

Education Services

Elective Home Education

2018



Deciding to home educate your child is a significant step, which will take up a considerable amount of your time, energy and resources. It is hoped that this guidance note will help you to decide whether or not to proceed with Elective Home Education (EHE), and will assist if you decide to home educate your child.

Relevant national guidance on the law surrounding education of children of compulsory school age and in particular elective home education is set out below:

Elective Home Education – guidelines for local authorities

School Attendance – Guidance for maintained schools, academies, independent schools and local authorities.

School attendance parental responsibility measures – Statutory guidance for local authorities, school leaders, school staff, governing bodies and the police.

Children missing education – Statutory guidance for local authorities

What is a parent or carer's duty in regard to education?

Parents must take steps to secure the education of children from the beginning of the term following the child's fifth birthday until the last Friday of June in the school year following the sixteenth birthday. This is known as the compulsory school age. There is also duty on all young people to participate in education or training that leads towards a recognised qualification up to the age of 18.

Education for children of compulsory school age means suitable full-time education. This can be secured by regular attendance at school, at alternative provision or otherwise, including home education.

The main statutory framework is set out below:

Section 7 of the Education Act 1996 states that:

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

- to his age, ability and aptitude and
- to any special educational needs he may have, either by regular attendance at school or otherwise'.

Section 436A of the Education Act 1996 states:

(1) A local authority must make arrangements to enable them to establish (so far as it is possible to do so) the identities of children in their area who are of compulsory school age but–

(a) are not registered pupils at a school, and

(b) are not receiving suitable education otherwise than at a school.

(2) In exercising their functions under this section a local authority must have regard to any guidance given from time to time by the Secretary of State.

(3) In this Chapter, "suitable education", in relation to a child, means efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have.

Section 437 of the Education Act 1996 states:

(1) If it appears to a local 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 a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that the child is receiving such education.

Harrow Council wants to work collaboratively with parents to ensure that parents and the Council are meeting their respective statutory duties.

The Council also has general duties in relation to safeguarding and promoting the welfare of children. If a school or an officer of the Council becomes aware of any safeguarding concerns, this will be reported to the appropriate team or partner agency.

Making the decision to home educate

Choosing to home educate your child is an important step in their life and in yours. It is therefore important that this decision is taken with due consideration. There are many good reasons that parents put forward to home educate their children but it is important not to act with haste. You may wish to consider the following.

- Are you making this decision because you have had a disagreement with a headteacher, another member of staff or the school's governing body? This could be due to your child being bullied or feeling your child is not making enough progress in school. You may have attempted to resolve the disagreement through discussion at the school or you can also contact the lead professional for EHE for advice and guidance. Over time children can be happy and well supported in school even if there are temporary periods of difficulty
- If you are making this decision to avoid an Education penalty notice or legal action because you have not been sending your child to school on time or regularly and you have been given notice of an Education Penalty Notice or Pre-Court Panel. Your decision to home educate may not stop the legal action being taken.
- You are concerned that your child will be excluded, possibly on a permanent basis, from school for behaviour reasons. A school should not ask you to consider home education of your child as an alternative to an exclusion decision; however a school may offer you the option to consider a managed move to another school. If a school makes an exclusion decision, it must follow a statutory process and for certain fixed term exclusions and all permanent exclusions, you have the right to make representations to the governing body.

If you do decide to home educate we would strongly recommend:

- Plan what you intend to do with your child before making a decision;
- Look at the costs involved, e.g. books, equipment, educational visits, tutors, entries for examination, online subscriptions. The Council does not make any financial contribution to the costs of elective home education;
- Consider the significance of the social aspect of your child's education. It is

possible to plan activities through family, however many of your child's peers will be in school. Home School groups arrange activities through social media and home educating families can find links to some useful organisations at the end of this document.

- Bear in mind the time and energy required to provide effective provision and ensure academic progress. If it is your intention to emulate the provision offered by school then realistically you will be undertaking a full-time job
- Consider that placing your child back in school can be a protracted process. The EHE officer can provide support with applications through Harrow School Admissions (liaising with Admissions regarding where places are available; updating a parent with Waiting List positions). For more information regarding school places please contact <http://www.harrow.gov.uk/schooladmissions>.
- Be aware that if your child is registered at a school as a result of a school attendance order the parents must get the order revoked by the Council on the grounds that arrangements have been made for the child to receive suitable education otherwise than at school.

