

This request relates to Keeping Children Safe In Education Statutory Guidance 2023, sections 176-179, published 6th June 2023 and effective from 1st September 2023.

Please provide me with copies of all correspondence from 1st April 2023 to the present (including emails) from or to the LGA (Local Government Association) the ADCS (Association of Directors of Children's Services) or AEHEP (Association Elective Home Education Professionals) relevant to the implementation of the sections listed above.

Please see below attachments

From: [REDACTED]
To: [HOMEEDUCATION, Elective](#)
Cc: [REDACTED]; [REDACTED]
Subject: Elective Home Education Data Collection – Autumn 2022 and Spring 2023 Data Checking Exercise
Date: 12 April 2023 15:35:26
Attachments: [image001.png](#)

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Dear colleagues,

Thank you for your contributions to the Elective Home Education and Children Missing Education data collections.

We have been analysing the Autumn 2022 and Spring 2023 collections in detail. As part of our quality assurance and resulting engagement with a selection of local authorities (LAs), we have established a small number of errors and inconsistencies in LAs inputting data.

Before we publish some of the data, including at LA level, we would like to give an opportunity for all LAs to review their Autumn and Spring data submissions in COLLECT to ensure the data submitted is accurate and definitions are in line with the current data collection [guidance](#).

We will re-open the Autumn 2022 and Spring 2023 EHE and CME COLLECT blades at 9am on Thursday 13 April 2023 and they will remain open for amendments until 4pm on Friday 28 April 2023, to allow local authorities to review their data returns.

- If changes are not required, please add a return level note to state that you do not wish to make any changes to each data return.
- If changes are required, please follow these steps:
 - (1) Select the appropriate data collection (Autumn 2022 EHE and CME and/or Spring 2023 EHE and CME) within [COLLECT](#)
 - (2) Edit data items which require amendment
 - (3) Add a return level note to state amendments have been made
 - (4) If there are any new outstanding queries or errors on your data return as a

result of your amendments, please add an additional return level note to explain the reasoning for these. Please also add notes which explain any new missing data or new data quality issues. Notes already present from the live data collection periods will remain on your return(s).

(5) Please utilise the Summary Report available in COLLECT which summarises your data return. This can be useful to download or print out to ensure all data items are correct and to gain sign off from senior management once amendments have been made.

(6) Once you have completed your amendments, added the relevant return level notes and you are happy all data is accurate, please press the 'submit' button

(7) We will then check your data and may contact you if we have any queries. Once we are happy with your data, we will authorise it.

Please ensure all amendments are complete and data is submitted in COLLECT by 4pm on Friday 28 April 2023. This should include any changes that you may have already made the Department aware of via email.

Please note that this message has also been sent to LA CME teams and data collection contacts, and you may wish to liaise with them as you collate your response to this request.

If you would like to discuss any element of the data collection or this request, the Data Operations Service Desk can be contacted via the [data collection service request form](#).

Kind regards

██████

██████████

Senior Policy Adviser, Elective Home Education

Non-school education, activities, and integration unit



From: [DfE, DataCollections](#)
To: [DfE, DataCollections](#)
Subject: Invitation to EHE and CME data workshops
Date: 13 April 2023 15:48:13
Attachments: [image001.png](#)

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Dear colleagues

Following on from the email you received on 12 April 2023 regarding checking your Autumn and Spring EHE and CME data, we would like to invite you to a workshop to help the Department for Education to understand more about trends reported and outliers in the [Elective Home Education \(EHE\) and Children Missing Education \(CME\) data](#).

We are particularly interested in hearing from your local authority (LA), as an LA who meets at least one of the following criteria:

- Higher or lower than average rates of reported EHE and/or CME children
- Volatility, either between Autumn and Spring censuses, or between 2021/22 and census day
- Higher or lower usage of s437(1) notifications and School Attendance Orders than average

We are also keen to explore how you record and report data relating to child characteristics (e.g. ethnicity, children in need, looked-after children, special educational needs status).

Please use this [form](#) to select all workshop sessions your LA is able to attend, by Thursday 20 April. All sessions will be held virtually via Microsoft Teams, and will last up to two hours. Shortly after 20 April, we will allocate attendees to one of the sessions and send out workshop details. This email has been sent to data collection contacts, EHE policy leads and CME policy leads. Please use your judgement to decide who is best placed to attend from your local authority. We ask that only a maximum of two attendees are present from each LA.

Regardless of your attendance at these workshops, as per our previous email please check and, if necessary, amend your Autumn and Spring returns on COLLECT by Friday 28 April 2023.

Many thanks and kind regards

Data Ownership Team



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From: [HOMEEDUCATION, Elective](#)
To: [HOMEEDUCATION, Elective](#)
Subject: Publication of Elective Home Education Data Autumn/Spring 2022-23
Date: 17 May 2023 15:10:47
Attachments: [image001.png](#)

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Dear colleagues

Please be advised that the data provided the Department for Education on elective home education has now been analysed and checked and will be available at the following link:

<https://explore-education-statistics.service.gov.uk/find-statistics/elective-home-education/2022-23>

The data will be published from 9:30am tomorrow, 18 May.

Many thanks

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█

Senior Policy Adviser, Elective Home Education

Non-school education, activities, and integration unit



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From: [NOREPLY_DataOpsServiceDesk](#)
Subject: FW: Important information from Department for Education- Elective Home Education and Children Missing Education Data Collection Summer 2023 – Go Live Bulletin
Date: 18 May 2023 11:30:59
Attachments: [image001.png](#)
[image004.png](#)
[EHE and CME 2022-23 aggregate data collection guide v1.5.docx](#)

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Dear Colleagues

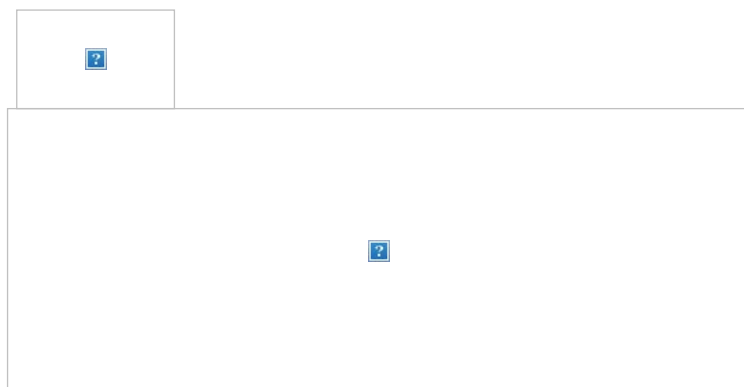
The link to the EHE publication was incorrect in our previous communication, please use this amended link <https://explore-education-statistics.service.gov.uk/find-statistics/elective-home-education>. Please accept our apologies for this error.

