



**ELECTIVE HOME EDUCATION
POLICY
2008**

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POLICY AND PROCEDURE – Elective Home Education

1. Policy statement

“Education is a fundamental right for every child and we recognise that parents have the right to choose to educate their child at home rather than at school.”

(DCSF guidance on Elective Home Education 2007)

Bedfordshire Local Authority recognises the right of parents/carers to educate their children at home and is committed to working with parents to ensure these children are provided with efficient, effective, full time education suitable to their age, ability, aptitude and individual needs within a safe environment.

2. Context of the policy

This policy has been developed in response to DCSF guidance on Elective Home Education published in 2007. Its purposes are:

- to ensure that the Local Authority (LA) fulfils its statutory responsibility to children who are electively home educated.
- to clarify expectations across the LA services for ‘efficient and suitable full-time home education’.
- to ensure multi-agency good practice in keeping track of pupils educated at home that takes into account LA responsibilities for safeguarding children and young people.

The objectives of the policy are:

- to establish clear procedures within Children’s Services for identifying, assessing and tracking the provision of home education.
- to ensure clear guidance for all LA professionals involved in assessing the suitability of education provided for pupils educated at home.
- to ensure effective systems for recording information about the assessment and monitoring of suitable elective home education that is available to all relevant LA professionals including those officers with specific responsibility for safeguarding children and young people.

3. The legal background

Parents / carers have a legal duty under 1996 Education Act to cause their children to receive, “efficient, full-time education suitable to the child’s age, ability and aptitude and to any special educational needs he/she may have either by regular attendance at school or otherwise”. This can mean the child is educated at home.

- 'Efficient' can be defined as 'achieving what it sets out to achieve'.
- 'Suitable' was defined in a judicial review as “if it 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 option in later years to adopt some other form of life”.
- 'Full time' does not need to mirror a school timetable.

The legislation and/or guidance relevant to this policy are as follows:

- Education Act 1996
- Children Act 2004
- Special Educational Needs Code of Practice
- Education and Inspections Act 2006
- Education (Pupil Registration)(England) Regulations 2006
- Working Together to Safeguard Children 2006
- Elective Home Education: Guidelines for Local Authorities 2007

4. Summary of responsibilities

4a. Responsibilities of parents

Parents are required to provide an efficient, full-time education suitable to the age, ability and aptitude of the child. This does not, however, mean that parents must follow the national curriculum or enter their child for national assessments or examinations.

Parents who choose to educate their children at home must be prepared to assume full financial responsibility, including bearing the cost of any public examinations.

Parents are not required to inform the local authority that they intend to educate their child at home. However, if a child attends school and is withdrawn, parents /carers must inform the Local Authority (Pupil Registration Regulations 1995).

Parents are not required to seek approval from Authorities to educate their children at home unless their child attends a special school. In this circumstance, parents must have Local Authority approval to educate their child at home.

Parents will need to write to the Headteacher of the school to inform them of their intention to educate their child at home and asking for the child's name to be removed from the school roll. If these two criteria are met the child's name will be deleted from the school roll - unless the child is in a special school (see section 5).

Parents of pre-school children are not required to notify the Authority although it is helpful if this information is shared.

If the Local Authority asks parents for information about a child's education, they should provide it. Parents need to provide evidence that would persuade a reasonable person that the child is being educated properly.

4b. Responsibilities of the local authority

The LA should publish its policy on elective home education and set out clearly for parents the support that is available, giving guidance where parents seek it. The policy will be published on the internet and will be available in hard copy, on request, from the officer with responsibility for elective home education.

The LA should provide advice to parents wishing to home educate and offer appropriate support to parents/carers.

The LA should aim to establish positive and supportive relationships with parents and carers to safeguard the educational interests of children and young people.

The LA must support the introduction of Contact Point with information from home educated children so that a coordinated response to a child's needs can be quickly and easily made by all agencies and partners.

The LA has a duty to ensure that safeguarding issues are properly monitored and acted upon.

The LA must make arrangements 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.

A 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. Case law (Phillips v Brown (1980) unreported) established that a LA may make enquiries of parents who are educating their children at home to establish that a suitable education is being provided.

Where it appears that a suitable education may not be provided, the LA should make inquiries to satisfy itself that a suitable educational provision is made.

If it appears to the LA that a child is not receiving suitable education then the reasons must be stated in writing and time given for parents to meet appropriate standards.

The LA has a duty to take action against the parent or guardian of a child who is not, or does not appear to be, being properly educated. This will be through the issuing of a School Attendance Order.

