

Report of the Director of Children and Families

Report to Executive Board

Date: 18th November 2020



Subject: Exclusions and Elective Home Education – Annual Update Report

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will the decision be open for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary

1. Main issues

- The purpose of this report is to provide the annual update on data and trends in regard to Elective Home Education (EHE) and permanent exclusion for 19/20 from the local authority’s direct reporting processes and to provide the Department for Education (DfE) verified fixed term exclusion data for 18/19.
- The data provided outlines Leeds position in relation to regional and national trends in exclusions. There is no current process of national data collection for Elective Home Education though Leeds shares data through the annual ADCS survey and more locally with the Yorkshire and Humber Association of Elective Home Practitioners (AEHP).
- The report highlights the current trends for the beginning of the new academic year 20/21 where data is now available.
- The report outlines changes, if any, since the last report in September 2019 which described, in detail, the Timpson report and its recommendations on exclusions and the response to the Children’s Commissioners work around EHE and the topic of off-rolling.
- The report also provides information on the work of Children and Families during the latter part of 19/20 when the schools closed in regard to changes in policy and practice leading to the newest policy and approach by the DfE and in Leeds.

2. Best Council Plan Implications (click [here](#) for the latest version of the plan)

- As outlined in the Executive Board Report *Exclusions, Elective Home Education and Off-rolling* from September 2019, there are clear processes and partnership arrangements in place to ensure that the focus remains on children and young people being safe and feeling safe. This has been particularly important in the last year with high level of connection between schools, services within Children and Families and 3rd sector organisations throughout the Covid-19 lockdown. Close connections continue and have remained in place through regular local Bronze meetings which support the sharing of concerns, promoting connected actions between social care, 3rd sector partners, the three area hubs, Cluster partners with Learning Inclusion team's members from Attendance and Education Psychologists. The focus this new term is providing support to ensure that children and parents/carers feel safe to return to school and all services are looking to enable this alongside schools.
- The support and challenge to schools through Area Inclusion Partnerships (AIP), Early Help and Restorative Early Support (RES) teams as well as through Learning Inclusion and School Improvement teams, works to the Best Council Plan of improving education attainment and closing achievement gaps of children and young people vulnerable to poor learning outcomes.
- The work of the Elective Home Education (EHE) team also links directly to being safe and feeling safe – as well as to ensuring access to suitable education of children and young people, particularly those vulnerable to poor learning outcomes. Where the parent does not have the resources and ability to provide a suitable education for the child's age, aptitude and special needs, if any, the caseworkers start the process to return a child to school through the school attendance order protocol. They also support parents to apply for school places when parents agree that they cannot offer an appropriate and suitable education to their child. The Pupil Tuition Team continues to offer short time provision to some EHE children who are particularly vulnerable to poor learning outcomes to ensure their return to school is successful.

3. Resource Implications

- The current contract with Area Inclusion Partnerships (AIP) 19/20 and funding for the EHE team within Learning Inclusion has no additional resource implications at this time. If, however as outlined in the report from 2019, the legislation changes around EHE processes and all parents are required to register their children, it is anticipated that the local authority will need more resource for an expected increase in EHE numbers for the registration processes and then safeguarding and education plan assessments. The Department for Education (DfE) has requested an outline figure from each local authority for this anticipated additional work. We have presumed on the basis that this would be funded by government. In Leeds the figure has been estimated at approximately £300k for administration and additional EHE team posts.
- Since the beginning of the Covid-19 pandemic and since September 2020, we have seen, as all other local authorities in the region, a substantial increase in the number of EHE notifications. The EHE team may need further casework personnel to manage the safeguarding and follow up visits in the coming months. The Head of Learning Inclusion and Children and Families Leadership Team (CFLT) receive regular reports on this position.

- In accordance with the report to full Council on 26th February 2020, on the 2020/21 Revenue Budget and Council Tax, budget pressures resulting from any funding being insufficient to discharge the responsibilities, the pressures will need to be managed within the Children and Families directorate. In the event that the service identifies pressures which cannot be managed by the directorate, a further report will be produced outlining options.

