

Elective Home Education Policy

Guidance for Early Years
Schools and Academies

September 2018

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and Springwell Learning
Community



a **BRIGHTER** future

365 for
EVERY CHILD
make
EVERY DAY
count

children young people families
BARNSELY CYP TRUST



BARNSELY
Metropolitan Borough Council

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1.0 INTRODUCTION

- 1.1 This policy aims to inform Barnsley Council Officers, schools, parents, carers and guardians and other related agencies about the policy and procedures to be followed regarding Elective Home Education (EHE). Elective home education is the term used by the Department for Education to describe parents' decisions to provide education for their children at home instead of sending them to school. The term "parent" is used throughout this policy to include all those with parental responsibility.
- 1.2 The policy does not apply to children receiving alternative educational provision from the Council other than at school, as a result of illness, exclusion or other reason (EOTAS).
- 1.3 Parents are responsible for ensuring that their children receive a suitable education. Where parents have chosen to home educate, Barnsley Council want the home educated child to have a positive experience by developing positive, supportive relationships with parents and by working together to ensure the best educational interests of the child.
- 1.4 Barnsley Council has a responsibility for ensuring appropriate arrangements to safeguard and promote the welfare of children are in place for all the children residing in the borough, including home educated children.
- 1.5 The responsibility for a child's education rests with his or her parents. 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 s/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 lifestyle if s/he wishes to do so". In order for a child to achieve his/her full potential, the education provided need not be the same kind of lessons as those provided at school. It is the parents' responsibility to ensure that the child is developing according to age, ability and aptitude and any special educational needs he/she may have.
- 1.6 Whilst there is no legal obligation on the Council or home educators to develop relationships with each other, doing so will often provide parents with access to any support that is available and allow authorities to better understand parents' educational provision and preferences. A positive relationship will also provide a sound basis if the authority is required to investigate assertions from any source that an efficient and suitable education is not being provided.
- 1.7 "To cause the child to receive efficient full-time education suitable to his or her age, ability and aptitude and to any special educational needs he or she may have either by regular attendance at school or otherwise". For most children, this will involve their attendance at school which serves their locality, but for many and various reasons, a small minority of parents will want to take on the responsibility of educating their own children outside the maintained system. Some may send their children to independent schools; others will want to take on the duty themselves.

2.0 DEPARTMENT FOR EDUCATION GUIDANCE STATES THAT:-

2.1 Parents should be encouraged **not** to decide to educate their children outside the school system if any of the following apply:

- As a response to short term disagreements with the head teacher or others at school. **Every attempt should be made to resolve the disagreement with the Head teacher/Designated Safeguarding Lead at the school.**
- As a solution when a child has not been attending school on time or regularly. It may be even more difficult to provide a full-time education for him or her at home.
- As a final or once and for all decision. It may be possible to manage home education for a child at infant or junior level but the situation can be very difficult when there is need to study for GCSEs, especially in subjects which have a major practical element, or a significant controlled assessment content.
- Provision is available at Barnsley College for key stage 4 pupils who are registered as elective home educated

2.2 If parents choose to educate their child(ren) at home, they accept 'full responsibility' for their education.

The local Authority recommends that before making a decision on home education parents:

- Consider all the issues very seriously. It is a great responsibility and requires a considerable commitment in time and energy.
- Plan what it is intended to do with the child before making a decision. Consider the costs involved.
- Be aware that the child may well miss the social side of school, especially contact with other children and joint activities.
- The Council provide the support of an Elective Home Education Advisor, this role is to offer impartial advice and guidance throughout the process as required. Engagement with the Advisor is voluntary. The Council has no statutory duty to monitor home education on a regular basis unless there are safeguarding concerns.

There are no grants available to help with home education. Costs of materials, equipment, examination fees and so forth, have to be borne by parents.

3.0 ARRANGEMENTS

3.1 If a child is below statutory school age, then parents need not do anything. However, it is helpful in keeping a register of those being educated at home if parents write to the Council stating they intend educating their child (name, date of birth and address) at home from a specified date.

- 3.2 If a child has been at school before, either within the Council or elsewhere, then parents need to notify the school of their intention to educate their child at home and of the intention to have their child removed from roll.
- 3.3 Schools must delete the child's name from their admissions register upon receipt of written notification from the parent that the pupil is receiving education otherwise than at school. However, schools should not wait for parents to give written notification that they are withdrawing their child from schools before advising their local authority). Schools must, make a return (giving the child's name, address and the ground upon which their name is deleted from the register) to the local authority as the ground for deletion is met, and no later than deleting the pupil's name from the register. They should also copy parents into the notice to the local authority. Further information is available in Keeping Pupil registers, the Departments guidance on applying the regulations.
- 3.4 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 local authority 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. In this instance, schools must ensure that the parent has taken steps to do this and that the local authority has revoked the order before removing from the roll.
- 3.5 The local authority encourages parents to inform them directly of the withdrawal of a child from school but have no legal right to insist that parents do so. The only exception to this is where the child is attending a special school under arrangements made by the local authority, in which case additional permission is required from the authority before the child's name can be removed from the register. Schools on receipt of notification from a parent of a child attending a special school that they elect to home educate must inform the local authority forthwith. The local authority will then carry out the necessary checks before determining the suitability of home education of the child. the parent will be notified of the local authority's decision.

