

North Somerset Council- Elective Home Education Policy

Our Aim:

We want all children and young people to fulfil their potential.

About this policy:

This policy details North Somerset Council's (The Local Authority's) roles and responsibilities in relation to Elective Home Education.

Section 7 of the Education Act 1996 provides that:

"The parent of every child of compulsory school age shall cause him to receive efficient, full-time education, suitable -

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

(b) to any special educational needs he may have,

either by regular attendance at school or otherwise."

The responsibility for a child's education rests with his or her parents. Education in England is compulsory, schooling is not.

Who is this policy for

This policy is for the Local Authority, Schools and Parents/Carers

What is Elective Home Education

Elective home education (EHE) is a term used to describe a choice by parents to provide education for their children at home or in some other way they desire, instead of sending them to school full-time. This is different to education provided by a local authority other than at a school, for example for children who are too ill to attend school. Throughout this guidance, 'parents' should be taken to include all those with parental responsibility, including guardians and foster carers (in the latter case the local authority may also be a corporate parent).

Who do you need to tell if you are going to Electively home educate

There is no mandatory registration system for parents who choose to EHE their child, however, if a parent is removing their child from the school roll for EHE, they must inform the head teacher in writing of their intention to EHE their child. Schools have a legal responsibility to inform the Local Authority (LA) whenever they are removing a child's name from the school register for EHE. A parent does not have to seek permission from the LA to EHE their child.

Although there is no mandatory registration system, parents can make voluntary contact with the LA to inform us that they are electively home educating their child.

If parents inform the LA that they are electively home educating their child, and when schools notify the LA that a child is being removed from the school roll for EHE, the LA will maintain a record of these children and young people, until they reach the end of the academic year in which they turn 18 for the purposes of Raising of the Participation Age, and up to age 25 if the young person has an Education Health and Care Plan (EHCP).

The LA will make periodic contact with all young people aged between 16-18 under its duties for Raising of the Participation Age. All young people are under a duty to participate until they reach age 18. Young people can continue to be EHE until they reach age 18. The Local Authority will ask for details of the programmes of study to ensure that young people are meeting the duty to participate. Where young people need help and support or advice about their Post 16 options the LA has a Post 16 team that can offer 1:1 support on Post 16 education and Higher Education.

For children with an EHCP who are in a special school The Education (Pupil Registration) (England) Regulations 2006 require that:

“the name of a child who has under arrangements made by a local education authority become a registered pupil at a special school shall not be removed from the admission register of that school without the consent of that authority, or if that authority refuse to give consent, without a direction of the Secretary of State.”

If a child is registered at a school as a result of a School Attendance Order the parents must get the order revoked by the LA on the ground that arrangements have been made for the child to receive suitable education otherwise than at school, before the child can be deleted from the school's register and educated at home.

The LA will Maintain a record of children known to North Somerset Council as being educated at home. This is a list of the children known to North Somerset Council only and therefore not an exhaustive list of all children educated at home in North Somerset. Families who have children who have never been on roll may also register to access advice and support.

Deciding on whether home education is right

Making the decision to EHE is a big decision for any parent or family, and it can affect lots of areas of family life. So, it's important to think it through carefully and weigh up the options.

The Decision to EHE should always be one that is made freely and carefully. Schools should not coerce parents or put pressure on them to EHE their child.

If parents need advice and guidance before making this big decision, our EHE Officer can be contacted using the details listed further down in this policy.

Parents responsibilities

Under the Education Act 1996 parents are responsible for ensuring their children of compulsory school age receive efficient full-time education. This is from the first term after the child's fifth birthday, until the last Friday in June in the school year that the child turns 16 years old.

An "efficient" and "suitable" education is not defined in the Education Act 1996, but "efficient" has been broadly described in case law as an education that "achieves that which it sets out to achieve", and a "suitable" education is one that "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"

School Responsibilities

Schools must not seek to persuade parents to educate their child at home, nor would it be recommended for parents to elect to educate their children at home as a way of solving a perceived or ongoing problem with a school. Schools should not write a withdrawal letter for parents to sign, or provide a form, or pro-forma letter for parents to do this.