Recommendations

- Executive Board is requested to note:
 - The information in this report.
 - The recommendations in the Timpson Review (Appendix 1) outlined in the previous Executive Board Report of September 2019.
 - The issues raised by the Children’s Commissioner in her report “Skipping School: Invisible Children - How children disappear from England’s schools” have not yet led to any significant change in legislation.
 - The response of teams to changes in policy and protocol during Covid-19 and the trends currently emerging within the new academic year 20/21.
 - That the Children and Families Directorate has produced an annual report on the issue of exclusions and elective home education and will continue to provide an updated annual report.
 - That the remit for monitoring exclusions and elective home education falls under the responsibility of the Head of Learning Inclusion within Children and Families Directorate.

1. Purpose of this report

- 1.1 This report updates Executive Board on the trends in relation to elective home education (EHE) and permanent exclusions (PX) in the academic year 19/20 and to the verified fixed term exclusion data from 18/19. Also included are the trends seen in autumn term 19/20 which was the last full term of schooling prior to lock down – this is as yet unverified data.
- 1.2 The data provided outlines Leeds' position in relation to regional and national trends in exclusions. There is no comparable process of national data collection for elective home education data as there is for exclusion data. However Leeds continue to share data through the annual Association of Directors of Children's Services (ADCS) survey and more locally with the Yorkshire and Humber Association of Elective Home Practitioners (AEHP). The report highlights the current trends for the beginning of the new academic year 20/21 where data is available.
- 1.3 The report outlines changes, if any, since the previous report was presented to Executive Board in September 2019, which described in detail the Timpson report and recommendations on exclusions as well as the response to the Children's Commissioners work around EHE and the topic of off-rolling.
- 1.4 The report also provides information on the work of Children and Families during the latter part of 19/20 when the schools closed in regard to changes in policy and practice leading to the newest policy and approach by DfE and in Leeds.

2. Background information

- 2.1. This report provides an update on the Executive Board report of September 2019 where the Director of Children and Families outlined the issues and recommendations of the Timpson report and the Children's Commissioners work around Elective Home Education and also off-rolling.
- 2.2. Since the publication of the report in 2019, the Timpson recommendations have not led to any change in exclusion legislation. There have, however, been a number of policy changes in national school exclusion protocols during the academic year from March 2020.
- 2.3. In the period of March to June 2020, as part of Covid-19 lockdown arrangements, all exclusion processes were paused and schools open for vulnerable and key worker children could not exclude. From June to September 2020, as schools reopened for particular year groups plus vulnerable and key worker children, schools were not expected to exclude but could arrange governors meetings for any permanent exclusion notified before the lockdown. This affected one young person in Leeds whose permanent exclusion was confirmed in June 2020. The local authority has not accepted any other fixed term exclusion reported between March and September 2020.
- 2.4. The Department for Education published new guidelines on *Attendance and Behaviour for Schools* in September 2020. The new attendance guidelines have added a specific new code 'X' for young people unable to access school for Covid-19 reasons. There has also been an additional 5 reasons for exclusion code added to the list.

These new codes are for:

- Use of an offensive weapon or prohibited item
- Abuse against sexual orientation and gender identity
- Abuse relating to disability
- Inappropriate use of social media and online technology
- Wilful and repeated transgressions of protective measures in place to protect public health

2.5. All of the above codes have been added for use from the start of the autumn term 2020 and the local authority's current exclusion notification form has been updated. We anticipate that schools will update their behaviour policies to include these new categories. We anticipate we will have unverified data on fixed term exclusions as usual by the end of February for the autumn term 20/21.

2.6. There have been no changes in legislation on Elective Home Education since the last report in September 2019 and no movement towards a central registration of all children as has been requested by national consultation from local authorities. However, the DfE *Guidance for local authorities* and *Guidance for Parents* published in April 2019 has given more clarity to parents regarding the role of the local authority in terms of its duties on safeguarding and ensuring access to a suitable education for each child in relation to their age, aptitude and special needs, if any. Parents are sent a copy of the DfE *Guidance for Parents* by the EHE team at the point of notification. The EHE team report that this guidance has been enabling in the challenge and support of parents who choose to home educate.

2.7. At the end of September 2020 the government informed Local Authorities of the intention to undertake a new home education committee inquiry and issued a request for evidence with a closing date of 6th November on;

The inquiry will seek to understand the extent to which current arrangements provide sufficient support for home education children to access efficient, full time and suitable education and establish what further measure may be necessary in order to facilitate this. It will also explore the impact of Covid-19 on home education and any particular needs arising from the pandemic that need to be addressed.

