

Warwickshire County Council

Elective Home Education Policy & Procedures

Education Services

September 2020

This policy has been developed in line with DfE Elective home education guidance issued in April 2019.

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Introduction

This document sets out the policy and procedures to enable Warwickshire County Council (WCC) to fulfil its statutory functions regarding children who are being educated at home under Section 7 of the 1996 Education Act.

This document has taken into account the Department for Education (DfE) departmental guidance for Elective home education for both local authorities and for parents (April 2019).

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791527/Elective_home_education_guidance_for_LAv2.0.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791528/EHE_guidance_for_parentsafterconsultationv2.2.p

Key Principles

Warwickshire County Council (WCC) will:

1. Work to establish positive relationships with parents/carers (in partnership with schools and other professionals) to ensure we balance the rights of home educating parents with our statutory responsibilities.
2. Maintain oversight of all Warwickshire children educated at home and that they are in receipt of their full education entitlement.
3. Maintain contact with home educators' dependent on individual circumstances and/or suitability of education being received on at least an annual basis.
4. Engage further with home educators via our Elective Home Education forum to further develop, monitor and review procedures and practice.
5. Take the personal, health and welfare interests of individual children into account to ensure access to universal provision (including Early Help support) to prevent the escalation of need.
6. Ensure that if any child protection concerns come to light with a child who is home educated, they will be immediately referred to Warwickshire Multi-Agency Safeguarding Hub (MASH) using established protocols
7. Undertake at least one review annually of every child who has an EHCP and is being educated at home.
8. Provide written information for parents / carers in local community languages and alternative formats on request.

1.0 The law relating to Elective home education

- 1.1 The legal responsibility for a child's education rests with his/her parents. In England, education is compulsory, but school is not. The law is set out in the European Convention on Human Rights and the Education Act 1996.

Article 2 of Protocol 1 of the European Convention on Human Rights states that:

No person shall be denied the right to an education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical conviction.

- 1.2 Elective home education (EHE) is the term used by the Department for Education (DfE) to describe parents' decisions to provide education for their children, who are of compulsory school age, at home instead of sending them to school. This is different to home tuition and education other than at school provided by the Local Authority (LA).

- 1.3 Parents have a right to educate their children at home. 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."

- 1.4 Local Authorities do not have formal powers or duties to monitor the provision of education at home. However, it does have a duty under the same Act (Section 436A) to identify, as far as is possible, children who are not receiving a suitable education otherwise than being at school (for example at home, privately, or in alternative provision).

- 1.5 Local Authorities will make reasonable enquiries in all cases where parents are home educating in order to satisfy itself that the child(ren) concerned are in receipt of suitable education.

- 1.6 The Education Act 1996 further requires Local Authorities, in cases where it appears a child of compulsory school age is not receiving suitable education, to serve a notice in writing on the parent requiring her / him to satisfy the authority within a specified period that the child is receiving such education.

- 1.7 Current legislation around providing information is not prescriptive but WCC request parents to provide sufficient information within a reasonable period of time to ensure a suitable education is being provided. This may include a request to see the child at home (or other location) as well as seeing samples of work although parents are under no legal obligation to do this. WCC may conclude that education does not meet the s7 requirement should a parent

choose not to share any information at all. Further guidance can be found on the Warwickshire's webpage at www.warwickshire.gov.uk/homeeducation

