

NA CPC Multi-Agency Guidance for Children Educated at Home

This multi agency guide regarding **Education at Home** takes cognisance of the Scottish Government's Home Education Guidance, the UN Convention of the Rights of the Child, and the findings from Birmingham Safeguarding Children Board's Serious Case Review into the Death of Kyhra Ishaq (2010).

The CPC would encourage staff to read the Scottish Government's Home Education Guidance in conjunction with this guide.

The Scottish Government document states that "*every child has a right to an education, and it is the duty of the parent of every school age child to provide that education, either by sending the child to school or by other means*". One of these other means is by educating the child at home. In order to do so the local authority should be satisfied that a suitable and efficient education is provided.

This education provision must take into account the age and stage of development of the child and must be of a level that prepares a child for life and helps them reach their potential.

Whilst parents are not required to give a reason for their decision to educate at home, ascertaining this reason may prove in the best interest of the child if all alternatives/strategies have been considered. For example, if a child is being bullied at school, the school needs to be aware of this to put in place strategies to aid this child and any other pupils who may also be subject to bullying. With other children, the offer of reduced or flexible timetables may allow the child to remain in school. However, there are many other reasons that a parent/guardian may wish to withdraw their child from school.

The processes in place by the local authority to assess suitability for home education should be expanded to include the views of the child, inclusion of the child in his/her community and access to school health service. Whilst we recognise that the majority of parents/guardians provide, not only suitable education at home, they also care and protect their children we have to acknowledge the findings of the Serious Case Review into the death of Kyhra Ishaq. The review body suggest, in their report, that once Kyhra and her sibling were removed from education the children were isolated, not seen, heard or protected. The report further states in Recommendation 14 that the parents' right to home educate outweighed the rights of the child and by doing so left the children unprotected. Therefore, instructing staff to determine the views of the child and how the child will be involved in his/her community has the potential to offer a child protection.

The United Nations Convention on the Rights of the Child must be adhered to when preparing guidance affecting decision about children. Whilst all articles from the convention are important, those listed below are perhaps the most relevant in this instance.

Article 3

The best interests of children must be the primary concern in making decisions that may affect them.

Article 12

Children have the right to say what they think should happen and have their opinions taken into account.

Article 23

Children who have any kind of disability have the right to special care and support.

Article 24

Children have the right to good quality health care.

Article 28

Children have the right to a primary education and young people should be encouraged to reach the highest level of education of which they are capable.

Article 31

Children have the right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities.

N.B.

Once the decision has been taken that the child is to be educated at home, School Health Services (school nurse) should be informed of this to allow that agency to offer their service to the child and family in an appropriate manner. This will ensure that children and young people are protected and have in place an agency with continued contact with the child / young person and their family.

The Application Process.

1. Parent informs education authority of their intention to educate their child at home.
2. Document EAH2 is sent to the parents.
3. Headteacher prepares a report for the Quality Improvement Service which includes the child's academic achievements, any additional needs, attendance record, information on the involvement of other agencies for example has the child ever been referred to Social Services or the Scottish Children's Reporter Administration? Is the child subject to compulsory measures of supervision or are referrals to these agencies currently being considered? This report should also include information on the child's social and personal involvement with the school such as: Does the child have a circle of friends? Is the child withdrawn from others in the school environment? Does the child get involved with particular projects or groups? Does the child remain separate from the other pupils? This information should be available to the Quality Improvement Service prior to the visit to the family home.
4. At this stage it should be agreed who should, where applicable, ascertain the child's view on education at home. This can be done by the class teacher, Headteacher or Quality Improvement Service at the home visit. Where it has not been possible to ascertain the child's views, this must be recorded.
5. The Quality Improvement Officer visits the family at home. The parents' plan for education should be explored, for example a copy of the plan should be available, the resources should be identified and the learning environment needs to be accessed as to suitability. The inclusion of the child within his/her community should be clarified, as should the reason for the parents'/guardians' decision to educate at home. If the child has siblings, it should be recorded if these children are in education or not.
6. If the education authority is in agreement that the child can be educated at home, the school nurse from the designated school area should be notified of this decision to enable them to offer appropriate services to this child and family.

Please note:

- A) Parents/guardians do not have to give a reason for choosing home education.
- B) In the period between receipt of an application to withdraw the child and a decision being issued, the education authority should take a reasonable approach to attendance procedures. In most cases it would be inappropriate to initiate or pursue attendance procedures.