Senior leaders see this as a sign that the pressures and concerns around EHE shared recently with the DfE are being listened to.

3. Main issues

3.1. Exclusions – permanent and fixed term

3.1.1. A permanent exclusion refers to a pupil who has been excluded from school where the headteacher has determined that the pupil is not to return to the school due to behaviour related to the exclusion codes. A permanent exclusion must be reported to the local authority and parents immediately. The local authority must provide access to 6th day education which, in Leeds, is provided through the Area Inclusion Partnerships (AIPs).

3.1.2. A fixed term exclusion refers to exclusion from school for a specific time for behaviour outlined in the exclusion codes and expected to return at the end of the exclusion to full attendance. Schools must inform the local authority of any fixed

term exclusion over 5 days. All other exclusions must be reported by the end of the term.

3.1.3. The following sections of the report outline:

- The data for permanent exclusions for the academic year 2019/20 as reported to the local authority for primary and secondary schools.
- The verified data from the Department for Education (DfE) for fixed term exclusions from 2018/19. Please note verified data for 2019/20 will not be available until July 2021.
- The school census data held by the local authority on fixed term exclusions for **term one** of 2019/20 (this data is yet to be verified). It is important to note that there can be small differences between provisional and confirmed school census data.

3.2. Exclusions

3.2.1. Schools and academies in Leeds work under the document DfE Exclusions for Schools Guidelines from September 2017 which relates to exclusion of all children in a school from age 5 to end of sixth form. The document is comprehensive and covers both permanent and fixed term exclusion processes, what headteachers should consider when excluding, guidance to governors on their role and expectations of the questions they should ask and provides information for parents with links to other independent support. The local authority provide schools with model letters for communication on exclusions with parents and independent review processes, check lists on process and draft agendas for governors meetings, advice and support by the local authority lead officer and also through AIP leads. Parents receive information and support from the lead officer in relation to permanent exclusions and the processes.

3.2.2. The DfE Guidelines do not extend to the 14 plus academy in Leeds City College nor to Notre Dame Sixth Form College. Both of these institutions have their own exclusion processes shared with parents.

3.3. Exclusion during Covid-19

3.3.1. Arrangements regarding exclusions changed during Covid-19 published by the DfE – [Click here for link](#).

3.3.2. The principal changes in the guidance from March to September 2020 relate to the relaxation of legal process timings to allow for specific arrangements for virtual meetings for parents to access governors meetings for fixed term and permanent exclusions and independent review panel (permanent exclusion process only). As a result the length of 6th day cover was also extended. Following lock down schools opened for the children of key workers and vulnerable children.

3.4. Since September 2020

3.4.1. The guidance provided in Covid-19 did not change the reasons for exclusion. From 1st September 2020 there are now 5 new categories added to exclusion codes.

Schools have been advised to update their behaviour policies in line with the new categories.

3.4.2. Schools are expected to refer to the previous DfE Exclusions Guidance from September 2017 when taking the decision to exclude on disciplinary grounds in line with their schools' published behaviour policy. The arrangements for contacting parents remains the same, as does the reporting process to the local authority. Schools are advised, prior to any exclusion, to consider the particular needs and context of the young person and their presenting behaviour as outlined in the DfE guidelines.

3.5. Permanent Exclusions 19/20

3.5.1. Permanent exclusions have remained low in Leeds during the last academic year. The continued work of schools and the Area Inclusion Partnerships to prevent permanent exclusions alongside the challenge and support of the weekly SEMH (Social, Emotional and Mental Health) Panel, have ensured that Leeds continues to be in the lowest category nationally for permanent exclusions.

3.5.2. In 2018/19 there were 11 permanent exclusions recorded against Leeds secondary schools, a 0.02 rate of permanent exclusion. This is a slight increase on 2017/18 (0.01), however much lower than the national permanent exclusion rate of 0.20 and lower than all other comparators. Leeds remains in band A for both primary and secondary permanent exclusions. Expectations would be that this will continue when verified for 19/20.