2.0 Parents rights and responsibilities

- 2.1 Section 7 1996 Education Act requires parents to provide an *efficient, full time education suitable to the age, ability and aptitude* of the child and any special educational needs which the child may have. Please refer to the glossary at the end of the document on page 17 for a full explanation.
- 2.2 Parents have a legal right to educate their child at home and are not required to have any qualifications or training to provide their children with a suitable education.
- 2.3 When parents elect to provide education at home, they are undertaking full responsibility for providing this education including all financial costs, including the costs of private tuition, courses and public examinations.
- 2.4 Further Education colleges can claim the cost of course fees directly from the Education Skills Funding Agency on an individual basis for home educated young people 14 - 16, when parents and colleges are able to reach suitable individual arrangements. These individual arrangements are not brokered through the Local Authority but directly between parents and colleges. In Warwickshire a number of local Further Education Colleges have a programme in place for home educated young people.
- 2.5 Parents are not required to inform WCC that they intend to elect or have elected to home educate and are not required to seek approval from WCC unless the child has an Education Health & Care Plan and attends a special school. WCC encourages contact with all home educating families and will make informal enquiries with the parents.
- 2.6 Parents whose child is enrolled at a school are advised to write to the Headteacher to inform them that they elect to home educate, unless: a) the school is a special school named on the child's Education, Health & Care Plan, in which case parents are required to seek approval from WCC/SENDAR first or (b) where a child is enrolled at a school in accordance with a school attendance order (SAO) when the authority must revoke the order (or amend it to replace the school with a different school) before the child can be removed from the roll.
- 2.7 Although parents must provide education in accordance with Sec 7 of the Education Act 1996, the type of educational activity can be varied and flexible.
- 2.8 Recommendations parents may consider, but are not required to:
- teach the National Curriculum
 - have a timetable
 - have premises equipped to any particular standard

- set hours during which education will take place
- have any specific qualifications
- make detailed plans in advance
- observe school hours, days or terms
- give formal lessons
- mark work completed by their child
- formally assess progress or set development objectives
- reproduce school type peer group socialisation
- match school based, age specific standards

2.9 Parents may arrange for other people to tutor their child, though parents themselves continue to be responsible for the education provided. It is recommended that parents ensure that such people are qualified and suitable, including Disclosure and Barring Service (DBS) checks.

3.0 The Local Authority's Responsibilities

3.1 WCC believes every child and young person should reach their full potential. We are fully supportive of parents who opt to educate their child at home who share this aim and have chosen to approach it through home education

3.2 WCC has a statutory duty, under section 436A of the Education Act 1996 to make arrangements to enable them to establish (so far as it is possible) the identities of children in their area who are not receiving a suitable education. This duty applies to all children of compulsory school age who are not on a school roll and do not appear to be receiving a suitable education other than being at school.

3.3 It is appropriate that parents and children choose a type of education that is right for them. It is equally important that WCC Officers understand and are supportive of the many differing approaches or "ways of educating" which are all feasible and legally valid.

3.4 The role of WCC and EHE Officers is to respond to concerns that a child is not receiving suitable education for his or her age, ability and aptitude and, where appropriate, to provide support and information for parents. It is not the role of the WCC and the EHE Officer to tell parents how to educate their children.

3.5 Where there is ambiguity in making a judgement defining the suitability of the education, WCC as a minimum will expect to see evidence of literacy and numeracy progress.

3.6 A further statutory duty exists, which requires WCC to serve a formal notice under section 437 of the Education Act 1996, if it appears that a child of compulsory school age is not receiving a suitable education. The formal notice requires the parent to satisfy the Local Authority that the child is in fact

receiving suitable education. If the LA does not accept the evidence and is not satisfied that the child is receiving a suitable education, it has the power to commence the statutory process for the issue of a School Attendance Order ('SAO') requiring the parent to register the child at a named school.

- 3.7 WCC has no legal power or duty to monitor home education on a routine basis although we will make enquiries if it is not clear that a child is receiving suitable education. The expectation on the LA is to make contact with parents who are educating their child at home on at least an annual basis so that we can satisfy ourselves of the current suitability of the education provided. The LA sees its role in relation to home education as part of its wider responsibilities, including safeguarding, to all Warwickshire children; it may seek to carry out more than an annual check if there are concerns.
- 3.8 Although it is not a legal obligation, WCC operates a voluntary registration scheme to ensure we can provide support for home educators who wish to receive it.
- 3.9 The voluntary registration scheme also helps WCC to provide information on home educated children in Warwickshire and to help us discharge the responsibilities we have under ss. 436A and 437 of the 1996 Act. This is to ensure that Ofsted are satisfied that WCC uses its powers to take the necessary steps when a home educated child or young person falls into the category of 'vulnerable'.

