

Elective Home Education Policy

Stockton-on-Tees Borough Council

November 2019

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Introduction

This document sets out the current legal position regarding elective home education and outlines the council's policy and procedures to ensure every child in Stockton-on-Tees engages in a suitable full time education in a safe and appropriate setting.

The term Elective Home Education (EHE) describes a child's educational provision outside of the school system in cases where parents/carers have made the decision to take full responsibility for the education of their child as an alternative to sending the child to school. Elective Home Education is different from and should not be confused with home tuition which is provided by the school where the child is registered as a pupil.

There are a variety of reasons why a parent may decide to home educate their child. Such a decision should be carefully considered and not made as a reaction to an unresolved difficulty or disagreement between the parent, child and the school. Parents should be aware that in making the decision to home educate their child they will be responsible for all costs associated with educational provision.

Whilst education is compulsory, attending school to receive an education is not. Whilst parental preference is respected, it is the council's belief that education in a school provides the greatest scope for children to access the fullest range of opportunities and receive a good standard of education.

The Council's Elective Home Education Officer will endeavour to establish a positive working relationship with parents/carers and children who are educated at home. It is the council's view that a positive relationship where all parties work together best serves the interests of the child and parent/carer.

The Law Relating to Elective Home Education

Section 7 of the Education Act 1996 states that it is the duty of "the parent of every child of compulsory school age to cause the child to receive efficient full-time education suitable to his/her age, ability and aptitude and to any special educational needs he or she may have, either by regular attendance at school or otherwise."

Although the law does not define "efficient" or "full-time", a ruling in 1981 defined a suitable education as one which '*prepares children for life in a modern civilised society*' and an efficient education as one which '*achieves what it sets out to achieve*'. (The case of Harrison & Harrison v Stephenson, Worcester Crown Court 1981). As a guide regarding the amount of time that should be dedicated to a child's education, children spend between 21 and 25 hours per week in school for 39 weeks of the year.

There is no legal definition of a 'suitable education' though case law defines a suitable education as one which: '*Primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so*' (Phillips and Brown 1980). If after investigation the council has reason to believe that a child is not receiving a suitable education then the process for initiating a School Attendance Order which will direct a child's name onto a school roll will commence. The council endeavours to work co-operatively with parents to ensure that where a suitable education is found not to be in place parents will be supported to identify an appropriate school into which to admit their child and therefore avoid the necessity for a School Attendance Order.

The Education and Inspections Act 2006 places a duty on council's to identify children in their area who are not receiving a suitable education. The duty applies in relation to any child of compulsory school age that is not on a school roll and who is not receiving a suitable education otherwise than

at school. The council also has duties under sections 437-443 of the Education Act 1996 *“If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve notice in writing on the parent requiring him/her to satisfy them within the period specified in the notice that the child is receiving such education”*.

Points for Parents / Carers to Consider Prior to Removing their Child from Roll

The decision to home educate should not be taken lightly. It can be very rewarding to educate your child at home but at the same time it requires a serious time commitment, patience and the capacity to provide appropriate motivation, resources and equipment.

Providing Education - Parents will need to decide whether they have the skills and ability to educate their child or whether they will need to employ a tutor/teacher. Parents should consider the environment where the child’s education will take place. The learning environment should be safe, free from hazards and conducive to supporting learning and progress.

Finance - As no financial assistance is provided, parents need to consider the expense associated with teaching resources, access to internet, learning materials and exam fees.

Socialisation - Parents may also wish to consider how they will support their child to maintain friendships and continue to socialise with peers while being educated at home.

Curriculum – Although there is no statutory requirement for home educated pupils to follow the national curriculum, parents are advised to consider the implications of not doing so, should they wish their child to gain GCSE qualifications or return to school at a later date.

Educational Provision

Parents who elect to home educate are required to provide an efficient, full time education suitable to the age, ability and aptitude of the child. Parents/carers should ensure they are able to provide a good standard of education for their child from the start of elective home education.

Parents/carers do not have to follow the national curriculum but should consider doing so as far is possible; this will also support a child home educated for a limited period of time to successfully reintegrate on return to school. Children who are educated at home do not have to mirror the school system in terms of timetables and term times. As a guide children attend school 5 days each week averaging 25 hours for 39 weeks in an academic year. Any parent who elects to home educate, and wishes their child to undertake public examinations must make their own arrangements to do so; the council does not provide such funding for children who are home educated.

Safeguarding

The council takes the responsibility for safeguarding children seriously and is responsible for taking steps to identify children who are at risk of missing education. Where it is not clear that a child is in receipt of an education the local authority elective home education officer will make enquiries to ensure that the child is in receipt of an education. The elective home education officer will initially make contact with the parents/carers in order to build a positive working relationship with the family, and to ensure that appropriate educational provision is in place and the child is participating in their learning.

The council, as part of its safeguarding responsibilities, works with schools and other agencies to ensure ‘off rolling’ practices are not taking place. Where the number of children removed from a

school roll to be home educated increases the council attendance team and Children Missing Education Officer will explore the circumstances surrounding the pupils removal from roll, providing robust challenge to schools in any circumstance where "off rolling" appears to be the case. The **(Education (Pupil Registration) (England) Regulations 2006, as amended) DfE 2016 Children Missing Education Statutory guidance** detail the only circumstances in which a pupil can legally be removed from the roll of a school; removal for any reason other than that stated in these regulations is illegal.