3.5.3. Special Educational Needs

3.5.4. There were no permanent exclusions from special schools in 2018/19. The fixed term exclusion rate for pupils in special schools was 4.36, compared to the national average of 11.32. Pupils, subject to a fixed term exclusion, was 2.50, compared to 4.65 nationally. Leeds is ranked 52 of 150 LAs for all FTEX and 48 of 150 LAs for pupils subject to FTEX.

3.5.5. Best Practice and Research

3.5.6. During the past year, the RSA (Royal Society of Arts) has invited Leeds to be part of a research project looking at best practice in the reduction of exclusion. The feedback to the city was postponed due to Covid-19.

3.5.7. The ISOS partnership also invited Leeds to contribute to research into a regional investigation on children missing out on education whether that be related to attendance, exclusion, lack of suitable education while elective home educated or other factors.

3.5.8. Permanent exclusions (PX) notified from Leeds schools in academic year 19/20 (in brief)

- 21 notifications of PX were received by the local authority
- 13 PX were confirmed following Governors meetings
- 8 PX were withdrawn by the headteacher prior to Governors meeting

- No parental requests for an Independent Review have been made in this last academic year
- Of the confirmed exclusions from Leeds schools, the reason for the PX decision by the headteacher were
 - Physical assault on a pupil = 3
 - Physical assault on an adult = 3
 - Persistent disruptive behaviour = 4
 - Verbal abuse/ threatening behaviour against a pupil = 2
 - Verbal abuse/ threatening behaviour against an adult = 1

3.5.9. Pupil characteristics

3.5.10. Of those notified to the local authority as permanently excluded:

- 15 reported, by the school, as having no special educational need
- 4 reported, by the school, to have recognised special educational needs
- 2 had an Education Health and Care Plan in place at time of exclusion

3.5.11. Of the permanently excluded pupils, confirmed as excluded by Governors (as reported by the schools on exclusion form)

- 11 had no Special Educational Needs
- 1 had recognised Special Educational Needs
- 1 had an Education Health and Care Plan

3.5.12. Ethnicity of permanently excluded pupils (as of all notifications reported by school)

- 15 White British
- 2 Mixed Black Caribbean and White
- 2 Mixed other
- 1 mixed Asian/White
- 1 Other Asian

3.5.13. Leeds is a high performing local authority for permanent exclusions and ethnic groups were not over represented in the confirmed 2018/19 permanent exclusion data. BAME groups in Leeds have a permanent exclusion rate within the range of 0.02 – 0.07. Nationally, BAME groups have a permanent exclusion rate within the range of 0.9 – 0.29.

3.5.14. Leeds schools via AIP arrangements have also needed to provide 6th day cover for permanently excluded pupils who live in Leeds but are on roll at a school outside of Leeds. In the last year, we have seen 2 PX cases from schools in North Yorkshire where the North East AIP has provided 6th day cover, pending the Governors meeting, and then the support to obtain a new school roll in Leeds following confirmation of exclusion.

3.5.15. There was also 1 PX from Leeds City College (Confirmed) and 1 PX from Notre Dame 6th Form (Rescinded at panel). Exclusion processes for both of these educational provisions do not come under the DfE Exclusion Guidance for

Schools. Both have their own exclusion processes outlined to parents and young people in their prospectus.

3.5.16. Permanent exclusions by AIP area for academic year 19/20

AIP area	Notifications	Confirmed	Withdrawn	Pending	Further information
NE	0	0	0	0	Supported 2 PX from OOA schools Secondary exclusions
NW	3	2	1	0	Secondary exclusion notification
S	2	0	2	0	1 primary exclusion notification 1 secondary exclusion notification
W	1	1	0	0	1 secondary exclusion notifications
E	15	10	5	0	15 secondary exclusion notifications

3.5.17. Fixed term data from 18/19

3.5.18. Primary fixed term exclusions (FTEX)

- From 2017-18 to 2018-19, the total number of FTEX in Leeds primary schools increased by 145; the number of pupils subject to them increased by 48.
- City wide, the percentage of primary pupils on roll subject to FTEX increased by 0.05 percentage points from 0.39 in 2017/18 to 0.44 in 2018-19; this is lower than the national exclusion rate of 0.63. 60% of primary schools excluded no pupils at all, whilst one school excluded 8.3% of pupils.
- The percentage of exclusions across primary schools in the city increased from 0.77 in 2017/18 to 0.95 in 2018/19. This is lower than the national average of 1.41 and all other comparators.
- Primary fixed term exclusions have increased each year since 2015 and Leeds has moved from Band A (the best performing) into Band B; Leeds is still ranked as 49th of 151 local authorities in England.