5. Children with Special Educational Needs

Parents must seek the approval of the LA where they decide to home educate where a child attends a special school.

Where parents' attempts to educate a child at home fall short of meeting the child's special educational needs, the local authority will be unable to conclude that the parents are making suitable arrangements. It is the authority's duty to arrange the provision specified in the statement, unless the child's parent has made suitable provision, for as long as the statement is maintained.

The LA's statutory duty to undertake an annual review of special educational needs continues for those who are home educated. This review includes assessing whether the statement is still appropriate, requires amendment or might cease to be maintained. Parents are welcome to attend reviews, but they are not obliged to do so.

6. Safeguarding responsibilities

"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"
(Education Act 2002)

Bedfordshire Children's Service aims to work proactively with all agencies and individuals to safeguard and promote the welfare of children.

Where a child is subject to a Child Protection Plan and the harm is directly attributable to the parents' care, then there will be automatic refusal of Elective Home Education.

As with school educated children, child protection issues may arise in relation to home educated children. If any child protection concerns come to light in the course of engagement with children and families, or otherwise, these concerns will immediately be referred to the appropriate services using established protocols.

The procedures for assessing and monitoring elective home education (Appendix 1) illustrate the ways in which the local authority aims to be proactive in discharging its safeguarding responsibilities through effective communication procedures between services. Where appropriate, social care services will contribute to the assessment, monitoring and support of provision for children who are elective home educated. Once the local authority is made aware of the parents' intention to home education the elective home education (EHE) officer will check whether social care services are involved with the child. If the child is known to social care, the social worker will participate in the local authority's decision to approve, or otherwise, the intention to home educate. The named social worker may also be asked to contribute to the monitoring arrangements put in place by the EHE officer.

7. The FSES'HE Scheme

This is an innovative scheme run by a group of Bedford schools. In order to register with the scheme, parents must have approval of their elective home education status by the EHE officer.

Details of the FSES'HE scheme are available from the EHE officer or the course co-ordinator. The LA sends details of the scheme to all parents/carers expressing an interest in elective home education.

Pupils with statements can be registered with the FSES'HE Scheme. The extent to which the statement is financially supported is decided on a case by case basis, through negotiation with the Area SEN and Monitoring Officer, the FSES'HE scheme co-ordinator and parents. Financial support will be considered for aspects of the statement where the FSES'HE scheme is able and willing to make arrangements for suitable provision.

The FSES'HE scheme co-ordinator is responsible for all applications to the Assessment and Monitoring Team for financial support of statements. The scheme is responsible for the delivery of any agreed provision to support the statement.

The FSHE scheme must make arrangements for the annual review of statements.

The Assessment and Monitoring Team are responsible for ensuring that pupils accepted on to the scheme have an annual review of their statements as set out in section 6.

8. Children moving to another local authority area

The EHE officer will advise other LA's when they become aware that a child who is educated otherwise than in school has moved to within the area of another authority. Where it is appropriate and they have been involved the EWS will alert their colleagues in the other LA.

9. Indicators for assessing the suitability of Elective Home Education

The LA believes that it is helpful to provide indicators for assessing the suitability of elective home education that are open and transparent for use by parents, local authority staff and others. However, the indicators below are guidelines and there may be other indicators of both satisfactory and/or unsatisfactory home education that arise in individual cases.

Indicators – suitable Elective Home Education:

- Evidence of consistent involvement of parents or other significant carers. It is expected that parents or significant carers would play a substantial role, although not necessarily constantly or actively involved, in providing education.
- Evidence of recognition of the child's needs aptitudes and aspirations.
- Evidence of planned opportunities for the child to be stimulated by their learning experiences.
- Evidence of access to resources/materials required to provide home education for the child such as paper and pens, books and libraries, arts and crafts materials, physical activity and ICT.
- Evidence that opportunity is being planned for appropriate interaction with other children and other adults.

Some examples of forms of evidence include:

- Child's work diary
- A video or CD the child has made
- The EHE Co-ordinator talking to the child
- Examples of the child's work
- Photographs or drawings the child has made following outings etc
- Schedules or timetables to show when a child is attending clubs or activities with peers.

Other forms of evidence can be agreed between the EHE officer and parents.

Indicators – unsuitable Elective Home Education:

- Evidence that a parent has been persuaded to choose home education as a way to avoid exclusion.
- Evidence that a parent has chosen home education because of poor attendance.
- Evidence of school failure to meet the special educational needs indicated on a statement of special needs.

(NB. Where these first three indicators exist a child will not automatically be excluded from being educated at home, however evidence may be required to show that all necessary steps have been taken to address and resolve these issues.)