4.0 Responsibilities of Warwickshire schools (including academies and independent schools)

- 4.1 If the child is on roll at a school and parents make the decision to home educate, they (the parent) must write to the Head Teacher to request that the child is removed from the school roll/admissions register. This is to confirm that provision is being made for the child's education, otherwise than at school. WCC encourages parents/carers to inform them directly of their intention to withdraw their child from a school roll.
- 4.2 WCC ask schools to allow for a 2 week "cooling off" period before they remove a child from the school roll for the purpose of EHE. Parents will be made fully aware of this local arrangement. This is to support parents to make an informed decision. **Head Teachers or school staff should not advise or recommend that parents home educate, especially if a child is experiencing difficulties at school. This is classed as 'off rolling' and would be a cause for concern for WCC.**
- 4.3 Schools (under Sections 8(1) (d) and 13(3) of the Education (Pupil Registration) Regulations 2006) have a duty to inform the LA when a parent notifies them of their decision to home educate. WCC expect every school to complete the WCC School Exit Form and to detail any welfare concerns about the child at the time of removal.

- 4.4 The only exception to this is where the child is attending a special school under arrangements made by the LA; additional permission is required from the LA before the child's name can be removed from the school register. WCC SENDAR Team endeavour to make this a short and uncomplex process and would not withhold consent unreasonably.

5.0 EHE and Safeguarding

- 5.1 The welfare and protection of all children and young people, both those who attend school and those who are educated at home, is of paramount concern and the responsibility of the whole community. Section 175 of the Education Act 2002 imposes a duty on the Local Authority to make arrangements for ensuring that the functions conferred on them are exercised with a view to safeguarding and promoting the welfare of all children and young people resident in Warwickshire. This section states:

“A Local Education Authority shall make arrangements for ensuring that the functions conferred upon them in their capacity as a Local Education Authority are exercised with a view to safeguarding and promoting the welfare of children.”

- 5.2 Local Authorities have general duties to make arrangements to safeguard and promote the welfare of all children and young people (section 175 Education Act 2002 in relation to their functions as a Local Authority and for other functions in section 10 and 11 of the Children Act 2004). These powers allow Local Authorities to insist on seeing children in order to enquire about their welfare where there are grounds for concern (sections 17 and 47 of the Children Act 1989). However, such powers do not bestow on Local Authorities the ability to see and question children subject to elective home education in order to establish whether they are receiving a suitable education.
- 5.3 WCC requires all Warwickshire schools to share any concerns or known risks about a child together with attendance and exclusion history at the time of notification via the Warwickshire EHE School Exit Form. **Head Teachers or school staff should not advise or recommend that parents home educate, especially if a child is experiencing difficulties at school. This is ‘off rolling’ and would be a cause for concern for WCC.**
- 5.4 If a child has current or historic welfare concerns; schools are expected to liaise closely with Children's Services/Early Help to offer the most appropriate support. It is expected that the child would remain on the school roll whilst all options are explored.
- 5.5 All LA Officers will follow Warwickshire's Multi-agency Safeguarding Procedures (MASH) at all times and work with relevant agencies and individuals to proactively safeguard and promote the welfare of children. In the event of any concerns about the welfare of a home educated child, LA Officers will initiate and follow established procedures.