DfE advice to councils is that where the "off rolling" of pupils from a school is a concern they should consider reporting the information to Ofsted to inform the school's future Ofsted inspection.

Stockton Council operate a voluntary registration scheme; the attendance team hold a register of children who are electively home educated in the area. Parents/carers of children who are home educated and have never entered the school system are encouraged to voluntarily register their child with the council for support and information sharing purposes and to access advice and support that may include new initiatives to support children and families and access to other information and updates that may not have come to the attention of parents who are home educating their child.

Special Educational Needs

Section 7 of the Education Act 1996, allows for parents/carers of children with Special Educational Needs to home educate their child.

If the child has an Education and Health Care Plan **and** is registered at a Special School, the parent/carer must make an application requesting permission to remove the child's name from the school roll. The council SEN department will convene an EHCP review meeting to which the parent and child will be invited. It is important that the parent/carer attends the meeting with a clear outline and evidence as to how home education will take place taking into consideration the child's special educational needs as detailed on the EHCP. The SEN team will make a decision based on all available information and provide the parent/carer with the outcome of the decision within 5 days from the date of the meeting. It is intended that this process is neither lengthy nor complex. If the parent/carer does not agree with the decision then the parent has a right to appeal. Appeals should be submitted in writing to the SEN team.

In cases where a child has an Education and Health Care Plan (EHCP) regardless of whether the child previously attended a special school or not the Local Authority is required to review a child's EHCP on an annual basis or sooner if requested. The parent and the child will be invited to attend an annual review. Although parents are under no obligation to attend, we believe that it is in the child's best interests to work in partnership with the SEN team and EHE officer as the voices of the parent and pupil are instrumental in the review.

Withdrawal from School to Home Educate

Often a parent/carer's first point of contact regarding the decision to home educate will be with a member of school staff. A parent may inform the child's school that they wish to withdraw their child from the school and it is important that this decision is well-informed rather than in response to a disagreement or unresolved difficulty with school. It is therefore strongly advised that school staff establish the reason for the parental decision and make every effort to discuss and agree any appropriate support or intervention that will enable the child to remain on the school roll. Support may be offered, for example, via an Early Help Assessment, One Point application, or referral to an external agency for advice and support.

If parent/carers inform school they are considering home education, it is essential that school and parents are fully appraised of the expectations and implications of home educating before

committing to making this important decision. Parents should be given contact details for and advised to seek advice from the council's elective home education officer before formally requesting the school to remove the child from the school roll.

Despite the intervention offered, should the parent/carer feel that the decision to home educate is still the right one they should be advised to put this intention in writing to the head teacher, requesting the child's name be removed from the school roll. On receipt of this letter the head teacher has a duty to remove the child's name from the school roll. Once the child is removed from the roll of the school the parent takes full and immediate responsibility for the child's education as the pupil will no longer be a pupil of the school or part of the school system.

However, where concerns or unresolved difficulties exist we would encourage the head teacher to consult with the elective home education officer and consider retaining the child's place at the school until an initial plan and/or contact with the family is established.

Immediately after the child's name is deleted from a school roll for the purposes of Elective Home Education the school **must** inform the council via a notification form to Stockton Council Attendance Team. **(Education (Pupil Registration) (England) Regulations 2006, as amended) DfE 2016 Children Missing Education Statutory guidance.** This notification should include a copy of the written notification from the parent, an up-to-date attendance record for the child, information on the child's most recent academic progress/levels and any other relevant information on the family e.g. other services involved. The notification form should detail **all** support offered to the pupil in an attempt to resolve any issues that have resulted in the parent deciding to remove the child from the school roll.

On receipt of this information the elective home education officer will action the notification within 10 school days and will complete a check of records with Social Care and Schools and SEN teams to establish whether there is any active or past involvement with the child or family.

Local Authority Procedure

Once the Local Authority have been notified of the parent's intention to home educate the elective home education officer will make contact with the parent and arrange to visit the family to offer support, advice and guidance within 10 school days. Should the parents agree to the elective home education officer visiting the home the elective home education officer will complete an initial assessment outlining the parent's intentions for provision.

During the home visit an initial plan will be completed regarding the scope and content of the home education. The reasons why parents have elected to home educate will be discussed and recorded. The view of the child as to how they feel about being home educated will be sought and recorded. The parent will be advised of the support and information available to them through public sources of information and will be provided with a copy of 'Children Educated at Home – Guidance for Parents'. A copy of the initial assessment will be sent to the parents.

Parents will be advised that they may seek to return their child to mainstream education at any time and that a return to school will be in accordance with the council's Admission and Fair Access Policies. Where applicable the Local Authority Fair Access Policy will be applied. The child will remain as electively home educated until the first day of expected attendance (the agreed start date) at a named school.