Regards

Data Operations Service Desk

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From: NOREPLY, DataOpsServiceDesk <DataOpsServiceDesk.NOREPLY@education.gov.uk>

Sent: Thursday, May 18, 2023 9:11 AM

Subject: Important information from Department for Education- Elective Home Education and Children Missing Education Data Collection Summer 2023 – Go Live Bulletin

Reference: EHE & CME Summer (2)

Issued to: EHE & CME local authority contacts

Issue date: 18/05/2023

Elective Home Education and Children Missing Education Data Collection Summer 2023 – Go Live Bulletin

Dear colleagues

1. Summer EHE and CME data collection now live

The summer EHE and CME data collection is now live. You will be able to submit your data via on screen entry in [COLLECT](#), our centralised data collection system. COLLECT is accessed through [DfE Sign-in](#). If you do not already have access to DfE Sign-in, then please [create a DfE Sign-in account](#).

To add the COLLECT service, once you have accessed DfE Sign-in then please use the 'Request access to a service' option on the 'My services' screen to select access to COLLECT and then the EHE & CME collection.

If you already have access to COLLECT, you will need to contact your local approver to request access to the EHE & CME data collection blade. You can view your local authority approver list from the 'My services' screen.

More information is available on the [DfE Sign-in help screen](#) (please note you need to be logged in to access this screen). You can also get help using the [DfE Sign-in service request form](#).

2. Important dates

The deadline for submitting data is **Friday 16 June 2023**.

If you anticipate any problems with meeting this deadline, please contact us as soon as possible so we can assist.

We encourage local authorities to participate in this voluntary collection, to improve our national level understanding and feed into relevant policy areas. CME are some of the most vulnerable children in our society and this data return will be particularly important in our efforts to identify and support them.

3. Preparing for the return

We have updated the attached data collection guide following feedback from LAs in order to make the definition of CME

clearer. We have also included section 1.7 which covers how to return data in COLLECT and highlight that by submitting EHE and CME data to DfE, local authorities are confirming:

- Their return has received internal sign-off
- Data is accurate
- Their consent to publication of the data at local authority level, at DfE's discretion.

This guide will replace the existing version on gov.uk as soon as possible.

Please take the time to read this guide to ensure the data you plan to return to us meets the definitions included in there. Only sections 1 and 2 covered in summer data collection.

As this is a new data collection, we are aware LAs may not collect all the data we are requesting. We would encourage you to still complete the return with the information you do have available and let us know of any data you are unable to submit.

If you are unable to return any data items, please leave these blank rather than entering zeros and add a return level note to detail any missing data. DfE will then be able to OK the associated errors or queries. Recording in this manner allows DfE to differentiate between missing data and true zero counts.

All the information you require for this return, including the data collection guide, COLLECT guides, data collection dates and privacy notice can be found on the EHE and CME data collection [website](#).

4. Notes, summary report and submitting data

Once you have entered your data into COLLECT, if there are any outstanding queries or errors on your data return, please add a return level note to explain the reasoning for these. Please also add notes which explain any missing data or data quality issues.

Please utilise the Summary Report available in COLLECT which summarises your data return. This can be useful to download or print out to ensure all data items are correct and to gain sign off from senior management.

Once you have completed the data return and you are happy it is accurate, please press the 'Submit Return' button. We will then check your data and may contact you if we have any queries. Once we are happy with your data, we will authorise it.

If you are a new user of COLLECT, please refer to the [COLLECT guides](#) for help in navigating the system.

5. CME webinar

The Department for Education will be hosting a webinar for local authorities on children missing education (CME) on **Thursday 25 May at 13:30 to 14:30**. The webinar will answer common queries about CME, including around the definition of CME, and provide effective practice examples from two local authorities.

To register your interest, please complete the short form [here](#). If you have any questions regarding the webinar, please contact Attendance.Webinar@education.gov.uk

6. Publication of Autumn 2022 and Spring 2023 data

Data from the Autumn 2022 and Spring 2023 data collections has been published at 09:30 today as two publications covering [EHE](#) and [CME](#) separately.

7. Data collection for 2023/24

The EHE and CME data collection will continue on a voluntary basis for the 2023/24 academic year. Further details on this collection will be communicated shortly.

8. Slack

[Slack](#) is the Data Operations data collection forum. The forum covers topics of interest to local authorities, including a dedicated channel for the EHE and CME data collection ([#ehe_and_cme](#)), COLLECT and DfE Sign in.

We strongly encourage colleagues to [register](#) with this forum and use it to keep up-to-date. A quick start help guide can be accessed from within the [#general_discussion](#) channel which we encourage users to read.

9. Contact details for the Data Operations Service Desk

If you have any queries about this data collection, the Data Operations Service Desk can be contacted via the [data collection service request form](#).

Regards

Data Operations Service Desk

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From: [DfE, DataCollections](#)
To: [DfE, DataCollections](#)
Subject: Minutes from EHE and CME local authority focus groups
Date: 23 May 2023 11:59:12
Attachments: [image001.png](#)
[EHE 5 min guide for NHS staff - Summer 2021.pdf](#)
[EHE 5 min guide for Schools - Summer 2022.pdf](#)
[EHE 5 min guide for Social Workers - Summer 2021.pdf](#)
[EHE 5 min guide for EHCP - Summer 2021.pdf](#)
[EHE and CME data collection focus group minutes.docx](#)

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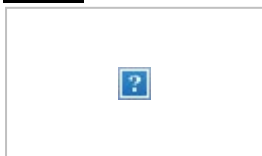
Dear colleagues

Many thanks to all those who attended the EHE and CME local authority focus groups last month. Attached are the minutes which attempt to summarise the discussions across all 4 sessions. I also attach some 5 mins guides which are used by Gloucestershire LA and were requested by other LAs in attendance at one of the sessions.

Since the focus groups took place there have been a couple of developments:

1. [EHE](#) and [CME](#) publications were released on Thursday 18 May
2. We can confirm the data collections will continue termly and on a voluntary basis for the 2023/24 academic year. Further details will be shared with local authorities in June.

Thanks



Data Ownership Team | Data Operations | Data Directorate | Operations and Infrastructure Group

T: [\[redacted\]](#) | **E:** [\[redacted\]](#)
gov.uk/dfe | [@education.gov.uk](https://twitter.com/education.gov.uk) | fb.com/education.gov.uk

Working days: Tuesday to Friday

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What do we mean?

Elective home education is a 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.

This is a legal right under Section 7 of the Education Act 1996

The legal duty on parents is to arrange a suitable education for their children, not necessarily to register them with a school.