In these situations both the school and parents should be able to obtain advice and support from the Inclusion panel. Schools should aim to resolve issues with parents if possible, if the parent/s still wish to pursue EHE; schools will need to follow the procedures below:

When a school receives written notification from a parent of their intention to electively home educate, it is the responsibility of the school to:

Formally acknowledge the parents' letter.

Immediately inform North Somerset LA of the removal of the child's name from their roll and reason for removal using the 'Exit from School' form.

In North Somerset we also ask schools to let us know whether children are currently involved with Children's social or have been involved with children's social care previously. Schools are also asked to record whether a child has previous attendance issues, has any identified SEN needs, if the child is known to other services, and to note whether there would be any safeguarding concerns if the child was not regularly seen at school. A copy of the exit form can be found using the link below:

<https://www.n-somerset.gov.uk/my-services/schools-learning/home-education/elective-home-education/>

In North Somerset we also have a primary and secondary Inclusion Panel; if a school has concerns about a child because their school placement is at risk of breakdown they can bring this to the Inclusion Panel.

For primary panel please contact: liz.gilmour@n-somerset.gov.uk

For secondary panel please contact collette.sweeting@n-somerset.gov.uk

Manager Inclusion and Post 16 Participation: Jaida.aldred@n-somerset.gov.uk

EHE what happens next

Once a school informs the LA that they are removing a child from their school roll for EHE, the LA will write to the parent offering them a visit, parents are not obliged to take up the offer of a visit. The nature of the visit is intended to be supportive and to offer advice and guidance, or to answer any questions a parent may have. The EHE Officer will be in contact once the school have informed the LA of the removal of the child's name from the school roll.

To ensure that the critical voice of the child is heard and to establish education suitability North Somerset Council will request that both the child and evidence of learning are seen.

Many families make a pro-active decision to home educate. Such families usually provide an extremely high standard of education for their children. However, some families may feel that electing for home education is the only available option when it appears that school issues cannot be resolved or where personal circumstances mean that attending school regularly is problematic.

In North Somerset we prioritise visits for those children who:

- a) have a history of persistent unauthorised absence from school (by persistent absence, we mean attendance that falls below 90% of a child's expected sessions at school);
- b) have a record of poor attainment at school as measured by progression in performance using prior attainment and current school assessment methods
- c) have previously been permanently excluded from school(s) or has been subject to more than 5 days of fixed term exclusion whilst at school;
- d) have been referred to early help and/or to children's social care;
- e) have been raised at the Inclusion Panel for poor behaviour or placement breakdown.
- f) have previously been children missing education (CME).

Parents of children who fall into one of the categories above are advised to meet with the local authority officer. If a parent refuses the visit or fails to provide examples of the work produced by a child, the local authority must assume that the education provided is not suitable;

"If your local authority feels that it has not had sufficient information about the home education being provided, or has had no information, and it appears to the authority that your child is not receiving a suitable education at home, it must serve a notice (known as a s.437(1) notice), requiring that you as parents satisfy the authority that

the child is receiving a full-time and efficient education at home suitable to your child's needs."

If a child is not on a school roll, but parents want help and advice, or would like the opportunity to discuss their child's education, they can contact the EHE Officer using the contact details below.

We will also keep in touch and make contact annually with all of our EHE families. The DFE advises parents that:

"It would be sensible to engage with your local authority in such reviews, as advice and support may also be accessed through such co-operation."

We will ask for an update on progress and learning, if we do not hear back from parents, we have to assume that a suitable education is not in place and follow the process outlined below.

LA Responsibilities

The 2019 EHE guidance from the DFE clearly sets out that; *"a local authority has a moral and social obligation to ensure that a child is safe and being suitably educated. If it is not clear that that is the case, the authority should act to remedy the position."*

Sections 10 and 11 of the Children Act 2004 give local authorities general duties for promoting the well-being and (in relation to their non-education functions) safeguarding and promoting the welfare of children in their areas. This includes children educated at home as well as those attending school. Section 175 of the Education Act 2002 requires authorities to make arrangements for ensuring that their education functions are exercised with a view to safeguarding and promoting children's welfare. Therefore, the general duties of local authorities in relation to safeguarding are the same for all children, however they are educated.

The LA has a statutory duty to:

"Make arrangements to enable them to establish the identities, so far as it is possible to do so, of children in their area who are not receiving a suitable education."

