



CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY COMMITTEE:
2 JUNE 2026

ELECTIVE HOME EDUCATION IN LEICESTERSHIRE

REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES

Purpose of report

1. The purpose of this report is to provide the Children and Families Overview and Scrutiny Committee with an overview of elective home education in Leicestershire, the County Council's statutory duties in this area and how these are discharged by the Inclusion Service.

Policy Framework and Previous Decisions

2. A report regarding Inclusion in Leicestershire Schools was presented to the Committee on 4 November 2025. Part of the report focused upon elective home education and the Leicestershire picture.
3. In December 2024, the Government announced the Children's Wellbeing and Schools Bill. The Bill contains key proposals affecting children who are educated at home. These proposals include a compulsory Children Not in School (CNIS) register, parents losing the automatic right to home education where a child protection order is in place, giving local authorities greater ability to track children, and identify those missing out on education or suffering from neglect. The Bill will strengthen Ofsted's power to investigate illegal independent schools that operate to provide education to children not in formal education.

Background

4. Whilst home education in its modern form has been in place since the 1970s, there has been a rapid rise in the number of children and young people being educated at home since the 2010s. This was exacerbated by the Coronavirus pandemic in 2019. Nationally there were 126,000 children being home educated by late 2025. The government has identified potential safeguarding risks when children are not seen by professionals in an education setting.
5. In 2019, Ofsted conducted a research study within the East Midlands, 'Moving to Home Education in Secondary School' which raised concerns that the decision for parents to home-educate was not always a positive one for all involved and suggested there was an increasing evidence-base that home education can be a last resort for some families when relationships have broken down between schools and

children or parents. The findings arising from this report strongly recommended that local authorities and schools should develop clear processes for working together as soon as there are indications that a family may be considering home education. The report highlighted the importance of children being visible in order to ensure they are safeguarded from potential harm and receiving an adequate education.

Statutory Duties of the Local Authority

6. Local authorities are responsible for ensuring that children educated at home are receiving a full-time, efficient and suitable education.
7. The County Council must identify children who are, or appear to be, home educated and consider whether their education is suitable. The County Council may make informal enquiries to determine whether the education being provided meets the requirements of Section 7 of the Education Act 1996, requesting information that helps them understand the nature and suitability of the provision. The County Council must then form a view on suitability based on the child's age, ability and aptitude, any special educational needs, and whether the education appears efficient and full-time, using only the information that parents choose to provide.
8. The County Council has a duty to take action when it appears that the education in place is not suitable for the child. If education appears unsuitable or the County Council cannot form a view, a preliminary notice should be issued, informing parents that the education appears unsuitable and giving them time to address the concerns. If the concerns remain unresolved, the authority must then issue a School Attendance Order (SAO) requiring the child to attend a named school, and where parents do not comply, the local authority may pursue enforcement measures available in legislation. 69 SAOs were issued in the 25/26 academic year.
9. Whilst elective home education is not a safeguarding issue in itself, the County Council must still fulfil all safeguarding duties, and if any concerns about a child's safety or welfare arise, they must act in line with standard safeguarding frameworks.
10. Local authorities must also consider a child's special educational needs when assessing whether the education provided at home is suitable, and for children with an Education, Health and Care Plan they must continue to review the plan annually and determine whether the required special educational provision can reasonably be delivered in the home environment.
11. In addition, County Council is expected to maintain accurate records for all children known to be home educated, including responding to school deregistration notifications, and must apply the 2024 DfE attendance coding requirements.

Parental Requirements

12. Parents have a duty under Section 7 of the Education Act 1996 to ensure their child receives an education that is efficient, full-time, and suitable for their age, ability, aptitude and any special educational needs that they might have. The DfE defines a suitable education as one that prepares the child for life in modern society and enables them to progress.