Education is compulsory; registering with a school is not.

Elective home education is different to home education arranged by a school or LA, such as home tuition for children too unwell to attend school, for example.

Parents who choose to educate their child in this way rather than sending the child to school full-time, take on financial responsibility for the cost of doing so.

Primary responsibility for ensuring that children are properly educated belongs to parents

The local authority has moral and social obligations to ensure that a child is safe and being suitably educated. If it is not clear that that is the case, the authority should act, within its legal powers, to remedy the position.

Flexi-schooling is not classified as Elective Home Education as for this to be in place a child must be on roll at a school. More information can be found about Flexi-schooling and what it is on this webpage.

https://www.gloucestershire.gov.uk/media/2090231/svrs_hir160-lnutland-desktop-flexi_schooling_info-revised-june-2019.pdf

What factors need to be considered?

There is a duty on a school to notify us of children who are withdrawn from school for elective home education, but no duty (currently) on parents to inform the local authority.

Registration is currently not a legal obligation for either parents or local authorities. In Gloucestershire however, we offer a voluntary registration scheme.

Head teachers must not encourage or pressurise a parent in to de-registering a child from a school

The parent's legal right for the school to remove them from roll without delay (in the case of a special school this additionally needs the agreement of the EHCP SEN Casework Team).

Immediate safeguarding concerns identified by Head teacher must be raised in line with locally agreed procedures.

It is not the responsibility of parents under s.436A to 'prove' that education at home is suitable. However, the vast majority consider it sensible to do so. GCC EHE Link officers may only enter the home at the invitation of the parents.

Parents need to meet their duty in s.7 of the Education Act 1996 i.e. to secure a suitable education.

The parent is under no legal obligation to agree to this simply in order to satisfy the local authority as to the suitability of home education.

There are no powers under the Education Act for local authorities to have a right of entry to the family home to check that a suitable education is being provided.

What are the key processes?

De-registration from school and school sends notification to LA. Where the child has a Child Protection Plan or a Child in Need (CIN) Plan, the school should also notify the child's social worker.

A Local authority's statutory duty is:

'to make arrangements to enable the authority to establish, so far as it is possible to do so, the identities of children in its area who are not receiving a suitable education'

- Initial contact made within 5 days through phone call, letter or email
- Regular follow ups by letter/phone call, email and visits to secure information about 'suitable, efficient and full-time education'
- If no response from parent after 16 weeks from date of initial enquiry (or there are safeguarding concerns raised prior to that) a MARF is actioned

If an EHE child has an EHCP, the Advisory Teaching Service (ATS) & EHCP team are the education EHE officers. ATS attend the annual reviews.

In cases where there were no previous concerns about the education provided and no reason to think that has changed because the parents are continuing to do a good job, a brief annual contact would be made in line with GCC's Elective Home Education Policy.

Education law empowers action to be taken where parents who home educate their child fail to make suitable or adequate education (through, for example, School Attendance Orders).

What is my role as an NHS professional within this topic?

- If you have concerns regarding EHE you should email the EHE Inbox (see below) to highlight the concerns.
- If you have SAFEGUARDING concerns then you should follow your standard process for this.
- If the child wants to return to school the EHE Officer can help the family through this process so please suggest to them to get in touch with their EHE Officer, or email the EHE Inbox.
- Please encourage parents to be as open as possible with LA
- If you discover the identifies of a child that is being Home Educated please check that child is known to EHE team with LA via the EHE Inbox.

Education law empowers action to be taken where parents who home educate their child fail to make suitable or adequate education (through, for example, School Attendance Orders). However, unsuitable or inadequate education can also impair a child's intellectual, emotional, social or behavioural development, and may therefore bring child protection duties into play. DfE Guidance therefore provides that local authorities should consider whether they ought to take action under safeguarding law, especially where the steps described above have not been, or seem unlikely to be, sufficient to address a risk to a child's welfare. Social services teams in local authorities and those dealing with home education should take steps to ensure that relevant information on individual children is shared and there should be communication between social workers and the EHE officers if it appears that the home education arrangement (or lack of) have the potential to impair the child's intellectual, emotional, social or behavioural development.

Where can I get further information and who can I contact?

- EHE Team: either telephone 01452 [redacted] or email EHE@gloucestershire.gov.uk
- [redacted] – (EHE oversight/Local Inclusion Lead) either telephone 01452 [redacted] or email EHE inbox as above but mark FAO [redacted]
- If child has an EHCP, contact EHCP casework and / or [redacted] (ATS): please email EHE inbox as above but mark FAO [redacted] and/or [redacted]
- EHE public page - <https://www.gloucestershire.gov.uk/education-and-learning/home-education> here you will also find a link to the DfE Elective Home Education Guidance

Please read this 5-minute guide in conjunction with the EHE internal guidance for professionals (Sept 2021); in this document, all aspects are explained more fully

What do we mean?

Elective home education is

a legal right under Section 7 of the Education Act 1996

This is 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.

Education is compulsory; registering with a school is not.

Where it is clear that parents are educating a child well at home, contact by the local authority need be minimal and not made more onerous than is required by the parents' own needs.

Some may not receive a suitable education through home education arrangements.

The parent is not required to give a reason for electing to educate their child at home, nor are they required to seek the agreement of the school or LA to withdraw their child from school (except where the child is educated in a special school at the arrangement of the LA or they are subject to a School Attendance Order).

Parents who choose to educate their child in this way rather than sending the child to school full-time, take on financial responsibility for the cost of doing so.

Primary responsibility for ensuring that children are properly educated belongs to parents

The local authority has moral and social obligations to ensure that a child is safe and being suitably educated. If it is not clear that that is the case, the authority should act, within its legal powers, to remedy the position.

DfE guidance (April 2019) aims to enable local authorities to identify children not receiving a suitable education, and to do something about it.

What factors need to be considered?

There is a duty on a school to notify us of children who are withdrawn from school for elective home education, but no duty (currently) on parents to inform the local authority.

Registration is currently not a legal obligation for either parents or local authorities.

In Gloucestershire however, we offer a voluntary registration scheme.

It is a parent's legal right and by law the school must remove them from the roll without delay (in the case of a special school this additionally needs the agreement of the EHCP SEN Casework Team).

Head teachers must not encourage or pressurise a parent in to de-registering a child from a school

Any immediate safeguarding concerns must be raised by Headteacher in line with locally agreed procedures.

Flexi-schooling is not classified as Elective Home Education as for this to be in place a child must be on roll at a school. More information can be found about Flexi-schooling and what it is on this webpage.

https://www.gloucestershire.gov.uk/media/2090231/svrshir160-lnutland-desktop-flexi_schooling_-_info-revised-june-2019.pdf

What are the key processes?