Providing that there are no concerns raised at the initial home visit/contact, the elective home education officer will make arrangements to visit the family within a 3 month period in order that the parent can provide evidence of work completed and that provision is full time. If concerns are evident that there is a risk to the child receiving full time and appropriate education from the initial visit the elective home education officer will arrange to meet with the family to gain this evidence within a period shorter than 3 months. During subsequent monitoring visits the elective home education officer will endeavour to ensure that the child is seen and that their views and feelings

are recorded. The elective home education officer will take samples of work to enable an assessment to be made by appropriately qualified members of the Education Improvement Service as to whether the education meets legal requirements.

In cases where a parent refuses access to the home address, arrangements will be made to meet at another venue or, if this is not felt suitable by the parent, an initial plan form will be sent to the home address and the parent requested to complete the standard questions and return to the elective home education officer within 10 working days. Similarly arrangements will be made for examples of work undertaken by the child to be submitted to the council at regular intervals. If the elective home education officer has at any point any concerns regarding the safety or wellbeing of the child this will be followed up in adherence with Tees Safeguarding Children's Boards' Procedures.

Should the Local Authority have reason to believe that the parent is not providing an efficient, full time education appropriate to the child's age, ability and aptitude then the parent will be given initial advice and guidance regarding steps to be taken to improve the provision. This will be done via a joint home visit between the elective home education officer and a suitably qualified member of the Education Improvement Team. Statements of intent or pedagogical approaches although helpful will not be acceptable as forms of evidence of educational provision. If upon review the advice has not been actioned satisfactorily and concerns remain, the parents will be formally warned of the local authority intention to obtain a School Attendance Order in accordance with sections 437- 443 of the Education Act 1996. The School Attendance Order will direct the parents to enrol the child at a school named by the council with regular daily attendance from the date stated in the order.

Should the council have reason to believe that the child is no longer living at the given address, steps will be taken to seek a forwarding address. If this information is not established a referral to the Attendance Team for Children Missing Education procedures will be made.

A parent who is educating their child at home can ask the council to carry out a statutory assessment or reassessment of their child's special educational needs and the council must consider this request within the same statutory timescales process as any other request received.

Where the council is satisfied that the parent is providing an appropriate education at home for their child with an EHCP, the EHCP will be reviewed annually by the council until such time that it is decided that maintenance of the plan is no longer required.

Parents who choose to educate their children at home assume full financial responsibility for **all** costs relating to their education, including any examination fees.

Complaints

Should be made in writing and forwarded to attendance.team@stockton.gov.uk and will be actioned within 10 working days

Freedom of Information

Freedom of information requests should be sent to foiandcomplaints@stockton.gov.uk. For further information please go to: <https://www.stockton.gov.uk/children-and-young-people/schools/school-attendance/>

For further information please contact: attendance.team@stockton.gov.uk, tel 01642 528732

ELECTIVE HOME EDUCATION NOTIFICATION FORM

DATE OF NOTIFICATION: [Click here to enter a date.](#)

PERSONAL/SCHOOL DETAILS

Name of Pupil:	School:	Year Group:
DoB: Male: <input type="checkbox"/> Female: <input type="checkbox"/>	Head Teacher:	
Ethnicity:	Attendance at Referral:	
Address:	Name of Referrer:	
Parents/Carers: Title:	Early Help: <input type="checkbox"/>	
Surname: First name:	Social Care involvement: CIN <input type="checkbox"/> CP <input type="checkbox"/>	
Home Tel No:	Has this child ever been discussed/added to VEMT:	
Are parents/carers aware of this referral?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Yes <input type="checkbox"/> No <input type="checkbox"/>	Pupil Premium: <input type="checkbox"/> CYPIOC <input type="checkbox"/> EHCP: <input type="checkbox"/>	
	SEN Support: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Please provide reasons for Elective Home Education that you have been made aware of:
[Click here to enter text.](#)

Please provide details of interventions school have put in place to avoid Elective Home Education :
[Click here to enter text.](#)

Please attach the following when submitting this form:

- Copy of letter from parents
- Registration Certificate
- Details of any Social Care involvement
- Details of most recent attainment/assessment levels
- Copy of EHC Plan if applicable

If there are any known safeguarding concerns for staff please detail below:
[Click here to enter text.](#)

Signature of Head Teacher: [Click here to enter text.](#)

OTHER AGENCIES / PROFESSIONALS INVOLVED
eg EP, Social Worker, Speech and Language Therapist, Attendance Officer, CAMHS

AGENCY	PERSONNEL INVOLVED	AGENCY	PERSONNEL INVOLVED	AGENCY	PERSONNEL INVOLVED
AO <input type="checkbox"/>		GP <input type="checkbox"/>		Other <input type="checkbox"/>	
EPS <input type="checkbox"/>		School Health <input type="checkbox"/>		Please detail	
SEN <input type="checkbox"/>		Inclusion Team <input type="checkbox"/>			
SC <input type="checkbox"/>		Youth Direction <input type="checkbox"/>			
YOS <input type="checkbox"/>					

Please return this form to the Attendance Team, contact details at head of form.

OFFICE USE		
DATE RECEIVED:	REF. NO:	SERVICE PERSONNEL: