

9th December 2010

Dear

Further to our meeting with you and your colleagues on 29 November 2010 regarding your complaint in respect of the local authority's arrangements for Elective Home Education (EHE), I am now replying to the issues raised in your complaint as promised at the meeting.

You queried the fact that there appeared to be two versions of Mrs Davenport's letter of 9 July 2010. I can advise that the different wording in the electronic copy you received in fact merely showed the tracked changes from her initial draft, and I can therefore confirm that the written response you received dated 9 July (copy attached) is in the official, final version of the letter.

You mentioned also that you had received different versions of the authority's protocol and procedures document regarding EHE. We discussed the LA policy and protocol documentation and as agreed I am also attaching a copy of the current version of the protocol, although as acknowledged at the meeting this documentation does require some revision and this will be undertaken shortly. We have, in light of our discussions with you, made some immediate amendments as we acknowledge that some DfE documents have been subject to more recent updates. Further review of policy and procedures will be undertaken in due course and we thank you for your views and comments which will be taken into consideration when this work is carried out.

I would like to confirm the assurances given at the meeting that the minutes of the Local Safeguarding Children Board (LSCB) meeting in January 2010 do not accurately reflect the local authority's position; we do not undertake CRB checks on parents who elect to home educate and we will ensure that this information is shared with LSCB/Oversight and Scrutiny Committee when these issues are next discussed in those meetings.

I would also like to repeat our assurance that the local authority values equally the plurality of educational provision available for children in Lancashire including those arrangements made by parents through EHE and does not equate children on EHE with children who are missing education (CME). We did explain that due to the range of circumstances for which schools are required to notify the local authority when pupils are removed from the roll, for simplicity and clarity we ask for all such notifications to be made to the CME team. I would confirm, however, that where schools notify CME that a pupil has been removed from roll because a parent is making arrangements for education otherwise than at school the CME team would forward the information to the EHE team and would not include such pupils on the CME database. It is possible, of course, dependant on the information included in the referral that the EHE team might ask for a CME officer to accompany them on an initial visit, subject to parental agreement to that visit.

We also discussed your concerns regarding the “attitude” of local authority officers and we confirmed that the authority does not automatically equate an election to home educate with safeguarding concerns. The local authority does, as you acknowledged, have a responsibility to discharge its functions with a view to safeguarding children but this would only trigger an investigation or offer of support – regardless of whether children are educated in school or at home – where the local authority has legitimate reasons to believe there are concerns that require such intervention.

We confirmed that the authority would continue to offer home visits, acknowledging that this is not a legal requirement and families are able to decline such contact where they prefer other methods of communication with the local authority. You made some suggestions as to how the authority could use such visits to signpost home educating families to other support. We also acknowledged the range of educational provision and styles that may be encountered in the authority’s work with home educators and identified the complexity of the balance required by the local authority to ensure officers are in a position to know when intervention is required where a child in our area may not be receiving a suitable education. We thank you for your comments regarding the attitude of officers and your preference for consistency. We will ensure that consideration is given to your points at forthcoming meetings of officers.

Finally, it was agreed at the meeting that the opportunity to have some face to face discussions had been beneficial on both sides and we indicated that we would look to explore how communications could be improved in the future. I can confirm we will be looking at how this might best be achieved and can also confirm that we will be happy to consider the views of all home educators in Lancashire as we look to review our policies and procedures for EHE.

I hope you are satisfied with the outcome of our meeting to discuss your complaint, however, if you still wish for the complaint to be considered by the Complaints Appeals Panel, please confirm this in writing to the County Secretary and Solicitor at the address below explaining why you remain dissatisfied and identifying any action you would wish the Council to take to resolve your complaint:-

County Secretary and Solicitor
Lancashire County Council
Christ Church Precinct
County Hall
Preston
PR1 8XJ

Yours sincerely

Bob Stott

Director of Universal and Prevention Services

Letter includes 2 attachments:

- 1) A copy of the second version of Maureen Davenport's 9th July letter (N.B. in this letter Bob Stott mentions that the electronic version we received was wrong – we've never had an electronic version, only paper copies which their system should show)
- 2) Another copy of the EHE Protocol & Procedures doc. It is slightly different to the one MD sent but is still dated August 2008 the same as all other versions.