Upon de-registration from school, the school sends notification to LA. Where the child has a Child Protection Plan or a Child in Need (CIN) Plan, the school should also notify the child's social worker.

A Local authority's statutory duty is:

'to make arrangements to enable the authority to establish, so far as it is possible to do so, the identities of children in its area who are not receiving a suitable education'.

The law requires the local authority to establish that every child is receiving a suitable education, including those being educated at home.

The LA takes a proportionate approach in making enquiries and in satisfying ourselves that a child is receiving a suitable education through visits, phone calls and parent plans.

If an EHE child has an EHCP, the Advisory Teaching Service (ATS) & EHCP team are the education EHE officers. ATS attend the annual reviews.

In cases where there were no previous concerns about the education provided and no reason to think that has changed because the parents are continuing to do a good job, a brief annual contact would be made in line with GCC's Elective Home Education Policy.

EHE officers can support a return to school if that is the wish of the family. If there is a SW with the family, the SW can discuss this with the EHE Lead and an officer can help assist if necessary (see section below).

Education law empowers action to be taken where parents who home educate their child fail to make suitable or adequate education (through, for example, School Attendance Orders).

What is my role as a School within this topic?

- You should follow the GCC procedures for EHE which can be found on our Schoolsnet page - [Elective home education - Schoolsnet \(gloucestershire.gov.uk\)](https://www.gloucestershire.gov.uk/schoolsnet/elective-home-education) – also set out BELOW
- Head teachers must not encourage or pressurise a parent in to de-registering a child from a school. Equally, they are not allowed to refuse the parent's right to de-register the child from school for the purposes of Elective Home Education.
- The LA will challenge schools where it appears that parents have been persuaded or coerced to de-register their child from school for the purposes of Elective Home Education.
 - *Schools must not seek to persuade parents to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record.*
 - *In the case of exclusion, schools must follow the statutory guidance. If the pupil has a poor attendance record, the school and LA must address the issues behind the absenteeism and use the other remedies available to them.*
- It is a parent's legal right and by law the school must remove them from the roll without delay (in the case of a special school this additionally needs the agreement of the EHCP SEN Casework Team).
- If a parent is considering or has already decided to home educate a child who is a Child in Need or has a Child Protection Plan, the DSL at the school must immediately inform the child's social worker.
- If you have any concerns about the safeguarding or risky behaviours of a child, who is going to be Home Educated, then please submit a MARF directly to the MASH.
- Schools are encouraged to make use of Exit Discussions to keep an open dialogue and ensure parents are making an informed choice about EHE.

Where can I get further information and who can I contact?

- EHE Team: either telephone 01452 [redacted] or email EHE@gloucestershire.gov.uk
- [redacted] – (EHE oversight/Locality Inclusion Lead) either telephone 01452 [redacted] or email EHE inbox as above but mark FAO [redacted]
- If child has an EHCP, contact EHCP casework and / or [redacted] (ATS): please email EHE inbox as above but mark FAO [redacted] and/or [redacted]
- EHE public page - <https://www.gloucestershire.gov.uk/education-and-learning/home-education> here you will also find a link to the DfE Elective Home Education Guidance

Please read this 5-minute guide in conjunction with the EHE Schoolsnet page and EHE Policy where all aspects are explained more fully

Procedures

Parents of a child registered at a state maintained or an independent school must inform the school in writing of their intention to de-register for the purposes of Elective Home Education. When a mainstream school receives written notification from a parent of their intention to home educate their child, the head teacher must:

- Acknowledge the parent's letter in writing.
- Delete the child's name from their register.

We ask mainstream schools to do this within three working days of receipt of the parents' letter.

A school must not de-register a pupil for EHE unless the parent has expressly stated in their letter that they intend to home educate.

Using the EHE de-registration form <https://www.gloucestershire.gov.uk/schoolsnet/your-pupils/elective-home-education/> on schoolsnet and by forwarding to the LA a copy of the written notification the parent sent to the school, inform the LA immediately of removal of the child's name from the register (Section 12 [3] of the "The Education [Pupil Registration] Regulations 2006).

The school should keep the child's school file. Parents are allowed to request a copy of this file from the school to assist them in planning their child's education. We ask schools to send the record of any safeguarding concerns to the LA for retention.

Special Educational Needs

Parents' right to educate their child at home applies equally where a child has Special Educational Needs (SEN). This right is irrespective of whether the child has an Education Health Care Plan (EHCP) or not. Where a child has an EHCP and is home educated, the LA has a duty to ensure that the child's needs are met and the same duties as it has towards other children. The LA will continue to maintain the EHCP whilst it is needed and will coordinate the Annual Review of the EHCP.

If the child who is to be withdrawn is on roll at a special school parents must seek agreement from the LA before the child is removed from the school for EHE. The school must inform the LA of the parents' request before the child's name can be deleted from the school roll. The LA will consider whether the elective home education is suitable and likely to further the outcomes specified in the EHCP, before the Children with Additional Needs Service can amend the Plan and the child's name be deleted from the school's register.

What should schools do if parents are suggesting they wish to Electively Home Educate?

If parents of children at your school are considering EHE, please give them our contact details, or ask if their details may be passed to us. Parents can discuss their plans with a **Parent Adviser**, who will offer the necessary information, guidance and support to them.

Hold an **Transition to EHE Discussion** with the parents and invite a representative from the LA



If parents still wish to Home Educate, they need to send in a **letter** to the school stating their wishes



The school then completes a **Deregistration Form**



School sends –

- Transition to EHE Discussion (if held)
- Letter from parent
- Deregistration form

to ehe@gloucestershire.gov.uk

The following can also be found on our [Schoolsnet Page](#)

- [DfE EHE Guidance for Schools](#)
- [DfE EHE Guidance for Parents](#)
- Deregistration Form
- Contact details for Parents wishing to know more
- FAQ's for Parents
- **Safeguarding** information
- Link to our Public [Home Education Page](#)
- [GCC Elective Home Education Policy](#)

EHE Contact Details

✉ - ehe@gloucestershire.gov.uk

☎ - 01452 [REDACTED]

Safeguarding Children

If a parent is considering or has already decided to home educate a child who is a Child in Need or has a Child Protection Plan, the DSL at the school must immediately inform the child's social worker.

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Parents who choose to educate their child in this way rather than sending the child to school full-time, take on financial responsibility for the cost of doing so.

Primary responsibility for ensuring that children are properly educated belongs to parents

The local authority has moral and social obligations to ensure that a child is safe and being suitably educated. If it is not clear that that is the case, the authority should act, within its legal powers, to remedy the position.

