



## Children's Services - Education

### Elective Home Education Policy

#### 1. Introduction.

This document is based on the guidance issued to local authorities by the Department of Education (DfE).

Elective home education (EHE) is the term used by the DfE when parents decide to educate their children at home instead of sending them to school.

This policy aims to clarify the balance between the right of the parent to educate their child at home and Children's Services - Education responsibilities.

Children's s recognises that there are many approaches to educational provision, which are not just a 'school at home' model. What is suitable for one child may not be suitable for another, but all children should be involved in a learning process.

#### 2. Parental Rights and Responsibilities

Throughout this policy the word "parents" will be used to indicate anyone with parental responsibility.

In England, education is compulsory, but school is not and Children's Services - Education recognises parents' right to educate their children at home.

The law states that:

'The parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable:

(a) to his age, ability and aptitude, and

(b) to any special educational needs he/she may have, either by regular attendance at school or otherwise'

The Elective Home Education Guidelines for Local Authorities have more information about parents' freedom to choose the form of education they believe is best for their child.

Parents may choose to employ other people to educate their children, but they will still continue to be responsible for the quality of the education provided. They will also be responsible for making sure that the people they employ are suitable by taking up appropriate references, including a Disclosures and Barring Service (DBS) check where appropriate.

EHE differs fundamentally from home tuition arranged by WBC which is provided for children unable to attend school through illness or disability. Home education is also different from hospital education or Pupil Referral Units. Once a child is electively home educated, it is the parent's responsibility to make all the arrangements. With EHE the parent will also have to pay for all educational materials plus any examination fees and associated costs.

### **3. The Process for Parents**

Parents do not have to ask anyone for permission to home educate, and may choose to home educate for a variety of reasons.

If the child is already on a school roll parents will need to write to the headteacher of the school asking for the child's name to be removed from the school roll because the child is now being home educated. This process is called de-registering. The headteacher is then required to notify Children's Services - Education straight away and from this point the child will no longer be a pupil at the school.

This applies equally whether or not a child has a statement of special educational needs [SEN], but where a child is a registered pupil at a special school different rules apply as set out in Part 4 below.

If you are thinking of home educating because of a disagreement with school, you can contact Children's Services - Education before you take the final step and we will be happy to talk through the issues with you.

Children's Services - Education has two Specialist Officers for Elective Home Education; one officer has experience of primary age teaching and the other has secondary experience.

Once Children's Services - Education is aware that a child is home educated, the appropriate home education officer will make initial contact to introduce him/herself and to offer support and advice. We will be in touch after three months, again at the end of the first year and then generally once a year thereafter.

You will be asked for some basic information about your provision but this is not intended to be 'inspection' or 'monitoring'.

Although there is no legal requirement for parents to tell the authority that they are home educating, Children's Services - Education would be grateful if parents new to home education would get in touch.

We will log the home education status on our database and it means that your child will not be mistaken for a child who is 'missing education' [CME].

Once you are on our database you will also receive our newsletter which has a regular round-up of events and activities. In addition we have an EHE resources library and we work with families to put together an annual EHE event which has a different theme every year chosen by families.

If at any point you would like your child to return to school you can check in the Primary or Secondary 'Information for Parents' Booklet, available via the Admissions Team on the Walsall Council Website:

[http://inside.walsall.gov.uk/staging/index/education/school\\_admissions.htm](http://inside.walsall.gov.uk/staging/index/education/school_admissions.htm)

to see if there are places available. We would also be happy to discuss the process with you or you can request to speak to the Parent Support Advisor (formerly Choice Advisor). We ask parents to let us know if their child stops being home educated so that we can keep our records up to date.