3.5.19. Table 1 – Primary fixed term exclusion data

Year	No. of fixed term exclusions	No. of pupils excluded	Length of exclusions as sessions lost	Length of exclusions as days lost
16/17	608	293	1608	804
17/18	571	291	2062	1031
18/19	716	339	Not provided ²	Not provided ²
19/20 term one	320 ¹	202 ¹	Not provided ²	Not provided ²

¹ Provisional data ² Data no longer published in statistical first release

3.5.20. Secondary fixed terms (FTEX)

- From 2017-18 to 2018-19, the total number of FTEX in Leeds secondary schools increased by 1,248; the number of pupils subject to them increased by 278.
- City wide, the percentage of secondary pupils on roll subject to FTEX increased by 0.4 percentage points from 4.7% in 2017/18 to 5.1% in 2018-19; this varied widely between schools (0.0% - 25.1%). Leeds is now slightly above the national average of 4.9% and remains below other comparators (ranging from 6.0 – 6.20). Leeds is ranked 92nd of 151 local authorities and is now in band C.
- In 2017/18, for secondary fixed terms, Leeds was below national for fixed term exclusions, but this increased again in 2018/19 and the rate is now 11.91, compared to 10.95 nationally. This is an increase of 1248 fixed terms exclusions, 904 of which were from one school. Leeds is ranked 102 of 151 local authorities and is in band C.

3.5.21. Table 2 - Secondary fixed term exclusion data

Year	No. of fixed term exclusions	No. of pupils excluded	Length of exclusions as sessions lost	Length of exclusions as days lost
16/17	6601	2713	33478	16739
17/18	4500	2184	29249 (1)	14624.5
18/19	5738	2462	Not provided ²	Not provided ²
19/20 term one	2012 ¹	1086 ¹	Not provided ²	Not provided ²

¹ Provisional data ² Data no longer published in statistical first release

3.6. Elective Home Education

3.6.1. The Education Act 1996, Section 7, states that it is the duty of parents of every child of compulsory school age to ensure that they receive efficient full-time education suitable to their age, ability and aptitude and to any Special Educational Needs they may have either by regular attendance at school or otherwise. The word “otherwise” affirms parents’ right to educate their child themselves instead of regular attendance at a school. The parent must then provide access to a suitable education and provide all resources to fulfil this.

3.6.2. As previously outlined, local authorities have two duties relating to children that are home educated. Firstly, under section 175 (1) of the Education Act 2002 to safeguard and promote the welfare of children and “to make arrangements for ensuring the functions conferred upon them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children”. Secondly, although local authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis, under Section 437(1) of the Education Act 1996, local authorities shall intervene **if it appears** that parents are not providing a suitable education. The recent updated DfE guidelines (2019) to local authorities, and those for parents, have re-emphasised that parents must be providing a suitable education and that local authorities are expected to request

education plans from parents. Parents receive a copy of the DfE Guidance at the point of notification of EHE.

- 3.6.3. The process of becoming home educated is simple: parents can send to school a letter informing the school that they intend to take responsibility to provide an education for their child and the school under current statute must remove from roll from the date indicated by the parent. If a child has an Education, Health and Care Plan (EHCP) and is attending a specialist provision, then parents must provide information on the education plans to satisfy the EHCP needs. The decision in this context to allow the parent to home educate is made by the Head of Learning Inclusion.
- 3.6.4. The number of children on the EHE list changes weekly as children are added as new notifications are received, or as children return to school (through parent choice) or via a school attendance order or move to another authority area. The fluidity of the EHE list is therefore important to note in regard to the data below.
- 3.6.5. The EHE team has continued to undertake safeguarding visits during 2019/20 until March 2020. During the period of Covid-19, all home educating families were contacted three times and offered signposting to support if required. All families were sent information on Leeds local services and websites of educational content. Where a family was not contactable by phone or email, then the team undertook doorstep home visits and delivered information by hand. The team have updated all contact details of families during this time.
- 3.6.6. The EHE teachers assess the suitability of education plans sent in by parents and has continued to do this during Covid-19. If the plans are not suitable, despite support, then school attendance order processes are evoked, undertaken by the attendance team.