Flexi-schooling is not classified as Elective Home Education as for this to be in place a child must be on roll at a school. More information can be found about Flexi-schooling and what it is on this webpage.

https://www.gloucestershire.gov.uk/media/2090231/svrs_hir160-Intland-desktop-flexi_schooling_info-revised-june-2019.pdf

What factors need to be considered?

There is a duty on a school to notify us of children who are withdrawn from school for elective home education, but no duty (currently) on parents to inform the local authority.

Registration is currently not a legal obligation for either parents or local authorities. In Gloucestershire however, we offer a voluntary registration scheme.

Head teachers must not encourage or pressurise a parent in to de-registering a child from a school

The parent's legal right for the school to remove them from roll without delay (in the case of a special school this additionally needs the agreement of the EHCP SEN Casework Team).

Immediate safeguarding concerns identified by Head teacher must be raised in line with locally agreed procedures.

It is not the responsibility of parents under s.436A to 'prove' that education at home is suitable. However, the vast majority consider it sensible to do so. GCC EHE Link officers may only enter the home at the invitation of the parents.

Parents need to meet their duty in s.7 of the Education Act 1996 i.e. to secure a suitable education.

The parent is under no legal obligation to agree to this simply in order to satisfy the local authority as to the suitability of home education.

There are no powers under the Education Act for local authorities to have a right of entry to the family home to check that a suitable education is being provided.

What are the key processes?

De-registration from school and school sends notification to LA. Where the child has a Child Protection Plan or a Child in Need (CIN) Plan, the school should also notify the child's social worker.

A Local authority's statutory duty is:

'to make arrangements to enable the authority to establish, so far as it is possible to do so, the identities of children in its area who are not receiving a suitable education'

- Initial contact made within 5 days through phone call, letter or email
- Regular follow ups by letter/phone call, email and visits to secure information about 'suitable, efficient and full-time education'
- If no response from parent after 16 weeks from date of initial enquiry (or there are safeguarding concerns raised prior to that) a MARF is actioned

If an EHE child has an EHCP, the Advisory Teaching Service (ATS) & EHCP team are the education EHE officers. ATS attend the annual reviews.

In cases where there were no previous concerns about the education provided and no reason to think that has changed because the parents are continuing to do a good job, a brief annual contact would be made in line with GCC's Elective Home Education Policy.

Education law empowers action to be taken where parents who home educate their child fail to make suitable or adequate education (through, for example, School Attendance Orders).

What is my role as a social worker (SW) within this topic?

- You should be notified by the school if a child is CP or CiN, and the EHE officer will also contact you.
- A child is on a CIN or CP plan, SW needs to work collaboratively with the EHE officer. If the child also has an EHCP, SW to work collaboratively with the EHCP team too via the child's caseworker. SW to keep lines of communication open with the EHE officer / EHCP caseworker and invite them to any relevant meetings. SWs to attend annual reviews of EHE EHCP children where there is Social Care involvement.
- If the SW has concerns regarding EHE they should contact officers (see below) for discussion and further support.
- If the child wants to return to school, SW to support the transition back to school by liaising with the SENCo or pastoral lead at the school. SW to also discuss this with the EHE officer; EIS can also help assist this process if required.
- SW to encourage parents to be as open as possible with LA
- If a SW identifies an EHE child, check with LA EHE Lead whether that child is known to EHE team. If a child who is EHE becomes a SC-involved child, then SW needs to inform EHE LA Lead ASAP
- Be aware that the education tab on Liquid Logic could be out of date; please contact the Inclusion Service so they can check in Capita. Education primarily work on Capita; those in Education who have Liquid Logic access only have read-only access
- Education law empowers action to be taken where parents who home educate their child fail to make suitable or adequate education (through, for example, School Attendance Orders). However, unsuitable or inadequate education can also impair a child's intellectual, emotional, social or behavioural development, and may therefore bring child protection duties into play. DfE Guidance therefore provides that local authorities should consider whether they ought to take action under safeguarding law, especially where the steps described above have not been, or seem unlikely to be, sufficient to address a risk to a child's welfare. Social services teams in local authorities and those dealing with home education should take steps to ensure that relevant information on individual children is shared and there should be communication between social workers and the EHE link officers if it appears that the home education arrangement (or lack of) have the potential to impair the child's intellectual, emotional, social or behavioural development.

Where can I get further information and who can I contact?

- EHE Team: either telephone 01452 [redacted] or email EHE@gloucestershire.gov.uk
- [redacted] - (EHE oversight/Locality Inclusion Lead) either telephone 01452 [redacted] or email EHE inbox as above but mark FAO [redacted]
- If child has an EHCP, contact EHCP casework and / or [redacted] (ATS): please email EHE inbox as above but mark FAO [redacted] and/or [redacted]
- EHE public page - <https://www.gloucestershire.gov.uk/education-and-learning/home-education> here you will also find a link to the DfE Elective Home Education Guidance

Please read this 5-minute guide in conjunction with the EHE internal guidance for professionals (Sept 2021); in this document, all aspects are explained more fully

What do we mean?

Elective home education is a 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.

This is a legal right under Section 7 of the Education Act 1996

The legal duty on parents is to arrange a suitable education for their children, not necessarily to register them with a school.

Education is compulsory; registering with a school is not.

Elective home education is different to home education arranged by a school or LA, such as home tuition for children too unwell to attend school, for example.

Parents who choose to educate their child in this way rather than sending the child to school full-time, take on financial responsibility for the cost of doing so.

Primary responsibility for ensuring that children are properly educated belongs to parents

The local authority has moral and social obligations to ensure that a child is safe and being suitably educated. If it is not clear that that is the case, the authority should act, within its legal powers, to remedy the position.

Flexi-schooling is not classified as Elective Home Education as for this to be in place a child must be on roll at a school. More information can be found about Flexi-schooling and what it is on this webpage.

https://www.gloucestershire.gov.uk/media/2090231/svrs_hir160-lnutland-desktop-flexi_schooling_info-revised-june-2019.pdf

What factors need to be considered?

There is a duty on a school to notify us of children who are withdrawn from school for elective home education, but no duty (currently) on parents to inform the local authority.

Registration is currently not a legal obligation for either parents or local authorities. In Gloucestershire however, we offer a voluntary registration scheme.

Head teachers must not encourage or pressurise a parent in to de-registering a child from a school

The parent's legal right for the school to remove them from roll without delay (in the case of a special school this additionally needs the agreement of the EHCP SEN Casework Team).

Immediate safeguarding concerns identified by Head teacher must be raised in line with locally agreed procedures.

It is not the responsibility of parents under s.436A to 'prove' that education at home is suitable. However, the vast majority consider it sensible to do so. GCC EHE Link officers may only enter the home at the invitation of the parents.