- Information from Social Care that the child is subject to a Child Protection Plan.
- Failure to respond to requests for information about the home education provision after repeated attempts by the EHE officer to gain that information.
- Failure to meet the standards of a fulltime, efficient and suitable educational provision taking account of the age, ability and aptitude of the child.
- Clear indications from parents/carers that they cannot manage the home education.
- Where a child is subject to a Child Protection Plan and the harm is directly attributable to the parents' care, then there will be automatic refusal of Elective Home Education.
- Other signs may be agreed with families or be recognised and reported on by the LA such as that any educational provision does not deny the child the ability to live in the wider community.

Role of the officer for Elective Home Education

The LA has an appointed officer for Elective Home Education (EHE officer) who will take the leading role assessing the suitability home education and providing advice and support to parents.

The EHE officer will be open to other ideas that parents or children have that evidence learning. The officer will monitor a child's progress over time and provide advice to parents regarding ways of demonstrating progress over time.

The EHE officer will advise parents of national curriculum standards so should parents wish their children to go to school at a later stage they are not disadvantaged.

Parents of pupils registered on the FSES'HE scheme may wish to provide details of sessions attended or work produced as part of their evidence to the EHE officer.

PROCESS FOR CONSIDERING REQUESTS FOR EHE

STEP 1

INITIAL ALERT TO EHE OFFICER

EHE Officer receives information that a family has serious intention to home educate. (NB. This information may be received from a variety of sources: School, Parents/Carers, EWS)

Caseworker enters the child's details onto the EHE database.

Letter and information sent to parents (EHE Policy, EHE Info booklet)

STEP 2

ALERTING SERVICES

- Where there is social care involvement (to be checked via SWIFT), the EHE Officer sends an e-mail alert to the manager of the social care team identified for the child on SWIFT to establish whether there are any safe guarding issues and to inform them regarding professionals meeting to be organised.
- E-mail alert sent to education support services (EWS, PASS etc) and any other services known to be involved with the child/young person to establish current involvement and to inform them regarding professionals meeting.
- EHE Officer to contact and involve the A & M Officer if the child has a statement.

STEP 3

COLLECTING AND GIVING INFORMATION

If the child is not currently in a Bedfordshire maintained school or is not in school at all:

- EHE Officer contacts the parents/carers to provide and gather initial information (phone or home visit)
- Information is sent to family regarding EHE procedures
- Parents are requested to complete EHE referral form (form EHE 1) to be returned to Caseworker
- EHE Officer to arrange a professionals meeting.

STEP 3

COLLECTING AND GIVING INFORMATION

If the child is in a maintained Bedfordshire School:

- EHE Officer contacts the parents/carers to provide and gather initial information (phone or home visit)
- EHE Officer contacts the school, and other professionals involved, to arrange a professionals meeting based at the school.
- School are requested to complete EHE referral form (form EHE 1) to be returned to Caseworker

5
working
days

STEP 4

PROFESSIONALS MEETING

Caseworker will add contacts to the database and send letter to all professionals involved to confirm date of professionals meeting.

This meeting should discuss:

- Issues/concerns raised by services that may impact on the Local Authority decision to approve EHE.
- Factors that led to parents request and potential for returning the child to school.
- Agree other Officers/School staff to accompany that could/should accompany EHE Officer on initial assessment visit to home.
- Where a child has a statement naming a special school the A&M Officer must accompany the EHE Officer on home visits.
- Whether or not the child is subject to a Child Protection Plan which is directly attributable to the parents' care.

N.B Where the child is not in school and no Local Authority Services are involved and no concerns are expressed by professionals, step 4 may be omitted by the EHE Officer. However, if any concerns or issues are raised by other services following e-mail alert a professional meeting will be called by the EHE Officer.

10
working
days

STEP 5
EHE ASSESSMENT

- EHE Officer (and other Local Authority staff as agreed at step 4) to meet with parents to carry out an assessment of capacity to provide education provision (form EHE 2)
- Form EHE 2 will be copied by Caseworker to all the professionals involved at step 4.

STEP 6
INVOLVEMENT OF THE EDUCATION WELFARE SERVICE

If the parent does not respond to the request for information within 15 working days the Caseworker will alert the EHE Officer and a chaser letter will be sent to parents with another copy of the form. If no response is received within a further 10 working days and advice and inspection have been unable to arrange an initial visit or gain information, then the matter is passed to the Education Welfare Service by the Caseworker on the instructions of the EHE Officer for further investigation. This may result in a school attendance order being issued.