3.7. The following section outlines data and trends for elective home education for the academic year 19/20.

- 3.7.1. There is no comparable dataset for EHE, although it is possible to draw from a number of studies which provide some indication of Leeds position. One such study is the office of the Children's Commissioner "vulnerability profile of local authorities" which was undertaken in 2018/19. This study estimated (based on local authority data collection) a prevalence rate of 1.7 children and young people per 1000, 0-17 year olds with a percentile ranking for Leeds of 49 (0 is lowest rate, 100 the highest).
- 3.7.2. The ACDS has established an elective home education census date for local authorities on the 1st October each year. The latest available report from 2019 provides national estimates of numbers based on local authority collections. They estimate that 54,656 children were electively home educated in England on this day in 2019. The largest reported cohort in any one local authority was 2,583 children and young people while the lowest number reported by a local authority was three. The mean average across all 132 responding local authorities was 376.

3.7.3. Data and trends from the academic year 19/20 with comparison to previous years

3.7.4. Table 4 EHE data – End of year data from last 3 years for comparison

	16/17 (June)	17/18	18/19	19/20
Number of EHE on list at end of year	512	468	610	630
Primary EHE – end of year	211	192	254	272
Secondary EHE – end of year	301	276	355	358
EHE with Education Health and Care Plan	13	21	19	25

3.7.5. Table 5 EHE data – notifications in year by phase for comparison

	2015/16	2016/17	2017/18	2018/19	2019/2020
Primary	110	110	127	171	161
Secondary	96	159	171	215	172
Unknown (from other LA and CME referrals	22	43	39		
	228	312	337	386	333

3.7.6. A reduction of new EHE notifications was seen from March 2020 as all schools closed for Covid-19. The EHE team received only 4 new cases in the summer term. If the schools had remained open the trend was looking to continue upward.

3.7.7. Closures to EHE in 19/20

3.7.8. As highlighted above, the fluidity of the children on the EHE list over the year is important to note. Children may move on and off the list and return within the year. Our data shows Leeds had 312 closures to EHE in the year including 78 year 11 young people who were removed as protocol at the end of August. We are currently undertaking further analysis of the destinations of all the 312 at this time.

3.7.9. Table 6 EHE Closures from 1st September to 1st October 2020 and destination

Move out of Authority	8
returned to school	24
Total	32

3.7.10. Of these young people returning to school

- 4 had an EHCP
- 7 had SEN support
- The majority of the returning children were from year 7 (11 children).

3.7.11. Arrangements during Covid-19 – from March to September 2020

3.7.12. During the period of lockdown, the EHE team focused on ensuring all families on the EHE list were aware of where to access support and were safe. At the beginning of the lockdown 625 children were registered as EHE. The team made individual calls to each family on 3 separate occasions to check in and provide, by

email, information on Leeds support options during Covid-19. The team also sent weekly worksheets with education links to specific websites for virtual learning as researched and provided by the SEN teachers. EHE parents were also encouraged to access the open learning offers from Leeds for Learning and other education sources providing free access at the time.

3.7.13. The response to the calls was positive and the team felt that positive relationships were established. Having updated all records, the flow of information by emails and phone has been much improved.

3.7.14. Where parents could not be reached, the EHE team and Attendance team undertook doorstep home visits to establish if the family were at the same address. Where the family were not contactable and appeared to have moved, benefit checks were undertaken and any not then able to be contacted were referred to Children Missing Education following agreed protocols.

3.7.15. Current position from September 2020 to October 1st Census Day

3.7.16. At the end of the last academic year there were 550 children and young people on the EHE list having removed the previous year 11 young people who are no longer of compulsory school age and did not have an EHCP. (Those home educating with an EHCP remain on the list and remain under the review of SENSAP – identified below as in year 12 and year 13.) The following table outlines the 685 now on the EHE list on 1st October 2020 by year group.