Parents need to meet their duty in s.7 of the Education Act 1996 i.e. to secure a suitable education.

The parent is under no legal obligation to agree to this simply in order to satisfy the local authority as to the suitability of home education.

There are no powers under the Education Act for local authorities to have a right of entry to the family home to check that a suitable education is being provided.

What are the key processes?

De-registration from school and school sends notification to LA. Where the child has a Child Protection Plan or a Child in Need (CIN) Plan, the school should also notify the child's social worker.

A Local authority's statutory duty is:

'to make arrangements to enable the authority to establish, so far as it is possible to do so, the identities of children in its area who are not receiving a suitable education'

- Initial contact made within 5 days through phone call, letter or email
- Regular follow ups by letter/phone call, email and visits to secure information about 'suitable, efficient and full-time education'
- If no response from parent after 66 days from date of initial enquiry (or there are safeguarding concerns raised prior to that - MARF actioned)

If an EHE child has an EHCP, the Advisory Teaching Service (ATS) & EHCP team are the education EHE officers. ATS attend the annual reviews.

In cases where there were no previous concerns about the education provided and no reason to think that has changed because the parents are continuing to do a good job, a brief annual contact would be made in line with GCC's Elective Home Education Policy.

Education law empowers action to be taken where parents who home educate their child fail to make suitable or adequate education (through, for example, School Attendance Orders).

What is my role as an EHCP Casework within this topic?

- You should be notified by the school if a child who has an EHCP becomes EHE, and the EHE officer will also contact you.
- A child who has an EHCP, casework needs to work collaboratively with the EHE officer. If the child also has an CP/CiN plan, casework to work collaboratively with the EHCP team too via the child's SW. Casework to keep lines of communication open with the EHE officer / Social worker and invite them to any relevant meetings. SWs to attend annual reviews of EHE EHCP children where there is Social Care involvement.
- If the EHCP caseworker has concerns regarding EHE they should contact officers (see below) for discussion and further support.
- If the child wants to return to school, EHCP Casework to support the transition back to school by liaising with the SENCo at the school as you would any other child. EHCP Casework to also discuss this with the EHE officer; EIS can also help assist this process if required.
- If a EHCP Casework identifies an EHE child, check with LA EHE Lead whether that child is known to EHE team. If a child who is EHE gets an EHCP then the Caseworker should alert the EHE officer immediately.
- Education law empowers action to be taken where parents who home educate their child fail to make suitable or adequate education (through, for example, School Attendance Orders). However, unsuitable or inadequate education can also impair a child's intellectual, emotional, social or behavioural development, and may therefore bring child protection duties into play. DfE Guidance therefore provides that local authorities should consider whether they ought to take action under safeguarding law, especially where the steps described above have not been, or seem unlikely to be, sufficient to address a risk to a child's welfare. Social services teams in local authorities and those dealing with home education should take steps to ensure that relevant information on individual children is shared and there should be communication between social workers and the EHE link officers if it appears that the home education arrangement (or lack of) have the potential to impair the child's intellectual, emotional, social or behavioural development.

Where can I get further information and who can I contact?

- EHE Team: either telephone 01452 [redacted] or email EHE@gloucestershire.gov.uk
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- EHE public page - <https://www.gloucestershire.gov.uk/education-and-learning/home-education> here you will also find a link to the DfE Elective Home Education Guidance

Please read this 5-minute guide in conjunction with the EHE internal guidance for professionals (Sept 2021); in this document, all aspects are explained more fully



EHE and CME Focus Group Minutes 26 and 27 May April 2023

These notes are a summary of the discussions held across the four focus groups on the above dates. The covering email summarises where updates have happened since these events took place.

Policy update

Children not in school registers / Elective Home Education

We remain committed to legislating to introduce statutory local authority Children Not in School Registers at the next suitable opportunity.

In the meantime, we want to continue working with LAs to improve their current non-statutory registers, and to support them to ensure all children are receiving a safe and suitable education – this includes the current voluntary data collection, which will help us improve our understanding of these children, and reviewing our EHE guidance for LAs and parents, which we will seek to consult on later this year.

Children missing education

We are exploring how we can better support LAs to meet their duty to identify and support CME – this includes further information gathering from the sector, and best practice sharing planned for this summer term.

DfE will be hosting a webinar for local authorities on children missing education (CME) on Thursday 25 May at 13:30 to 14:30. Please sign up [here](#).

Publication and data collection update

We are working towards publication of data from the Autumn and Spring collection. We hope this is as soon as possible. If and what we publish is dependent on assurance of data quality. Particularly:

- CME data, less established than EHE data
- Publishing local authority level data when there are outliers and variation

The next section, therefore, outlines some of this variation and invites discussion about the data. This will help us ensure the new data is caveated appropriately throughout the publication.

We hope to continue the data collection into 2023/24 on a voluntary basis. This will be dependant on us publishing the 2022/23 data, as agreed with Star Chamber Scrutiny Board. A 2023/24 collection will include the following additional data items:

- Length of time child is missing education as at census date
- Primary reason for CME at census date

Further details on the 2023/24 data collection will be shared as soon as we are able.

Local authority feedback

LAs raised concerns of the burden of reporting the length of time CME where they have large numbers. LAs hold this data and track it but to extract, anonymise and input into a different system would be a lot of work.

Data quality and outliers

EHE and CME estimates

There is more variation in CME rates than EHE with a small number of outliers. Discussions with LAs so far suggest there is some variation in how LAs record CME and EHE, but that data is an accurate reflection of the number of EHE and CME on record within LAs.

LAs have reported consistent EHE figures between the first two data collections with more variation in the CME data. This reflects that many children miss education for short periods of time and so estimates are more likely to change, but it also may reflect a more consistent working definition of EHE compared to CME.. This is consistent with our understanding that EHE recording is more uniform and a consistent measure of the underlying population LAs are trying to track.

Similarly, there is a strong correlation between Autumn census day and “any point during the year” EHE figures with more variation for CME reflecting that many children miss education for short periods of time and so estimates are more likely to change. Some explanations provided for differences have been:

- Children arriving from Ukraine and Afghanistan in 2022/23 during the year figures.
- The team opening a number of CME cases at the start of the academic year

LA discussion questions

1. Is guidance clearer on the definition of CME?

Definition of CME from [data collection guidance](#):

Children missing education are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school.