- 5.6 Children's Services and Education Services will work collaboratively to proactively safeguard and promote the welfare of children and in the event of any concerns about the welfare of a home educated child, initiate and follow through established safeguarding procedures. This will include sharing information with GPs, health visitors and other health professionals in the interest of a child or young person.
- 5.7 The allocated LA/EHE Officer will liaise with the Warwickshire MASH on those occasions where there is uncertainty about the welfare of a child or young person. The allocated LA/EHE Officer will explain the reasons for any welfare concerns to the parents in accordance with referral procedure.
- 5.8 WCC acknowledge that parents can decide to EHE at any time. However, where a child is made subject to a child protection plan, or is currently subject to a child protection plan, or is child in need, all professionals involved will carry out a risk assessment for the child to determine if the arrangement to home educate is appropriate.
- 5.9 If necessary, a CP or CIN plan will be changed or reviewed to protect the child. The child's plan will be amended to reflect the necessary actions that may need to be taken, this could include joint home visits with the allocated EHE Officer and a new school application to identify a school place to return the child to school
- 5.10 The allocated Social Worker (SW) and LA/EHE Officer will work in partnership to regularly assess the family's EHE arrangements to agreed timescales to ensure the child is in receipt of a suitable education.

6.0 Children not known to the LA and children missing education (CME)

- 6.1 The risk to children becoming missed and 'invisible' to WCC/schools and other agencies should always be considered and that not all home educators are known to the LA. Section 436A of the Education Act 1996 states:

'local authorities need to make arrangements which will as far as possible enable them to determine whether any children who are not pupils at schools, such as those being educated at home, are receiving suitable education. In order to do this, local authorities should make inquiries with parents educating children at home about the educational provision being made for them.'

- 6.2 WCC maintains a database of all children missing from education (CME). This includes any child identified as not on a school roll but have not formally entered EHE. Every child is monitored until such time it can be ascertained whether a formal letter has been received by the school and the intention of the parent is to educate their child at home. WCC education database is amended to reflect the new arrangements for the child once contact with the parent has been made. Visit the link for further information or to find out about

how to make a referral for a child who is missing education.

<https://www.warwickshire.gov.uk/childrenmissingeducation>

7.0 Special Educational Needs (SEN)

- 7.1 Parents' right to educate their child at home applies equally where a child has special educational needs (SEN). This right is irrespective of whether the child has an Education, Health and Care Plan (EHCP) or not.
- 7.2 Parents of any child subject to the statutory provisions of an EHC Plan who are considering whether to make their own arrangements should discuss this with their child's school SENCo to ensure that they are fully aware of alternatives (amended provision and/or change of placement) and their SEN statutory rights of appeal.
- 7.3 Parents considering elective home education may wish to familiarise themselves with paragraphs 10.30 to 10.38 of the SEND Code of Practice January 2015. <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>
- 7.5 Under Section 42 of the Children and Families Act (2014), the LA is responsible for securing the specified special education provision within a child's EHCP, however this only applies if the child's parents have not arranged a suitable education in some other way. Therefore, if the home education is suitable the local authority has no duty to arrange any special educational provision for the child.
- 7.6 Where a child or young person is a registered pupil the parent must notify the school in writing that the child or young person is receiving education otherwise than at school. The school can then legally remove the pupil's name from the school admission register. WCC will need to establish that the education delivered in the home is able to meet the needs and provision as described in the EHCP before elective home education can be named in the plan. The school can legally remove the pupil's name from the school admission register when EHE in Section I of the plan.
- 7.7 Where a child or young person is a registered pupil and the parent decides to home educate, schools/academies should as good practice, call an early review of the plan as soon as they are aware the parent's intention. The LA has a duty to review EHC plans annually, following procedures set out in the 'SEND code of practice: 0 to 25 years.
- 7.8 If the school is a special school, WCC **must** give consent for the child's name to be removed, but this should not be a lengthy or complex process. There is no provision in law for a 'trial period' of home education.
- 7.9 Where a Warwickshire child has an EHC plan and is educated at home, it remains the LA's duty to maintain and review the EHC plan on an annual basis. WCC will consider whether the educational provision being delivered by the parents is suitable for the child's special educational needs.

- 7.10 It is not until WCC is satisfied that the education to be put into the home environment will meet the child's special educational needs that it is relieved of its responsibility to arrange the provision in the EHC plan. If the LA is not satisfied, then it (WCC) remains responsible for ensuring that the provision within the EHC Plan is in place. Even once EHE is in place, the Council retains overall responsibility for making sure that the child's special educational needs are met.
- 7.11 An Annual Review meeting for a child who is electively home educated will be convened and chaired by the allocated WCC Plan Co-ordinator, parents are welcome to be present during the review, but they are not obliged to do so. In order to assess whether home provision is suitable for the special education needs of the child, parents will be asked to provide information regarding home education provision.
- 7.12 If the LA is satisfied with the parents' arrangements it will continue to have a duty to maintain and review the EHC plan annually until: it decides to cease the EHC plan; or the EHC plan is transferred to another Local Authority.
- 7.13 In cases where WCC considers that education in a school is not suitable for a child with an EHC Plan and that the child in question requires provision in the home then the EHC Plan should be amended to make clear that the child or young person will be educated at home.
- 7.14 Where it appears to WCC (SEND) that a child is not receiving education suitable to age, ability and aptitude and SEN, appropriate measures will be taken to consider returning the child to a school setting. If the EHC plan remains in place, it will be maintained and reviewed annually and amended where appropriate.
- 7.15 A parent who is educating their child at home may ask the LA to carry out an EHC Needs Assessment of their child's special educational needs and the LA will consider the request within the same statutory timescales and in the same way as for all other requests.

8.0 Support, guidance and resources provided by WCC

- 8.1 Advice and guidance by telephone and email Monday to Friday across the year via the EHE Team.
- 8.2 Signposting families to resources, services and established home educators i.e. Warwickshire Family Information Service, and Compass (Health).
- 8.3 Publishing information on our website about EHE that is clear, accurate and sets out the legal position, roles and responsibilities of both the LA and parents.
- 8.4 Discussing the implications of EHE with parents before they make the decision to leave or enter the school system.

- 8.5 Carry out annual checks in line with statutory guidance. Producing accurate written reports of visits.
- 8.6 Access to up to date information via our web pages and our Facebook page and the opportunity to network with other home educators via the Warwickshire Home Educators forum three times per year
- 8.7 Promoting positive relationships with elective home education families based on mutual understanding, respect and trust in order to safeguard the educational interest of children.
- 8.8 Seek to mediate between schools and families when the relationship has broken down and parents feel obliged to withdraw their child for the purpose of EHE.

9.0 Children who are looked after

- 9.1 Warwickshire County Council acts as a corporate parent assuming the duties of a parent under s.7 of the 1996 Education Act to ensure that the child receives a suitable full time period of education.
- 9.2 It is legally possible for a child who is looked after to be educated at home, (for example by a foster carer), however we would not advocate this nor expect it to occur.

10.0 Warwickshire County Council's EHE procedures

10.1 Administration

Following confirmation from a school via the WCC EHE School Exit Form or directly from a parent, the EHE team will:

1. Check WCC Children's Services database to identify if the child is subject to an Early Help Assessment, Child in Need, or Child Protection Plan (open or closed). Request additional information from school where appropriate;
2. Check if off roll procedures are followed correctly;
3. Update the WCC database pupil record to reflect home education;
4. Upload the parent's withdrawal letter/email (clearly stating they have elected to home educate their child);
5. Contact the parent and where appropriate, sign post them to the WCC website/Facebook for further information. The aim of the discussion will be to initiate a positive and constructive relationship with parent;
6. Share a copy of the WCC Family Information Form with parent which asks them to share an overview of the plan for their child's education;
7. Collate data which will identify any trends or patterns regarding children who are removed from a school roll to home educate and highlight any perceived unlawful practices by school;

8. Escalate concerns about off rolling to a senior Officer who will discuss with the Headteacher in the first instance. WCC will consider informing Ofsted if off rolling appears to be happening on a significant scale so that it can be looked into at the school's next inspection.

10.2 Further support and advice

Parents may exercise their right not to allow the LA access to the home, the child, or any samples of work. However, WCC may conclude from absence of any response to such requests that a parent is not providing a suitable education and may need to resort to a formal process.