The duty applies in relation to children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than being at school. (Section 436A of the Education Act 1996)

Under section 437(1) Education Act 1996, *Local Authorities shall intervene if it appears that the parents are not providing a suitable education. They can serve a notice in writing on the parent asking the parent to demonstrate that the child is receiving a suitable education no less than 15 days from the date that the notice is served.*

If the parent fails to satisfy the Local Authority within the notice period that they are providing the child with a suitable education, the Local Authority can serve a School Attendance Order (SAO) on them. The School Attendance Order can name a school

that the child should attend. This is usually a last resort and is only done when all reasonable steps have been taken to work alongside parents in addressing any concerns.

The parent can provide evidence at any time to request that the order is revoked. In North Somerset we aim to work with parents first before using a School Attendance Order. It is always helpful if parents cooperate with the enquiries made by the Local Authority as this can avoid unnecessary legal actions.

In line with the Department for Education (DFE) 2019 guidance to Local authorities, In North Somerset what we would expect:

- That the education provided to the child at home occupies a significant amount of their time. This does not have to be Monday to Friday or in school hours, but we would expect that the education is a significant element of the child's life.
- That the environment in which they are taught is conducive to support their learning, that it is free of distractions and hazard free. They should have a space in which they are able to concentrate and that it enables them to learn without distraction.
- That it should enable the child to participate fully in life in the UK by including sufficient secular education.
- That it demonstrates effectiveness in such matters as literacy and numeracy, whilst accepting that these must be applied in relation to the individual child's ability and aptitudes.
- That the education takes into account any special educational needs that the child has.
- That there is evidence of Interaction and socialisation with peers.
- That there is an overall plan for the education and that which demonstrates progress.

We will not accept a list of the activities that the child is engaged in as described by the parent, or lists of websites; we will need to see examples of the child's work.

We will also take into account the views of the child, when assessing the suitability of the education.

The Local Authority would expect a parent to have fully considered all aspects of EHE before they have started. We expect that the education provided by the parent is efficient and suitable from the outset, as any time lost in education can have a detrimental effect on a child's progress and learning.

Help with EHE

LA's are not under a duty to provide financial support to parents who choose elective home education. This means that parents will need to pay for resources, equipment, books, trips and exams. There may be free resources or other online forums that parents may find useful.

Exams and early college placements

It is the responsibility of parents to find an exam centre if they wish their child to sit GCSE examinations and also to pay the costs associated with the exams.

Parents will need to contact our local college, to see if they offer early college placements for children aged 14-16 years. North Somerset's local FE provider is:

Weston College

Knightstone Campus

Weston-super-Mare

BS23 2AL

01934 411 411- general enquiries

Work experience

Work experience is not a statutory requirement for children. If a work experience placement is secured for a home educated child the employer should contact the local authority's education department or education welfare service to find out if a child work permit is required. Details are available on the North Somerset Council website or contact 01934 888 801 for further details.

EHE and children with special educational needs

If a child is at a mainstream school and they have an education, health and care plan (EHCP), parents will need to discuss EHE at the annual review. If EHE is recommended at the annual review, the request will come back into the LA and be recorded at the SEND panel. The placement in section I of the plan will change to outline the type of school the LA feel can meet the young person's needs but outline that parents have opted to EHE.

If a child is at a special school their EHC plan will need to be changed. This will be done by an annual review being held and the family formally writing to the LA to request that the LA remove the child from the school roll as they wish to home educate their child. The LA will arrange for the EHE officer to do a visit and provide a report for the SEND panel to outline the programme being suggested for EHE. The case will then be discussed at the SEND panel where a decision will be made on whether the child can be removed from the special school roll. If the LA refuses to grant this permission, the family can appeal via the SENDIST service or a declaration from the Secretary of State can be sought.

Whilst a child is EHE the EHC plan will be reviewed annually by the LA

Parental requests for an EHCP need to be sent to:

SEN team

North Somerset Council

Town Hall

Weston-super-Mare

BS23 1UJ

EHE and Alternative Provision

Local authorities must arrange suitable full-time education (or as much education as the child's health condition allows) for children of compulsory school age who, because of illness, would otherwise not receive suitable education. Full details are available in the North Somerset Policy- **education for children with medical needs**.