CME **does not** include children who:

- Are older or younger than compulsory school age

- *Are receiving suitable EHE*
- *The local authority has not had an opportunity to assess whether they are receiving suitable education.*
- *Are registered at a school, even if they are persistently or severely absent*

*CME **does** include children of compulsory school age who are not registered at a school and are not receiving suitable education elsewhere, even if these children:*

- *Are in the process of applying for a school place*
- *Have been offered a school place for a future date but have not yet started*
- *Are receiving EHE, if this education is unsuitable*

An EHE child whose education is deemed unsuitable should no longer be classified as an EHE child and should be classified as CME.

- LAs raised that CME statutory guidance and data collection guidance needs to be made clearer – DfE to take away all feedback from focus groups

2. How do you assess suitability of EHE?

- Difficult to assess what is suitable education when there is no benchmark, or minimum requirement. LAs can point to the national curriculum, but there is not always a requirement to follow NC so not always straightforward. Guidance says LA can set their own requirements, but this can be difficult when there is no guidance to show what LAs should be asking for from parents.
- What is right for one family may not be for another depending on culture, background etc.
- Some LAs RAG rate their EHE children. Red children are offered more intensive support than amber/green cases
- One LA does home visits for all EHE children to see home environment to assess suitability of EHE
- LAs raised issue of parents' misunderstanding what EHE is (e.g. asking for a laptop to be provided, unaware they have to fund exams etc). DfE said this is something we are trying to clarify as part of the LA and parent guidance review.

3. Is it clear when to close an EHE case and open a CME case?

- There is variation in practice in this area across LAs, some examples were provided:
 - Discussion around whilst assessing suitability of education how do you count these children? Parents want to work with LA etc, so some LAs have been keeping these as EHE (rather than moving to CME) but not including them in data collection EHE counts
 - Some LAs use the s437(1) notices as trigger point to move from EHE to CME

- When parents states they are no longer able to EHE, child will be moved to CME
 - Other LAs issue first letter in SAO process, invite parents to meeting and at this point decision is made re SAO process so at this point child changes from EHE and CME.
 - **DfE response:** Section 436A of the Education Act 1996, is a duty on local authority to make arrangements to try and identify children of compulsory school age who are not registered pupils at schools and are not receiving suitable education otherwise than at a school. Although there's no legal obligation on local authorities to classify a child as CME at a particular stage of the statutory process under sections 436A and 437 of the Act, we would expect that a local authority classify a child as CME once they have deemed that the child is not receiving suitable education (which would include having insufficient information to reach such a conclusion).
4. What issues do you face in recording CME?
- LAs discussed how they record and track children moving abroad. Where there are safeguarding concerns, border force checks sometimes take place. Some LAs email schools abroad to check children are registered before they remove from their CME registers.
5. Possible factors of inconsistencies across LAs?
- For children who are in the school application process, if they are in contact with Schools Admissions Team, then some LAs don't count them as CME hence why they have low rates. Other LAs count as CME after a certain time period has passed.
 - **DfE response:** Once a child comes off a school roll and enter schools admissions process, they should be classified as CME until they are back on a school roll or are receiving suitable education elsewhere. We encourage LAs to amend their data going forward as per this definition, but recognise LAs may not have systems in place yet to record these children.
 - LAs highlighted that a lot of CME work goes into cases before they are formally classified as CME when children are still on the school roll. LAs raised concerns that the current data collection doesn't reflect this cohort.
 - Some LAs are including 'dormant' children in their CME count who have never been located or who they are still tracking. LAs continue to record these 'dormant' children until they reach compulsory school age. Because LAs are not just recording 'active' CME cases, this may result in higher CME numbers than LAs who are not recording these 'dormant' children. Other LAs raised that CME guidance states CME case can be closed when 'all reasonable enquiries have been made', so they are closing these CME cases off.
 - **DfE response:** The department's [statutory CME guidance](#) advises that CME remain on lists until the child is receiving suitable education, has been located in another LA/country (and information shared with that area) or is older than compulsory school age. LAs should include all CME known to them in the data collection.

6. If you have high number of EHE or CME, are there any particular factors driving this?
 - Higher numbers of EHE and CME in areas with more transient populations, such as GRT communities
7. What factors are behind large changes in CME and EHE from Autumn to Spring?
 - LAs confirmed Autumn CME usually higher at the start of academic year when trying to track new arrivals into the LA, children taking up new school places etc
 - CME population much more transient than EHE population which is why data may look as it does – less correlation between Autumn and Spring, more distribution across LAs for CME than EHE, for example
8. Any emerging trends?
 - LAs raised that EHE numbers are increasing, almost to covid levels.
 - Increase in children with EHCPs being EHE. This is a stretch on LA resource to assess whether education is suitable.
 - Increase in children who have evidence of special education needs and/or mental health issues who are EHE but have never attended a school so don't have formal SEN support/EHCP assessment.
 - Increase in parents moving to EHE to avoid prosecution regarding attendance
 - Significant increase in children with mental health issues where parents are choosing to EHE
 - Increase in 'dissatisfaction with school' as reason for EHE for those with SEND, but also those with lower level SEN who don't have formal SEN support/EHCP assessments.
9. Do you have any concerns about publication of this data at LA level?
 - Some concerns were raised around publication of CME data when LAs are using different definitions but many LAs welcomed publication, would help with benchmarking, improving practice etc
 - **DfE response:** The department recognises that there are many factors that can affect the number of CME in an area and it is helpful to know the different ways that LAs are recording and counting CME. The data will be appropriately caveated when published, and we expect the data quality to improve over time.
 - DfE has received a number of FOI requests for this data, so preferred approach would be to publish LA level CME data in a statistical publication so it can be accompanied by commentary covering the issues discussed at these focus groups, rather than releasing the numbers alone.

Notices and SAOs

We also want to understand the Section 437(1) notices and School Attendance Orders (SAOs) data. There are clear outliers where these are used a lot, but we are also interested in hearing from authorities that do not use these measures at all.

We would expect lower rates of SAOs compared with S437(1) (as the data shows) but there is some variation across LAs.

If an LA considers that a child is not receiving satisfactory EHE, the LA has a duty under s437 of The Education Act 1996 to serve notice on the parent/carer requiring them to satisfy the LA that their child is receiving suitable education “otherwise than at school”. If a parent’s/carer’s reply is unsatisfactory, the LA may consider issuing a School Attendance Order.