STEP 7
LOCAL AUTHORITY DECISION REGARDING EHE

- Based upon the initial assessment and subsequent discussion with professionals as required, EHE officer informs parents, in writing, whether the LA has assessed capacity for EHE as satisfactory or unsatisfactory.
- A letter approving arrangements will be issued to the parents if:
 - The report from the Advisor indicates that this is appropriate.
- A letter approving the arrangement will not normally be issued:
 - In the case of a child undergoing statutory assessment for special educational needs, until such assessment is concluded.
 - The report from the EHE Officer indicates that the current provision may not be suitable for the child's needs.
 - The Social Worker advises that the request will be detrimental to the child's care needs.
- For statemented children placed in a special school the letter will also state whether the LA approves the parents/carers decision for EHE. This decision will be made by the LA Education Provision Panel
- Other relevant services will be notified of the decisions (e.g. Social Worker, EPS EWS, School Admissions)

20
working
days

EHE ASSESSED AS SATISFACTORY

EHE follows Central Bedfordshire procedures for monitoring EHE.
Visits will be undertaken 6 monthly and after 1 year will be annually.
Some occasions EHE will be subject to conditions relating to increase of monitoring. This will be agreed on a case by case basis.
EHE Co-ordinator will need to be provided with evidence as per section 7 in advance of or at the time of the visit.

EHE ASSESSED AS UNSATISFACTORY

- When EHE capacity is assessed as unsatisfactory the parents/carers must be given reasons for this decision and, if appropriate, clear information about steps that they could take to address areas of concern.
- EHE Officer offers parents/carers a meeting within 10 working days to discuss concerns. Where concerns relate to issues raised by other services or safeguarding issues, officers from appropriate services must attend this meeting.
- EHE Officer contacts EWS to inform them of the decision so that the service can begin processes to return the child to school.
- Where the child has a statement of SEN the EHE Officer also informs the A & M Service of the decision. In the case of a child placed at a special school, the EHE Officer will also contact the school.

INITIAL ASSESSMENT OF CAPACITY TO PROVIDE EHE

Name of Child **D.O.B.**
.....

Key Stage

1. Characteristics of Provision

The home setting; Agree details with the parent/carer. Factual size of family, adults associated with educational provision, involvement of outside providers.

2. Reason for Home Education/Philosophy**3. Aims and Priorities of Parents/Carer/Provider****4. Attainment: Information about child's prior attainment, including information on unusually high achievement and special educational needs.****5. The Curriculum: Is there evidence of a planned curriculum? How is the work organised daily/over the week?****6. What Subjects/Topics are Covered? Is there any link with the National Curriculum?**

- 7. Literacy and Numeracy Skills? What arrangements are made for development of these skills?**

- 8. ICT. How are ICT skills developed?**

- 9. Is there a mixture of work including practical activities?**

- 10. Does the curriculum provide for the child's physical development?**

- 11. Are there opportunities for the child to interact socially with other children?**

- 12. Does the curriculum promote spiritual, moral, social and cultural development, health, education and environmental education?**

- 13. Does it prepare the child for life in a civilised society and enable the child to reach his/her full potential?**

- 14. Does the curriculum provided have breadth, balance, and relevance to the child and meet the child's individual needs?**

- 15. For secondary children – does the curriculum prepare pupils for the opportunities, responsibilities and experiences of adult life?**

- 16. Teaching: Comment on the capacity of the provider(s) to organise and support learning outside school at a level appropriate to the child – appropriate knowledge, skills and qualifications. How are the adults other than parent/carer involved? Does the provider seek additional support for teaching and curriculum organisation?**

- 17. **Evidence: What records are kept?**

- 18. **Support and Welfare: Is the environment safe and secure for the child? Consider any child protection issues. Are relationships supportive of learning?**

- 19. **Resources: Is the learning environment (home and beyond) adequately resourced?**

- 20. **Assessment: Assessment of the outcomes of home education. Is there evidence that provision is leading to satisfactory progress in acquisition of key skills?**

Action;

Signed
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Dated

Additional advice offered;

Appendix 3

References

1. Elective Home Education Guidelines for Local Authorities DCSF
www.dcsf.gov.uk
2. Working Together to Safeguard Children, 2006
www.everychildmatters.gov.uk/resources-and-practice/IG00060/
3. SEN Code of Practice
<http://www.teachernet.gov.uk/docbank/index.cfm?id=3724>
4. Education Act 1996
5. Every Child Matters Outcomes Framework 2008.

For further information please contact:

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