There are many organisations that offer advice to home educating parents and you may find it useful to contact one of these for additional advice and clarification:

<http://edyourself.org/> or www.heas.org.uk

How many hours a week should be spent on instruction?

The length of time children spend under instruction is not specified but it should aim to provide them educational and other activities that are comparable with the time a child would have spent in school. There is currently no legal definition of "full-time" education. Children normally attend school for between 22 and 25 hours per week for 38 weeks of the year, but the measurement of "contact time" is not relevant to elective home education where there is often almost continuous one-to-one contact and education may take place outside normal "school hours".

Please be aware that if any institution is offering full-time education it should be registered with The Department of Education (DfE). You may also wish to ensure that any privately run school or tuition service have carried out the appropriate staff safeguarding checks. Please refer to *Keeping Children Safe in Education* for additional advice:

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Does the work have to be timetabled into 'lessons'?

Parents need to plan a programme of work which enables the child to make progress and to ensure the work is appropriate for their age, ability and aptitude and any Special Educational Needs which they may have. Many home educating parents do prepare a timetable as it is a useful tool both for them and their child but there is no formal requirement to take this approach.

Do I have to follow the National Curriculum?

The National Curriculum and its assessment apply only to local authority maintained and voluntary aided schools. However, you may find it useful to know what it is. It will provide you a useful framework for levels of achievement across the subjects, which would be helpful if your child returns to state education in the future. Please see link to

the National Curriculum: <https://www.gov.uk/national-curriculum>.

There is no one approach recommended but learning should be as active, practical and engaging as possible. Importance should be given to a programme of educational visits, which should be prepared for in advance and followed up after. Variety in style, content and the processes involved will make the education more enjoyable. Opportunities also need to be given for independent study and research with a quiet area, which can offer opportunities for sustained study/work.

Additionally, the Local Authority recognises that there are many, equally valid, approaches to educational provision. Therefore, consideration is given to a wide range of evidence of learning in a range of formats. E.g. pictures/paintings/models; diaries of educational visits; projects using different media; samples of work.

What is a good curriculum?

A good curriculum is one, which, consists of everything that is done in order to ensure intellectual, social, emotional and spiritual development.

A good curriculum should be:

Broad: It should introduce pupils to a wide range of knowledge, understanding and skills.

Balanced: Each part should be allotted sufficient time to make its special contribution, but not so much time that it squeezes out essential parts.

Relevant: Subjects should be taught so as to bring out their application to the pupil's own experience and to adult life, and to give due emphasis to their practical aspects.

Differentiated: What is taught and how it is taught need to be matched to pupil's ability and aptitude.

Exams

Public examinations and regular attainment tasks are available to children in schools/colleges and elective home educated children might benefit from these opportunities. Access to exam centres for private candidates can be hard to arrange and the local authority may be able to speak with schools or advise where you can get additional help. There is a section on <http://edyourself.org/> about exams and advice for parents, pupils and exam centres. There are costs for exam registration, and other fees for late registration access to exam centres that the parent will be required to pay. There are also deadlines for registration. You also need to ensure that you follow the syllabus for the exam.

If you are thinking of taking exams please talk to the Elected Home Education (EHE) officer who can offer advice and guidance and the earlier you have the conversation the better.

On Line resources

There are lots of on line resources for home educators. We strongly advise that home computers, laptops and mobile devices have appropriate filters to protect children from accessing inappropriate content and that parents talk to their children about the use of social media and how to keep themselves safe whilst online.

You may like to look at the Child Exploitation and Online Protection (CEOP) website www.thinkuknow.co.uk And or the NSPCC's website www.net-aware.org.uk/

Deregistration from school and initial contact with EHE Officer

Where your child is registered in a Harrow or other borough school, the first step is to write to the school, explaining that you wish to educate your child at home. This notification must be in writing. The school must then delete the child's name from their admissions register. Schools will then notify to the Local Authority so that the LA is aware of who is educated at home. The EHE Officer will then make contact with you. This is not a Safeguarding Referral and is purely notification that a child is being removed from roll for EHE and to advise the EHE Officer of this.