13. Parents have a duty to make a carefully considered decision to home educate; they must think carefully about the commitment involved, including the time, resources, and the ability to provide a full educational programme, before withdrawing a child from school.
14. If a child is enrolled at a school when the decision is taken, parents must formally notify the school, in writing, that they are choosing to home educate. The school must then inform the local authority.
15. Parents must take full responsibility for planning, providing, and funding education but they do not need to follow the national curriculum, use qualified teachers, or adopt school-style timetables.
16. Parents must ensure that the education continues throughout the year. The education must be regular and appropriate to their child's needs, including any identified SEN.
17. Where a child has an Education, Health and Care Plan (EHCP), parents can still opt to home educate, but the Local authority has to review the plan in order to check whether the provision can be delivered at home. Where a child with an EHCP attends a special school, the County Council has to agree to the child's removal from the school roll.
18. Parents are not legally required to meet with local authorities, allow home visits, or provide written samples in any particular format; however, DfE guidance makes clear that it is in the parent's interest to share information that enables the local authority to be satisfied that the education being provided is suitable, as a lack of information may prompt the authority to take further action.
19. Parents are responsible for ensuring their child's wellbeing and safety during home education, including providing appropriate supervision and maintaining an environment that supports effective learning, even though safeguarding duties formally rest with the local authority.
20. Parents are not required to enter their child for examinations but if they choose to do so, they must independently arrange and fund exam entries through private exam centres.

Leicestershire Inclusion Service

21. The County Council's Inclusion Service fulfils statutory duties with regard to elective home education.
22. The Service employs a full-time member of staff as an Elective Home Education Coordinator and the equivalent of 1.8 FTE Education Officers.
23. The Service accepts referrals from schools who must inform the County Council when a parent has decided to deregister their child from school.

24. The Service then process the referral, requesting any additional information from the school as needed. Children and young people's individual cases are RAG rated according to the child's vulnerability. The most vulnerable children and young people's education are prioritised for assessment.
25. Parents are sent a request to accept a visit from an education officer to enable an assessment of the home education in place. Where a home visit is not agreed, parents are offered a conversation either online or telephone call. There is no obligation on the parents to engage with either of these options. They can, instead send in an education plan to the Inclusion Service which will be used by education officers to assess the quality of the education in place.
26. Internal deadlines are set by the Service to ensure that any parents who do not send in their plan are alerted to its importance and the possible outcomes if this is not received. If a plan is not received despite three requests, the parents are issued with a School Attendance Order, and the child is recorded as missing education (CME). A School Attendance Order is a legal document that requires parents to apply for a school place for their child or to face prosecution.
27. Where the plan of education that a parent presents (either in written form, during a home visit or an online/telephone conversation) is found to be unsatisfactory, support is offered by an education officer. The parents are given a period of two weeks to present a plan for a suitable and efficient education. In the event that this does not happen, the parents are issued with a School Attendance Order.
28. Once a plan has been assessed as satisfactory, the child is added to the Inclusion Service's register of electively home educated children. Each year the assessment process begins again, with the possibility of a School Attendance Order being issued if a suitable plan is not forthcoming.
29. Due to limited capacity within the Inclusion Service, children who are known to Children's Social Care (CSC) or those newly referred whose schools have raised concerns about family's ability to home educate are prioritised for assessment. Parents have an automatic right to home education, regardless of whether concerns have been raised.
30. To support the safeguarding of vulnerable children, the Inclusion Service and Children's Social Care (CSC) operate agreed information-sharing and escalation arrangements. These enable both services to identify where a child who is electively home educated is also known to CSC, to keep records appropriately aligned, and to ensure that the relevant education officer is involved in multi-agency safeguarding discussions where required.
31. For children with an EHCP, the Inclusion Education Officer will work closely with the child's SENA caseworker to assess the quality of education in place.

Breakdown of Leicestershire Data

Electively Home Educated Children (EHE)

32. The annual figures covering the last four years of EHE children are:

Year	Annual Total
2022/23	1050
2023/24	1272
2024/25	1424
2025/26	1402 (to date)

33. Trend of new referrals coming into the Service for EHE:

Year	Annual Total
2022/23	437
2023/24	578
2024/25	608
2025/26	540 (to date)

34. The Service continues to see a rise in the number of referrals for EHE in line with the rest of the Country. The DfE reported a national rise from Autumn 2023 when there were an estimated 92,000 children in elective home education to Autumn 2024 when there were 111,700 children in elective home education as reported by local authorities. Autumn 2025 figures from the DFE show there are 126,000 children where parents have chosen to electively home educate their children.
35. The referral forms used by the Inclusion Service require schools to confirm that they hold robust conversations with families looking to home educate. The Service then triangulates this when making contact with families who are new to EHE. Webinars are still offered to all parents who are new to elective home education and a termly newsletter is sent directly to all home educating parents in an attempt to make sure that all offers for other agencies, for example Health, are made available to children who are not educated through school.
36. The autumn term webinar for parents and carers of Year 11 young people continues to run where advice and support on entering and sitting examinations as well as post 16 options are shared.
37. Over the past twelve months, the principal reason cited by families for electively home educating has been that education provision has not been able to meet a child's needs, particularly in relation to SEND and mental health, which has often contributed to subsequent attendance difficulties. Referral forms from schools often reflect that they feel that they can meet the child's needs, but the families have a different view on this. The data below provides a snapshot as at April 2026 and reflects all children who were, at that point, being electively educated at home; they show that the most frequently recorded reasons were cultural/life choice (234), mental health (231) and provision not meeting need (113), together with cases recorded as no reason given (243) or other (261).