Where one or more of the vulnerability markers set out below are met, WCC invite the family to participate in a home visit/meeting with an EHE caseworker. This is at mutually convenient time and place, following receipt of the referral (or sooner if concerns are held or parents request an early visit).

Vulnerability Markers:

1. The child has current or historic involvement with Children's Services.
2. The child has a history of persistent unauthorised absence and/or a record of poor attainment in school (as measured by progression in performance using prior attainment and National Curriculum Test Results as the basis for the assessment).
3. The child has been previously permanently excluded or has been subject to fixed term exclusions.
4. The child holds an EHC plan.

Any of the above markers mean the criteria for a visit applies. The EHE caseworker will progress the visit at a mutually convenient time/place. The visit will include discussions around wider support that can be offered via WCC Family Information Service/Early Help.

Following two or more unsuccessful attempts to meet with the family, the process set out in section 11 of this policy will be initiated. The parent will have the opportunity at any time during this process to provide evidence of their child's education.

Following a visit, the EHE caseworker will arrange a further visit/contact with parents (if education is not suitable), send a copy of the visit record to the parent, allowing them the opportunity to ratify/amend the summary before it goes on file and update the child's case on the database.

The visit summary will be uploaded onto the education database against the child's record.

The frequency and format of contact/meetings will be determined by any concerns relating to the child's progress and education. Where education is suitable the EHE caseworker and parent/s will agree on future contact.

When the above criteria does not apply, the EHE Team will request information about the education being provided (parents do not have a legal obligation to provide this) and will maintain contact in order to confirm that education continues successfully and to offer support. The EHE team and caseworkers will also offer phone or email contact.

11.0 Serving a formal notice

11.1 Where no other information suggests that the child is being suitably educated, because there is no information provided, and where the parents have refused to respond to the LA, the only conclusion WCC can reasonably come to, is that the home education does not appear to be suitable.

11.2 Where it appears to WCC that a suitable education is not taking place, reasonable steps to resolve the situation will be taken before the SAO statutory process is commenced: This will include

1. A letter outlining the concerns will be sent to the parents, specifying grounds for concerns and identifying reasons to conclude that the provision is unsuitable.
2. Allow the parent the opportunity to address the identified issues and recommendations for improvements within a mutually agreed timescale (no longer than six weeks, equating to one school term). These should be discussed and agreed with the parent and confirmed in writing within the child's record on WCC database. Parents must satisfy WCC, that their child is receiving education suitable to his/her age, ability and aptitude and to any special educational needs he/she may have.
3. A referral to the Family Information Service/Early Help will be offered to help support the family, where safeguarding or family support needs have been identified.
4. After the agreed timescale for improvement, if the education is still believed to be unsuitable and the parent refuses to apply for a school place, then WCC will issue a formal notice under section 437 of the Education Act 1996. If the situation does not change, the statutory process for issuing a School Attendance Order will commence. This notice indicates the LA's intention to formally order the parent to register the child at a school. It will identify school(s) the LA deems suitable and allow the parent 15 days to propose alternatives.
5. If the parent does not respond, or does not make satisfactory arrangements elsewhere, the LA may issue a SAO in accordance with its stated intention. Failure to comply with a SAO is a criminal offence for which the parent(s) can be issued with a penalty notice or prosecuted in the Magistrates' Court.

6. At any stage following the issue of a SAO, parents may present evidence to the LA that they are now providing suitable education and apply to have the Order revoked. If this is refused, parents can choose to refer the matter to the Secretary of State for Education.
7. If as a last resort, the LA prosecutes parents for failure to comply with a SAO, the parents may be acquitted if they can prove that the child was receiving a suitable education otherwise than at school at the time of the offence. If the parents are acquitted, the court may direct that the SAO shall cease to be in force.
8. If it transpires information has been deliberately withheld from the LA, and the parent is easily able to satisfy the court, WCC may 'seek legal advice about the prospect of obtaining a costs order against a successful defendant on the basis that the prosecution would have been unnecessary if not for the defendants' unreasonable conduct'.