The EHE Officer will make contact with the family and offer them guidance and a supportive visit to discuss education provision and intentions. You do not have to accept this offer but many families have found it both supportive and beneficial.

Provision for children with an Education Health and Care Plan (EHCP)

Parents' right to educate their child at home applies equally where a child has Special Educational Needs and is under an EHCP. However, there are some additional requirements if your child has an EHCP. Where a child with an EHCP is home educated, it remains the Council's duty to ensure that the child's needs are met. The SEN Code of Practice primarily covers educational needs in schools and early years' settings; however it does give information about SEN in relation to home education). If your child has an EHCP and you are intending to remove him or her from a school setting, you must inform your SENARS Casework Officer.

The code emphasises the need for local authorities and other agencies to work in partnership with parents.

The Council's EHE Officer will liaise with the (Special Educational Needs Assessment and Review Service (SENARS) Casework Officer. This is so the Council can assure itself, in consultation with parents, that the proposed arrangements for elective home education provide a suitable and efficient education which meets the child's special educational needs. It is likely to be necessary to have a formal review of the plan to ensure it reflects how the special educational provision is to be met in the future. _

In some circumstances the child's special educational needs identified in the EHCP will have been related to the school setting and the child's needs may be met readily at home by the parents without LA supervision. The LA will consider ceasing to maintain the EHCP and this may be done at the annual review or at any other time. Where an EHCP is maintained a school does not have to be named, for home educated children this will be replaced with "parents have made their own arrangements under section 7 of the Education Act 1996".

Home Visit / Meeting

The Local Authority (LA) has no statutory duties in relation to monitoring the quality of home education on a routine basis. However, the Council offers an initial visit or meeting with home educators. This is an opportunity for home educating parents to share their intentions and discuss resources and any other educational matters with the EHE officer. This conversation will generate a report written by the officer which will be shared with parents who can provide feedback to amend the contents of the report. Within one calendar year the offer of another visit will be made by the LA with a similar remit. The officer remains a point of contact for all home educating parents throughout the year and will answer queries by phone/email.

Meetings can take place in a variety of places that is convenient for the home educator; it might be in the family home, at the Civic Centre or in another agreed place.

Examples of the questions the EHE Officer may ask are below.

- Reasons for parent (s) electing to home educate- last school at which the child/ren were registered (if relevant)
- Would the parent find the guidance useful?
- Advice and guidance that parents have accessed to support their decision e.g. website, home educating groups/organisations
- How parent is approaching their new responsibility to educate their child/ren e.g. any resources they have accessed/bought (e.g. online or textbooks), groups that they have joined, other home educating parents that they are in touch with, places that they have visited, places that they plan to visit. You can share evidence with the EHE Officer

What happens if there are concerns about the quality of the home education?

The Local Authority has powers to intervene if it appears that parents are not providing a suitable education (Section 437 (1) Education Act 1996). A notice is served to the parent and they will have a minimum of 15 days to respond. Prior to serving the notice local authorities are encouraged to address the situation informally, asking parents for further information about the education they are providing. Such a request is not the same as a notice under section 437 (1), and is not necessarily a precursor for formal proceedings. Parents are under no duty to respond to such enquiries but it would be sensible for them to do so.

Ultimately a school attendance order (Section 437 (3)) will be served if all reasonable steps have been taken to try to resolve the Council's concerns. At any stage following the issue of the Order, parents may present evidence to the Council that they are now providing an appropriate education and have the order revoked.

It is the local authorities overriding intention to support families that home educate so that the mutual goal of a suitable education can be achieved for the child.