LA discussion questions

1. If your LA does not use these measures, why is this? Do you use one but not the other?
 - Some LAs found SAOs clunky, lengthy and over bureaucratic process which often doesn’t result in a child returning to school or getting suitable EHE. The SAO process needs a better outcome as it’s time consuming.
 - Once cases are taken to court, how is suitability of education judged?
 - SAOs don’t give the outcome LAs want as children often remain without an education afterwards
 - SAO can mean family end up in a loop (often children have multiple SAOs served) and they don’t guarantee a return to school
 - LA letters which go out before notices often mean notices don’t need to be issued hence low or zero counts of notices and SAOs
 - LAs try other routes first before issuing SAOs e.g. early help, working with families to establish any issues. Often school was unsuitable for child, so SAO is not always the right route as returning child to school is not best for child. Concerns the system doesn’t seem to be meeting SEND needs.
 - CME children in Year 11 are often not in public interest to pursue legal action as soon to be ending compulsory education
 - Some LAs reported they referred CME to children’s social care under ‘educational neglect’ and they were dealt with via that route, but other LAs said their children’s services said these children did not meet the required thresholds.
 - Some LAs, at the point where parents state they want to EHE, hold a meeting with school, parents and LA to highlight parental expectations of EHE. These quite often result in child going back onto school roll rather than pursuing EHE, so don’t end up going down S437(1) notice and SAO routes.
2. If you have a high rate, is this a result of your LA’s attendance or related education policy, or for other reasons?

- Surge of EHE in recent years, meaning larger numbers of notices and SAOs.
 - High number of GRT children in the LA which has led to higher numbers of notices and SAOs
3. Is the guidance clear on when these measures should be used?
- DfE provided clarity as to what should be counted as a s437(1) notice and SAOs in the data collection: Any sort of notice that is in writing that requests a parent to satisfy that suitable education is being provided would be counted as a 437(1) notice as being served. If the 437(1) is not satisfied within 15 days, then the School Attendance Order should be served. It is at that point you should count that toward your SAO figures
4. We believe publishing this data with suitable caveats would allow LAs to see how practice varies across LAs and collaborate. Do you agree?
- Some concerns about publishing data but agree if published it needs context around it and guidance to be 100% clear

Characteristics data

We have also been reviewing the characteristics data. There are minimal/no concerns with publishing LA level data on sex and year group.

We believe there is value in publishing reasons for EHE at LA level, for example concerns about off-rolling and SEN provision, but with appropriate caveats.

Publication of the following characteristics less likely:

- Ethnicity – high proportion of unknowns
- Additional child safeguarding/education requirements (CIN/ CPP/CLA/SEN) – concerns of under-reporting
- Previous school type – potential delays in LAs receiving this information from schools (particularly independent schools and academies)

LA discussion questions

1. Do the reasons for EHE in the collection cover everything?
- No concerns over the requirement for additional categories
 - LAs raised that the source of the reason could raise differences (e.g. school/parental reasons for EHE). DfE confirmed we are collecting the reason provided by the parent.
 - LAs reported philosophical/lifestyle/religious reasons are quite interchangeable and subjective.
 - Some LAs record multiple reasons and rank them. This helps see the broader picture for children.

2. Do your systems align with the collection reason categories?
 - LAs have been mapping their reasons to match the data collection. DfE confirmed the reasons for EHE will remain the same for the 2023/24 data collection, but we may change in future collections if LA feedback suggests we should
3. Will the ability to report ethnicity improve over subsequent collections?
 - LAs reported that parents are more likely to disengage if LAs ask too many questions. LAs will have ethnicity recorded if children were previously been at school but ethnicity may not be deemed a relevant question during initial engagement with parents.
 - Ethnicity is not allowed to be asked on school admissions forms as per Admissions Code, so not captured at this point for CME children
 - If children in the schools admission process could be separated from other CME, then recording of ethnicity would improve as most unknowns are those in schools admission process
4. Is CIN/ CPP/CLA/SEN recorded on LA systems?
 - Some LAs reported CIN, CPP and CLA difficult to track as they are not always informed of changes by children's social care. But other LAs were able to match their EHE and CME data to their children's social services data to gain this information so are happy it is accurate. Differences depend on how data teams are structured within LAs.
 - Social care services held in a trust outside of the LA, so data is not easily to obtain or match
5. Could CIN/ CPP/CLA/SEN be an undercount?
 - LAs raised that a large percentage of their CME children had previous social care involvement but active cases are often a lot smaller percentage. There was discussion of the collection of previous social care involvement where this would be more straightforward for some LAs than others depending on how data was held locally. Previous social care involvement was collected by ADSC in previous surveys.

Closing remarks

- Summer collection open 18 May to 16 June. More details available [here](#).
- Local authority CME webinar on 25 May, please sign up [here](#).
- Please check and, if necessary, amend your Autumn and Spring returns on COLLECT by 4pm on Friday 28 April 2023.
- DfE are aware of the challenges SAO process presents and are working to rectify this.

- Please read the CME definition in the [data collection guide](#) and let us know (via a [service request form](#)) if the definition is not clear and where it could be improved. Whilst LA practices may differ in terms of recording CME locally, please align your Summer data collection CME numbers with the DfE definition so we can improve the consistency of returns going forward.

Questions taken away for answer

Q: Will LAs have the opportunity to see a draft copy of the publication before it's released to provide feedback?

A: A draft copy will not be provided to LAs in advance of publication.

Q: Should children who've moved abroad still be counted as CME until whereabouts and suitability of education is known?

A: Yes, a record should be held for the child until their whereabouts is known

Q: Could DfE share the LA level data with LAs prior to publication, or if LA level data is not published? It would be great to be able to explore how LAs compare to statistical neighbours

A: Data has been published at local authority level

Q: LAs queried practice across other LAs regarding whether children are kept on EHE register if an SAO has been issued or whether they are moved to CME register. There were mixed responses.

A: A SAO is issued because a local authority is not satisfied that a child is receiving suitable education and in the opinion of the authority it is expedient that the child should attend school. As the child is *not receiving suitable education otherwise than at a school* this would meet therefore meet the Department's CME definition.

Q: Do children need to be kept on school roll if they are known to have moved abroad?

A: Ground E (regulation 8(1)(e)) of the Education (Pupil Registration) (England) Regulations 2006 states that a pupil can be deleted from a school if they no longer live a reasonable distance from school. If the school knows that the family is moving abroad, once the pupil has completed their final day at school and moved out of the area, the school must delete the pupil's name from the admission register and the pupil's information should then be transferred to the Lost Pupil Database via the [S2S system](#). See Section 7 of the department's [Working together to improve school attendance guidance for more information](#).

Q: Where parent can't give return date - can child be taken off roll?

A: A pupil's name can only be deleted from the admission register for a reason set out in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended. The department's CME guidance states:

- Where a pupil has not returned to school for ten days after an authorised absence or is absent from school without authorisation for twenty consecutive school days, the pupil can be removed from the admission register when the school and the local authority have failed, after jointly making reasonable enquiries, to establish the whereabouts of the child. This only applies if the school does not have reasonable grounds to believe that the pupil is unable to attend because of sickness or unavoidable cause.

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