'off-rolling' or exclusion;
- Familial reasons which have nothing to do with schools or education (eg using older children educated at home as carers);
- As a stopgap whilst awaiting a place at a school other than the one allocated.

2.4 The relationship between home educators and the Council is of upmost importance to the EHE team, and it is therefore crucial that the Policy is accessible and understandable to anyone who needs to access it. Through the Policy review attempts were made to remove unnecessary jargon and to set out clearly the responsibilities of each party in the processes relating to EHE.

2.5 Views of elective home educators in Rotherham were invited through informal stakeholder engagement prior to the commencement of the formal review. 2 drop-in sessions on 21 and 27 January 2025 were offered in the Riverside Café with an invite sent to all home educators known to the Council by Email. Three parents attended events in person with a further five providing feedback

by e-mail. Additionally, the views of parents, carers and young people are also sought on an ongoing basis through visits and contacts undertaken by members of the EHE team.

2.6 Members of Improving Lives Select Commission were invited to an engagement sessions held on TEAMS on 28 February 2025 to share information and views ahead of the formal consultation taking place.

2.7 A stakeholder event was held on 27 January 2025 and the following partners invited to share experiences, themes and priorities in advance of the formal Policy review being initiated:

- Rotherham Parent Carer Forum
- Family Help
- Rotherham Special Education Needs and Disabilities teams
- Virtual School
- Health services
- Schools
- Social Care

2.8 Following the engagement events, a proposed Policy was drafted taking into account all feedback and comments received. Key changes proposed within the draft Policy are as follows:

- Guidelines for indicators the Council is looking for when making judgements about the provision of suitable education. The proposed draft Policy is clear that this does not seek to be prescriptive but offers guidance to parents and carers based upon the content of the Department for Education Guidance to Local Authorities.
- Simplification and removal of some of the process information detailing Council internal actions and systems.
- Clearly stating the responsibilities of all parties involved in the process.
- Providing clarity about the actions of the Council where we cannot be satisfied that suitable education is being received by a child.
- The addition of specific information about Flexi Schooling

2.9 A period of formal consultation was agreed by an Officer Delegated Decision on 15 April 2025 and was hosted on the Council's consultation webpages between 16 April- 17 June 2025. This was publicised via the following means:

- Notification to all schools in the Education Bulletin
- Inclusion in Neighbourhood Bulletins
- Direct Email to all known home educators in Rotherham

- Promotion with internal Council services
 - Promotion at relevant stakeholder events, including Children Not In School Governance Group. Locality Partnership Panels and the Strategic Fair Access Panel.
- 2.10 There were 11 responses received to the formal consultation. These are summarised at Appendix 1. Following the consultation no changes were made to the proposed draft Policy.

3. Options considered and recommended proposal

- 3.1 The current EHE Policy remains in place, this is outdated, wordy and could be difficult for parents to navigate.
- 3.2 **Recommended-** That Improving Lives Select Commission consider the contents of the report and the draft revised Elective Home Education Policy and endorse the draft revised Elective Home Education Policy to go forward for Cabinet approval.

4. Consultation on proposal

- 4.1 A range of stakeholder engagement sessions were hosted, as detailed in the body of the report.
- 4.2 Formal consultation was hosted on the Council's website between 16 April- 17 June 2025.

5. Timetable and Accountability for Implementing this Decision

- 5.1 October 2025- Seek Cabinet endorsement of the proposed draft Policy
- 5.2 November 2025- Agreed Policy launched with home educators, schools and other stakeholders through direct communications and appropriate forums.

6. Financial and Procurement Advice and Implications

- 6.1 There are no direct financial implications.

7. Legal Advice and Implications

- 7.1 There are no direct legal implications.

8. Human Resources Advice and Implications

- 8.1 There are no direct Human Resources implications

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The implementation of a revised Elective Home Education Policy will support the Council in continuing to discharge statutory education and safeguarding duties in respect of Children and Young People

10. Equalities and Human Rights Advice and Implications

- 10.1 Consideration to Equality has been given in the drafting of the revised Policy. The right of every child to access education is promoted by the proposed Policy, as it the right of parents and carers to provide this in a way they decide.
- 10.2 An Equality Impact assessment in respect of the proposals will be submitted to Cabinet.

11. Implications for CO2 Emissions and Climate Change

- 11.1 There may be a climate impact from staff travel if the number of children electively home educated continues to rise, however this may be mitigated as the revised Policy attempts to support parents and carers in making informed decisions through a 'support first' approach.

12. Implications for Partners

- 12.1 The Policy aims to set out clearly the responsibilities of all parents in relation to elective home education. These have not changed since the previous Policy was agreed in 2021. Partners have been involved in the Policy review.

13. Risks and Mitigation

- 13.1 The Council has a statutory duty under s436a of the Education Act 1996 (to identify as far as possible) children of statutory school age in the Rotherham area who are missing education.
- 13.2 An effective and enforceable Elective Home Education Policy is crucial in discharging this duty effectively.

14. Accountable Officers

Sarah Whitby, Head of Service Access to Education

Rebecca Braithwait, Principal Officer Elective Home Education and Children Missing Education

Approvals obtained on behalf of Statutory Officers: -

	Name	Date
The Strategic Director with responsibility for this report	Nicola Curley – Strategic Director, Children & Young Peoples Service	Click here to enter a date.
Consultation undertaken with the relevant Cabinet Member	Cabinet Member for Children and Young People -	Click here to enter a date.

	Councillor Cusworth	
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