



Elective Home Education Policy

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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 Inclusion & Vulnerable Learners Caseworkers 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.

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 progression.

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

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 or other formal qualifications or return to school later.

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.

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 onset having made preparations with that aim in view.

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 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 around 25 hours for 39 weeks in an academic year. Any parent who elects to home educate and would like 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.

In cases where the Local Authority are unable to determine that an efficient, full-time, suitable education is in place, including a situation where there is no information available at all, these children will be registered with the local authority as Children Missing Education.

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 meet 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 councils 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 that 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”*.

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 Inclusion & Vulnerable Learners Team will make enquiries to ensure that the child is in receipt of an education. The Inclusion & Vulnerable Learners Team will initially contact the parents/carers to build a positive working relationship with the family, and to ensure that the child is participating in their learning and suitable educational provision is in place.

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 Inclusion and Vulnerable Learners Team will explore the circumstances surrounding the pupil’s 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 Inclusion and Vulnerable Learners 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.

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 SEND and Inclusion Service will consider the request at the routine weekly EHCP Panel multi agency meeting. It may be necessary to arrange an EHCP review meeting to which the parent and child will be invited to satisfy the SEND and Inclusion Service that the child’s education will not suffer as a result of the removal from roll. 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 parent/carer will be expected to deliver the provision detailed in section F of the EHCP. The SEND and Inclusion Service will decide 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 SEND and Inclusion Service.

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. Stockton Borough Council holds six monthly EHCP reviews for children with an EHCP who are EHE. 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 SEND and Inclusion Service and Inclusion and Vulnerable Learners Caseworker 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 the child from the school roll, 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 parent’s 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 a referral to Help and Support services, One Point application, or referral to an external agency for advice and support. It is advisable to signpost the parent to the attached leaflet for parents so they can make an informed decision.

If parent/carers inform school they are considering home education, it is essential that school and parents are fully apprised 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 Inclusion & Vulnerable Learners Team 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/principal, requesting the child’s name be removed from the school roll. On receipt of this letter the head teacher/principal 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.

In cases where concerns or unresolved difficulties exist, we would encourage the head teacher/principal to consult with the Inclusion & Vulnerable Learners Team 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 (appendix i) to Stockton Council Inclusion & Vulnerable Learners 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 to resolve the issues that have resulted in the parent deciding to remove the child from the school roll.

On receipt of this information the Inclusion & Vulnerable Learners Team will action the notification within ten school days and will complete a check of records with the teams within Children's Education and Social Care to establish whether there is any current involvement from other teams and agencies. The parent will be contacted in writing, acknowledging their decision to electively home educate. An information pack will be provided with useful sources of information and resources along with the local authority Elective Home Education Policy.

Following the initial written correspondence, a visit will be made to the family to review the educational provision in place within 12 weeks at which point the Locality Team Caseworker will determine if the child is in receipt of a suitable and fulltime education or otherwise.

Should the parents agree to a member of the Inclusion & Vulnerable Learners Team visiting the home a member of the Inclusion & Vulnerable Learners Team will complete a report detailing the scope and content of the home education. Parents will be asked to provide evidence of the work completed and that provision is full time. The views of the child as to how they feel about being home educated will be sought and recorded.

Parents will be advised that they may seek to return their child to school at any time, and that a return to school will be in accordance with the council's School Admissions Policy.

Providing that there are no concerns raised at the home visit/contact, a member of the Inclusion & Vulnerable Learners Team will make arrangements to visit the family on an annual basis.

If concerns are evident that there is a risk to the child not receiving a full time and appropriate education, the Inclusion & Vulnerable Learners Team will arrange a further meeting with the family to gain evidence of a suitable full-time education within 6 weeks. During subsequent monitoring visits a member of the Inclusion & Vulnerable Learners Team will endeavour to ensure that the child is seen and that their views and feelings are recorded. The Inclusion & Vulnerable Learners Team will ask to see samples of work to enable a decision to be made 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/carer, the parent will be asked to provide a report detailing the content and scope of the child's education detailing their progression and including samples of the work completed. There may be a variety of reasons why the information or evidence provided has not been deemed suitable. The guidance, amongst other examples, says that "there is no or very limited examples of work submitted" and that "There is no or very limited detail of how the child's progress is being monitored or examples of work to demonstrate relevant progression." Similarly, arrangements will be made for examples of work undertaken by the child to be submitted to the council at regular intervals. If the Inclusion & Vulnerable Learners Team 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 the parent should take to improve the provision. This will be done via a home visit/report from the Inclusion & Vulnerable Learners Team member. 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 child will be recorded as a child missing education and the parents will be issued with a notice to satisfy the Local Authority within a period of 15 days that their child is in receipt of a suitable, full time and age-appropriate education.

Should parents fail to do so they will be formally warned of Stockton Borough Council's intention to issue 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 and ensure regular daily attendance from the date specified as will be 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 notification will be made to the Inclusion & Vulnerable Learners Team and the Children Missing Education procedures will commence.

A parent who is educating their child at home can apply to 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 and 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 Education Health and Care Plan, the plan will be reviewed every 6 months 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 foiandcomplaints@stockton.gov.uk and will be actioned within ten 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.vlt@stockton.gov.uk or via telephone 01642 528732