Flexi Schooling

Although most children educated at home have all the provision made at home, or alternatively partly at home and partly in other ways such as attendance at privately-run part-time tuition settings, it is not essential that this be so. Some children who are educated at home most of the time are also registered at school and attend school for part of the week – perhaps one day a week. The purpose of this is usually to ensure the provision in specific subjects is satisfactory, although it can also help in other ways such as socialisation. If a child is of compulsory school age he or she must, overall, be receiving full-time education even if components of it are part-time.

Schools are not obliged to accept such arrangements if requested by parents. If they do, then time spent by children being educated at home should be authorised as absence in the usual way and marked in attendance registers accordingly. It is not appropriate to mark this time as 'approved off-site activity' as the school has no supervisory role in the child's education at such times and also has no responsibility for the welfare of the child while he or she is at home.

Safeguarding – use of tutors by parents providing home education

Parents may choose to employ other people to educate their child, though they themselves will continue to be responsible for the education provided. As in all situations where parents themselves employ tutors, the suitability of those tutors in terms of access to children is for the parents to ascertain. Parents should be advised to satisfy themselves on this point by taking up appropriate references and ensuring that the tutor has a reasonably recent Disclosure and Barring Service (DBS) disclosure certificate.

Post 16 arrangements

The National Careers Service is a free careers service for adults and young people aged 13 and over in England. Advice and guidance can be accessed via the telephone and online. The National Careers Service provides confidential advice and guidance to help children make decisions on learning, training and work opportunities.

Through the raising of the participation age (RPA) all young people are required to remain in learning until their 18th birthday, young people can still be electively home

educated for their Post 16 education. The local authority has a duty to track the participation of all young people up until the end of the academic year that they reach 18, and to offer support to any young people who are NEET (not in education, employment or training). This means that the LA will make contact periodically to track whether a young person is in learning or they need support from the LA.

16 to 19 bursary fund

The 16 to 19 bursary fund is not payable to young people whose parents elect to home educate them after the age of 16.

The Post 16 Participation Team at North Somerset Council can offer general advice and guidance about post 16 options, they can be contacted on 01275 884 443 or email: yes@n-somerset.gov.uk

EHE and Health

All school aged children should be offered the vaccinations as part of the school-based programme. Those children who are home educated will receive a letter and information about clinics that they can attend to get their vaccinations.

If you don't receive an invitation, you can contact the school nursing service, call 01275 546800 or email: nscp.communications@nhs.net

A checklist is available on the NHS website (<https://bit.ly/2FNw9Wr>) to find out what vaccines are routinely offered to everyone in the UK free of charge on the NHS and the ages at which they should ideally be given.

For more detail about the myths and facts about vaccinations, see the links below:

<https://www.publichealth.org/public-awareness/understanding-vaccines/vaccine-myths-debunked/>

<https://www.nhs.uk/conditions/vaccinations/reasons-to-have-your-child-vaccinated/>

For further information see [NHS Website](#)

EHE Who to contact

SomersetEducationSafeguarding@somerset.gov.uk

Tel: 01823 355 934

Tel: 01275 888 801

Complaints

The Senior Officer in North Somerset Council responsible for EHE is the person undertaking the post of the Head of the Education Inclusion Service. Complaints can be made in writing to:

Head of the Education Inclusion Service

North Somerset Council

Town Hall

Walliscote Road

Weston-super-Mare

BS23 1UJ

If parents are dissatisfied with the conduct of the local authority they can make a complaint to the Secretary of state for education or the local government ombudsman.

School Admissions

If at any point a parent wishes to apply for a school place, parents must contact our school admissions team for advice.

01275 884014 or 884078

admissions@n-somerset.gov.uk

www.n-somerset.gov.uk/admissions

Useful links

<https://www.gov.uk/government/publications/elective-home-education>

<https://www.supportiveparents.org.uk/>

<https://nationalcareers.service.gov.uk/>

<https://www.gov.uk/government/publications/participation-of-young-people-education-employment-and-training>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf

<https://www.n-somerset.gov.uk/my-services/children-young-people-families/local-offer-and-early-help/local-offer/>