#### **4. Home Education and Special Needs**

If you are concerned that your child may have special educational needs [SEN] you can contact these support groups run by parents for parents:

<http://groups.yahoo.com/group/homeeducationandspecialneeds/>

<http://he-special.org.uk/content/joinhere.php>

You can contact the Parent Partnership Service for independent advice and support:

<http://www.parentpartnership.org.uk/>

Or go to the SEND Gateway developed by the charity Nasen, which has an online portal offering free, easy access to high quality information, resources and training for meeting the needs of children with special educational needs and disabilities [SEND].

<http://www.sendgateway.org.uk/>

Parents' right to educate their child at home applies equally where a child has SEN. This right is irrespective of whether the child has a statement of special educational needs or an Education Health and Care Plan [EHC Plan].

Where parents elect to home educate a child with a statement or EHC Plan who is registered at a mainstream school, the school will remove the pupil from roll following receipt of written confirmation from the parent that educational provision is being made otherwise than at school.

If a child is registered at a special school under arrangements made by the local authority as detailed in the DfE Pupil Registration Regulations the parent cannot de-register for home education without the agreement of the local authority.

Where a child has a statement or EHC Plan and is home educated, certain duties will remain the responsibility of the local authority. Further information and guidance may be found in the SEN Code of Practice.

#### **5. Children's Services - Education Responsibilities**

Childrens Services - Education will keep an up to date record of all children known to be home educated and will ask parents for some basic information about the provision they are making for their child's education. From time to time the authority will contact parents and ask them to confirm that the details are still current.

If it seems that a child is not being provided with a suitable education Childrens Services - Education will try to gather information to help the authority reach a properly informed judgement. Parents will always be informed in writing of any specific concerns.

However if it still appears that a child is not receiving suitable education, local authorities can use other duties and powers to support their work on Children Missing Education (CME) and Childrens Services - Education will serve a formal notice in writing on the parent as set out in section 437 (1) of the Education Act 1996, which could be the first stage in serving a School Attendance Order.

A School Attendance Order [SAO] will only be served after all reasonable steps have been taken to try to resolve the situation and even after an order has been issued parents may still present evidence to Children's Services - Education that they are now providing suitable education and apply to have the SAO revoked.

If Children's Services - Education decides to prosecute the parents for not complying with the Order, then it will be for a court to decide whether or not the education being provided is suitable and efficient.

For children with special educational needs, Children's Services - Education has a duty to review all statements/EHC plans annually, following procedures set out in the SEN Code of Practice and this duty still applies to children educated at home.

In all cases where an increase is noted in the overall number of EHE children and young people or the number in a particular cohort - for example Key Stage 3 and 4; exodus from particular school; SEN; parents citing bullying as reason for EHE etc – Children's Services - Education will undertake a prompt investigation to see whether action is required in terms of challenging schools or in reviewing the type of advice and support provided to families. Where possible this work will also be informed by comparative data from statistical neighbours.

## **6. Safeguarding Children**

If health, child protection, welfare or social concerns come to light in the course of engagement with children and families or otherwise, these concerns will be immediately referred to the appropriate Children's Services department/Safeguarding Officer using established procedures.

## **7. Advice to Parents**

- Think long and hard about your decision to educate your child at home as it is a major commitment in terms of your time and energy.
- Look at the costs involved, including the cost of trips, books, exams etc.
- Talk to your child about the decision and find out what he/she wants to do.
- Research home education by reading books, websites, contacting support organisations and meeting or talking with other home educators if possible.
- Consider the need to provide opportunities for your child to be involved in social activities.
- Bear in mind that your child's needs may change at different ages and stages.
- If you are thinking of home educating because of a disagreement with the school, you could refer the problem to the Governors of the school or to the Education Welfare Officer for the school for help in getting it resolved.
- You can also talk to the Children's Services - Education Specialist Officer for EHE prior to taking the final step of de- registering.
- Home education should not be seen as a solution to the problem of getting a reluctant child to school, and the Education Welfare Officer may be able to help with this problem.
- Be aware that once your child's name has been taken off the school roll, you may not get a place at the same school or at a nearby school if you are applying outside the normal admissions process.

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