Complaints

Any concerns should in the first instance be taken to the Head of School Organisation, Admissions and Attendance who you can email at ehe@harrow.gov.uk

If concerns still remain, parents are able to make a complaint to the Local Authority. Information on the Local Authority complaints process can be found on the LA website www.harrow.gov.uk or by contacting complaints.adultsandchildrens@harrow.gov.uk

Services you can contact for advice:

Elective Home Education Officer (EHE Officer)

Harrow People's Service
Civic Centre 1, 2nd Floor
Station Road
Harrow HA1 2XY
0208 736 6145
ehe@harrow.gov.uk

SEN Assessment & Review Service

Alexandra Avenue Health and Social Care Centre,
275 Alexandra Avenue
Harrow HA2 9DX
020 8966 6483
SEN Provision in Harrow: www.harrow.gov.uk/localoffer

Where can I get more EHE information?

These resources are offered as a possible resource, they are not endorsed by the local authority and parents should check out websites and resources to ensure they meet the needs of their child.

Ed Yourself

<http://edyourself.org/>

Home Education UK

www.home-education.org.uk

The Home Education Advisory Service

www.heas.org.uk

Education Now

www.educationnow.co.uk

The Advisory Centre for Education (ACE) - 36 Nicholay Road, London N19 3EZ
Although the Centre is now closed they still provide educational advice and information
Tel: 0300 0115 142 (Mon-Wed 10-1pm)
www.ace-ed.org.uk

Department for Education

<http://www.education.gov.uk>

The Educational Resources Site

www.educationalresources.co.uk

SEN Code of Practice: <https://www.gov.uk/government/publications/send-code-of-practice-0>

Useful website addresses:

<https://www.tes.co.uk/teaching-resources/>

<http://www.sats-papers.co.uk/sats-papers-optional.php>

<http://www.primaryresources.co.uk/>

<http://www.mathletics.co.uk/>

<https://www.cgpbooks.co.uk/>

<http://www.bbc.co.uk/education>

<https://www.gov.uk/national-curriculum>

We will add additional resources to this section from time to time so it may be worth looking at the Harrow website for a more recent version of this document. Please also contact us if you come across an organisation / resource that might be helpful to share with other home educators.

ehe@harrow.gov.uk

Frequently asked questions

Q: Why do parents elect to home educate?

There is no finite list which details all of the reasons for parents electing to home educate. Such decisions are often based on specific philosophical or cultural beliefs, or the individual needs of a child which indicate that home education may be of benefit to him/her. Parents may opt to home educate on a short term or long term basis, depending on the individual circumstances. The approaches to home education also vary from one family to another and often reflect the specific values of the home educating families. Some children are home educated from a very young age; others attend school and then engage in home education at a later stage within their compulsory education years.

Q: Does the law allow parents to choose to educate their child at home?

Yes, it is perfectly lawful for a parent to elect to educate their child at home. This is made clear within section 7 of the Education Act 1996 which applies within England and Wales and states:

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

a: to his (or her) age, ability and aptitude, and

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

Q: How many hours of education will I be expected to offer my child?

There is no definition of 'full-time'; however a child that receives an education within a school is expected to be engaged in educational activities for 22 to 25 hours per week- depending on their age. Parents who elect to home educate are not obliged to offer

such education within 'school hours' or on 'school days'. The law relating to elective home education allows for a more flexible approach.

Q: What is 'suitable' and 'efficient' education?

The courts have considered home education arrangements and have provided some guidance on what is considered to be 'suitable' and 'efficient' education. They have said that education is efficient if it is "achieving that which it sets out to achieve" and is suitable if it "prepares the child for life in a modern civilised society and enables the child to achieve their full potential".

Q: What do I need to do if I want to educate my child at home?

If your child is registered with a school, we suggest that you arrange a meeting with the head teacher to discuss why you are considering deregistering your child. You have a duty to inform the Headteacher, in writing, of your decision to electively home educate. Receipt of your written notification will allow the head teacher to lawfully deregister your child from their school. **Informing the head teacher verbally is not enough.** If you fail to fulfil this duty and simply stop sending your child to school, you may face legal action under section 44 Education Act 1996.

Once the school has received notification, in writing, of your decision to home educate, they have a duty to inform the local authority of their reasons for removing your child from their registers. Harrow Council maintains a record of children who are electively home educated.

If your child is not in school and you wish to notify us that you are electively home educating your child, please email ehc@harrow.gov.uk for further information and advice.