12.0 Complaints

- 12.1 Warwickshire County Council seeks to work in partnership with home educating parents/carers and in doing so develop positive and established working relationships. However, if a complaint should arise, contact should be made with the Elective Home Education Team either by telephone or in writing to:

Address:

Elective Home Education
Access to Education Team
Education Services
Communities Directorate
Warwickshire County Council,
Saltisford Office Park, Ansell Way, Warwick,
CV34 4UL

T: 01926 736323

E: ehe@warwickshire.gov.uk

If the complaint relates to the actions of the team, contact should be made with the Manager with responsibility for Elective Home Education either by telephone or in writing to:

Annette Firman
Manager – Elective Home Education
T: 01926 742997

References

Elective home education – guidance for local authorities

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791527/Elective_home_education_guidance_for_LA

Elective home education – guidance for parents

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791528/EHE_guidance_for_parentsafterconsultationv2.2.

Children missing education – statutory guidance for local authorities

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

<http://www.legislation.gov.uk/ukpga/1996/56/contents>

GLOSSARY

Compulsory School Age (England and Wales):

- A child begins to be of compulsory school age on the start date of the term following his/her fifth birthday, or that day if his/her fifth birthday falls on the day term starts.
- A child ceases to be of compulsory school age on the last Friday in June in the academic year in which he/she reaches the age of 16 or if he/she reaches 16 after the last Friday in June but before the start of the new school year.

([Section 8, Education Act 1996.](#))

EHE – Elective Home Education

EHCP – Education Health and Care Plan

LA (Local Authority) - County councils responsible for services across the whole of the county ie education, transport, social care etc. For the purpose of this policy the LA referred to is Warwickshire County Council.

MASH - Warwickshire Multi-Agency Safeguarding Hub -

<https://www.warwickshire.gov.uk/mash>

SENDAR - <https://www.warwickshire.gov.uk/directory-record/55/sendar>

SENDIAS - <https://www.kids.org.uk/warwickshire-sendias-front-page>

Suitable Education

There is no definition of a 'suitable' education in English statute law. Although 'suitable' education has been described as 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'. To support the LA to reach the decisions called for in s.437 of the Education Act 1996 as to the suitability of education, DfE guidance for LAs (April 2019) suggests that the term 'suitable' should be seen in the following light:

- It enables a child to participate fully in life in the UK by including sufficient secular education
- It supports the development of the local and wider community (s.13 of the Education Act 1996) and promotes the welfare and safeguarding of children (s.174 of the Education Act 2002).
- It includes opportunities for literacy and numeracy development
- It seeks to promote meaningful contact with peers and to reduce risks of isolation
- It takes place within environments that are supportive of learning, (e.g. takes place in accommodation that is not noisy or cramped) and safe (e.g. no fire hazards in the home)
- Inclusion of one or more of the following would constitute clear evidence of 'suitable' education (although not a legal requirement): follows the National Curriculum, provides a broad and balanced curriculum, or follows the independent school standards prescribed by the Secretary of State

Efficient Education

An efficient education within the meaning of s.7 is one which achieves what it sets out to achieve. It should be noted that this is not the same as the education being 'suitable'. It is possible to deliver an efficient education which is not suitable for the child; conversely it is possible to deliver a suitable education very inefficiently.

Full-Time Education

There is no legal definition of full-time in terms of education at home or at school. Children attending school normally have about 5 hour's tuition for 190 days a year, spread over 38 weeks. Home education does not have to mirror this. However, in making a judgement, the LA will consider that children of compulsory school age usually receive about that quantity of education described. Parents should enable the LA to assess the overall time devoted to home education on the basis of number of hours per week, and weeks per year. Education which occupies a significant proportion of a child's life will probably meet the s.7 requirement. The LA will use discretion in reaching a judgement as home education is often more flexible than mainstream schooling and includes continual one-to-one contact, and education outside of normal school times and during holiday periods. It should be noted that attending an alternative provision for 2 days a week with no other education would not be deemed sufficient.