3.7.17. Table 7 – EHE by year group on 1st October 2020 (Census Day)

Year Group	EHE as @ 1st October 2020
Reception	19
NC Year 1	38
NC Year 2	44
NC Year 3	47
NC Year 4	62
NC Year 5	52
NC Year 6	65
NC Year 7	44
NC Year 8	70
NC Year 9	80
NC Year 10	62
NC Year 11	95
NC Year 12	6
NC Year 13	1
Total	685

3.7.18. Please note the high number of year 11 at this time in the year. This is higher than the start of previous years. Many of these have been home educated during year 10.

3.7.19. From 1st September 2020 to 1st October 2020 (Census Day), we have received 153 new notifications of parent's choice to home educate in comparison to 62 in the same period last year. Of these at least 20 have stated reason has been Covid-19 related in the email notification – there may be more with this reason which we will update once caseworkers have had direct contact as many provide the reason as “rather not say” initially.

3.7.20. The notifications are from all year groups however certain trends have been seen

- Around 1/3 have come from BAME families- particularly Asian/white and dual background ethnicities
- More than usual family groups all becoming EHE at the same time
- 27% are eligible for free school meals – this is a trend seen in previous years
- 4 have an EHCP and 22 are recorded as requiring SEN support

3.7.21. We have also noted that many had previous low attendance at school and some are below expected levels of attainment for their years. Further analysis is being undertaken as caseworkers contact the families following the usual protocols. Caseworkers are currently contacting each family within 7 days of receipt of the new notification to arrange a home (virtual) or doorstep visit. Education plans have been requested from all new notifications and will be assessed to check for suitable education for the child's age, aptitude and special needs if any.

3.7.22. Table 8 - EHE New Notifications by year group on 1st October 2020

Reception	7
Year 1	22
Year 2	13
Year 3	14
Year 4	17
Year 5	12
Year 6	15
Year 7	12
Year 8	16
Year 9	15
Year 10	12
Year 11	4

3.7.23. The data shows new notifications in all year groups but most significantly in KS1 and KS2. More data on reasons for parent's choice will emerge during this term following EHE team work.

4. Corporate considerations

4.1. Consultation and engagement

4.1.1. Senior members of the Learning Inclusion Team meet regularly with the officers of the AIPs and twice termly with the AIP Chairs to ensure ongoing discussion on all aspects of inclusion and exclusion. The AIPs are provided with overall data on exclusion and EHE for their areas and at child level on a termly basis.

- 4.1.2. During the past year, the RSA (Royal Society of Arts) has invited Leeds to be part of a research project looking at best practice in the reduction of exclusion. The feedback to the city was postponed due to Covid-19.
- 4.1.3. The ISOS partnership also invited Leeds to contribute to research into a regional investigation on children missing out on education whether that be related to attendance, exclusion, lack of suitable education while elective home educated or other factors.

4.2. Equality and diversity / cohesion and integration

- 4.2.1. Equality Improvement Priorities have been developed to ensure our legal duties are met under the Equality Act 2010. The priorities will help the council to achieve its ambition to be the best city in the UK and ensure that as a city work takes place to reduce disadvantage, discrimination and inequalities of opportunity.
- 4.2.2. The publication of Exclusions and Elective Home Education data puts a strong focus on protecting some of the most vulnerable children and young people in the city and ensuring they are being educated in the settings most appropriate to their needs.

4.3. Council policies and the Best Council Plan

- 4.3.1. To achieve the ambition of being a Child Friendly City, it is imperative that the local authority challenges and supports learning provisions across the city in their approach towards exclusions and where families decide to electively home educate. Analysis of the data provided in this reports enables Children and Families officers to undertake this role using the evidence base to inform the strategy and subsequent actions.
- 4.3.2. The Best Council Plan (BCP) agreed at February's Full Council has been amended to ensure that the current Covid-19 context is captured, in so far as is possible given the continued uncertainty. This version has now been published and can be found by [clicking here](#).
- 4.3.3. Within the context of the Covid-19 pandemic, the vulnerabilities of children and families across the city have inevitably increased. In addition, many families not previously experiencing significant challenges to their health or finances, now find themselves in unfamiliar and concerning situations.
- 4.3.4. Children and Families Services, therefore, finds itself under additional pressure in pursuit of achieving all the goals set out in the Best Council Plan and continues to adapt and work flexibly as the challenges brought on by the pandemic have been changing rapidly.
- 4.3.5. The updated BCP highlights the challenges to education settings as it states, "As a Child-Friendly City, Leeds continues to invest in the future of our young people which has led to improvements in health and educational outcomes. However, we are acutely aware of the potentially significant immediate and longer-term impacts of Covid-19 on the health, wellbeing and learning of our children and young people and so now, more than ever, there is much more to do to ensure everyone is equipped with the education and skills they need to succeed in life. The council is

working with families, schools and others to secure a brighter future for every child in Leeds.”