Total number of Children	1402
Attendance Difficulties	112
*Awaiting a school place	17
Breakdown in relationship	86
Bullying	5
Medical/SEND needs	81
Cultural/Life choice	234
Provision not meeting need	113
Did not receive school preference	5
Mental Health	231
No reason given	243
**Other	261
Emotional/Behavioural	5
***No school place	9

*EHE as a temporary measure awaiting a start date for a school.

**other refers to all categories not covered by the DfE's list. Often referrals reflect similar reasons that are expressed in different language.

*** child new to the area (from out of county/country).

Conclusion

38. As set out in the tables at paragraphs 32 and 33 (with 2025/26 figures shown as of April 2026), local EHE volumes and related referrals have increased year on year. Leicestershire's EHE cohort has increased over the last three full academic years: 1,050 children in 2022/23, 1,272 in 2023/24 and 1,424 in 2024/25.
39. For the current year, there were 1,402 children recorded as EHE as of April 2026 (2025/26 to date). This increase is also reflected in the number of new referrals received by the Inclusion Service: 437 in 2022/23, 578 in 2023/24 and 608 in 2024/25, with 540 referrals received so far in 2025/26 (as of April 2026), mirroring the wider national trend reported by the DfE.
40. In response, the Inclusion Service continues to strengthen early conversations with schools and families (including checking that schools have held robust discussions prior to deregistration) and to provide information and support through webinars, newsletters and targeted Year 11 guidance, whilst managing demand through prioritisation of the most vulnerable children. Overall, the data reinforces the need for sustained, multi-agency work to ensure children remain visible, safeguarded and in receipt of a suitable education, and to support schools to meet needs so that EHE is chosen as a positive option rather than a last resort.

41. The reasons recorded in April 2026 indicate a mixed picture of positive choice and system pressures. Whilst cultural/life choice remains a prominent driver (234), a substantial number of families cite mental health (231) and education provision not meeting need (113), alongside attendance difficulties (112) and relationship breakdown (86).
42. The snapshot also shows 81 children recorded under medical/SEND needs, and smaller numbers recorded as awaiting a school place (17) or no school place (9). Taken together, these categories indicate that many parents of children with SEND and other additional needs are choosing EHE because they are not satisfied that current school provision is able to meet their child's needs, and in some cases are doing so while awaiting alternative education provision to be secured. This could be interpreted as a way of delaying the escalation of formal attendance processes where a child's additional needs are contributing to persistent absence.
43. 'Other' (261 children; 18.6%) and 'No reason given' (243 children; 17.3%) account for 504 of the 1,402 children recorded as EHE in April 2026 (36.0%). In practical terms, this means that for over a third of the cohort the local authority does not have a clear, consistently recorded reason for why EHE was chosen.
44. This makes it harder to identify the main drivers behind EHE locally (for example, the extent to which decisions are linked to unmet additional needs, mental health, attendance, or relationship breakdown) and reduces how precisely support can be targeted. It can also limit the ability to prioritise engagement where there may be additional vulnerability factors, and it weakens trend analysis and evaluation because changes over time may reflect recording practice rather than real shifts in families' reasons.
45. This reinforces the importance of strengthening and standardising how reasons are captured through early conversations with schools and families.
46. Joint work with colleagues from other services strives to support schools to meet the needs of all children and our goal is that families choosing to electively home educate should only be doing this as the result of a positive choice rather than as a last resort. We want to enable schools to meet the complex learning needs of their pupils by ensuring that they can access support services in a timely way, whether that be to prevent exclusions or to adapt curriculum and teaching to enable pupils with specific learning needs to engage fully with mainstream education.

Background papers

47. Inclusion in Leicestershire Schools, Children and Families Overview and Scrutiny Committee, 4 November 2025:
<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=1043&MId=7893&Ver=4>

Circulation under the Local Issues Alert Procedure

48. None

Equality Implications

49. There are no equality implications arising from this report.

Human Rights Implications

50. There are no human rights implications arising from this report.

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