4.4 **Climate Emergency** – Climate change is now one of the key focuses of education settings in educating our children and young people about the affects their own behaviours have on the environment. Minimising fixed term and permanent exclusions enables children and young people to be in school to receive their education. Similarly, electively home educated children’s focus on climate change may greatly vary whereas attending a school setting there is arguably greater certainty that some learning around climate change take place.

4.5 **Resources, procurement and value for money**

4.5.1 Focus on fixed term and permanent exclusions and those becoming electively home educated remains a priority in protecting some of the most vulnerable children in the city. Through continued joined up working with Area Inclusion Partnerships and utilising existing services within Children and Families Directorate, the cost to the City Council will be minimal. If the local authority does not focus on the aforementioned areas the costs to the city will possibly be substantial in the future, as poor educational outcomes are more likely, when the current cohort of vulnerable children move into adulthood and potentially become NEET (Not in Education, Employment or Training). The impact of Covid-19 is likely to be significant and it is therefore vital that strong partnership working continues.

4.6 **Legal implications, access to information, and call-in**

4.6.1 This report is subject to call in.

4.7 **Risk management**

4.7.1 Risk will be managed through the Children and Families Trust Board, Children and Families Leadership Team, Learning Leadership Team, the Area Inclusion Partnership Leaders Meeting and the SEND Partnership Board.

5. **Conclusions**

5.1. The last year has been unexpectedly complicated and difficult for everyone with the effects and changes created throughout Covid-19 lockdown and in the continuing pandemic creating anxieties and new challenges for all families, communities, schools and staff.

5.2. The data outlined in this report refers to verified and comparable data from 18/19 for fixed term exclusions and from 19/20 for where the first two terms in regard to permanent exclusions and elective home education were similar to previous years, but which then subsequently changed from March 2020. No exclusions were allowed from schools in summer term 2020 while schools provided much needed support and continuing education for vulnerable and key worker children and young people. The recent upsurge in parents choosing to electively home educate is clearly a reaction to the current world position as well as family context.

5.3. While there has not been any significant legislative national change following the Timpson report and the Children’s Commissioner highlighting the issue of children

missing out on education, schools in Leeds have continued to work with the local authority to promote inclusion, reduce exclusion and provide support services to enable children to be happy and succeed inside and outside of the classroom. Regular communication with schools, Primary and Secondary Bronze meetings and Councillor led skype meetings have ensured that concerns can be raised and support has been perhaps offered more immediately than in previous years.

5.4. While permanent exclusions have remained low in the last year, the trend for fixed term exclusions has risen. Members are advised to look at the individual school data enclosed in appendices for further information.

5.5. In the next year:

- The flow of more live data from schools will be enabled by new processes to be implemented.
- The new Head of Vulnerable Learners will support the continuing practice improvement of teams, the shape of challenge and support to schools.
- We will continue to review and seek best practice regionally and nationally supported by the research we have contributed to.
- We will continue to analyse the data and respond appropriately to school systems, family context and children's needs.

6. Recommendations

6.1. Executive Board is requested to note:

- The information in this report.
- The recommendations in the Timpson Review (Appendix 1) outlined in the previous Executive Board Report of September 2019.
- The issues raised by the Children's Commissioner in her report "Skipping School: Invisible Children - How children disappear from England's schools" have not yet led to any significant change in legislation.
- The response of teams to changes in policy and protocol during Covid-19 and the trends currently emerging within the new academic year 20/21.
- That the Children and Families Directorate has produced an annual report on the issue of exclusions and elective home education and will continue to provide an updated report annually.
- That the remit for monitoring exclusions and elective home education falls under the responsibility of the Head of Learning Inclusion within Children and Families Directorate.

7. Background documents¹

7.1. None.

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.