4.0 CHILDREN AND YOUNG PEOPLE WITH SEN EDUCATED AT HOME

- 4.1 Under Section 7 of the Education Act 1996 parents have the right to educate their children, including children with special educational needs and disability (SEND) at home. Home education **must** be suitable to the child's age, ability, aptitude and SEN. Where a child is registered at a special school, under arrangements made by the Local Authority the Council **must** give consent for the child's name to be removed from the school roll.
- 4.2 Where a child has a Statement of Special Educational Needs / Education Health and Care Plan (EHCP) and is home educated, the council should work in partnership with, and support parents to ensure that the SEN of these children are met. (10.30 SEND code of practice 0-25 year) this can be found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf
- 4.3 Even if the Council is satisfied that parents are making suitable arrangements, it remains a duty to maintain the statement and review it annually, following procedures set out in the **SEND Code of Practice**
- 4.4 In cases where the council and parents agree that home education is the right provision for a child or young person with an EHC plan, the plan should make clear

the child or young person will be educated at home. If it does then the council, under section 42(2) of the Children and Families Act 2014, **must** arrange the special educational provision set out in the plan, working with the parents. However, under section 19 of the Act the council must have regard to the views, wishes and feelings of the child and the young person.

- 4.5 In cases where the EHC plan gives the name of a school or type of school where the child will be educated and the parents decide to educate at home, the council is not under a duty to make the special educational provision set out in the plan provided it is satisfied that the arrangements made by the parent are suitable. The council must review the plan annually to assure itself that the provision set out in it continues to be appropriate and that the child's SEN continue to be met. (10.32 SEND Code of practice 0 to 25 years)
- 4.6 In some cases the council will conclude that, even after considering its power to provide support to home-educating parents, that the provision that is or could be made for a child or young person with a EHC plan does not meet the child or the young person's needs. In that instance, the council is required to intervene through the school attendance order framework

5.0 THE ROLE OF THE EDUCATION WELFARE SERVICE

- 5.1 Regulation 12(3) of the Education (Pupil Registration) (England) Regulations 2006 refers to the necessity for the school to inform the Council when parent(s) notifies the school of the intention to home educate a child.
- 5.2 On receipt of notification of the intention of the parent(s) to educate the child at home, the school must immediately notify the Education Welfare Service in writing by completing and returning the EHE 1 form (see Appendix)
- 5.3 The SEWO maintains a database of all requests for EHE. The EHE Assessor holds the current register of all known EHE pupils within the Council.

6.0 GYPSY, ROMA AND TRAVELLER CHILDREN

- 6.1 The Council is committed to having an understanding of and being sensitive to, the distinct ethos and needs of Gypsy, Roma and Traveller communities. It is important that these families who are electively home educating are treated in the same way as any other families. Home education should not necessarily be regarded as less appropriate than in other communities. When a Gypsy, Roma and Traveller family with children of school age move into an area, they are advised to contact the designated EWO from School Improvement and support for advice and support to access local educational settings. In Barnsley Council this is currently within the School Improvement (EAL). Traveller Achievement Further guidance can be obtained from the DfE's Guide to Good Practice on the education of Gypsy, Roma and Traveller children – *Aiming High: Raising the Achievement of Gypsy Traveller Pupils* which can be obtained from DfE Publications (reference DfE/0443/2003). Another (external) source of information is www.gypsy-traveller.org/education.gov.uk

7.0 THE ROLE OF THE ADVISOR (ALL CHILDREN)

- 7.1 The Advisor's involvement commences when elective education at home has been confirmed by the EWS. The Advisor's will, with the parents' consent, within 2 months of receiving a notification, visit the home to discuss with the parent(s) and, if possible, with the child, what they are doing, what programme of work is intended and what resources are used.
- 7.2 It is desirable to allow sufficient time for parents to set in motion arrangements for home education. Many parents, none of whom need permission to educate their own children at home, may well find it unacceptable during a settling in period to be unduly pressurised by having to allow unreasonable access. Where the pupil is a traveller or an Asylum Seeker, the School Improvement and support Service (EAL) and Traveller Achievement will be informed as well the Education Welfare Service.
- 7.3 It is the Advisor's responsibility to provide support should an efficient, full time, suitable education not being provided. Where it is not possible for the Advisor to contact parents, the case will be referred to the EWS.
- 7.4 Under section 437 of the Education Act 1996, the Council's duty is to identify children who may not be receiving a suitable education and to take action if not satisfied that such education is being provided. If the council is not satisfied that a suitable education is being provided and the parents have not addressed these concerns the council should consider sending a formal notice to the parents under section 437, before moving on if needed, to the issuing of a school attendance order (section 437(1)) via the Education Welfare Service

8.0 FLEXI-SCHOOLING

"Flexi-schooling" or "flexible school attendance" is an arrangement between the parent and the school where the child is registered at school and attends the school only part time; the rest of the time the child is home educated (on authorised absence from school). This can be a long-term arrangement or a short-term measure for a particular reason.

9.0 WORK EXPERIENCE

Children educated at home have no entitlement to participate in work experience under arrangements made by the Council. Parent/Carers who wish their child to complete work experience must ensure that they have appropriate insurance in place. The Council can advise on this but cannot cover the costs. The relevant Employers are responsible for carrying out risk assessments in respect of young people on work experience placements as if they were members of their staff.

10.0 CHILD EMPLOYMENT

The law surrounding paid employment for young people of compulsory education age remains the same as those who are home educated as those in full time school. This means that paid employment cannot be done during the school day. See below link

Performance Licences applications and information can be found on the below link regarding children participating in broadcast and non-broadcast performances modelling and sporting activities

www.barnsley.gov.uk (search under child employment and performance licences)

11.0 ACKNOWLEDGING DIVERSITY

- 11.1 The Council acknowledges that children learn in different ways and at different times and speeds. It should be appreciated that parents and their children might require a period of adjustment before finding their preferred mode of learning and that families may change their approach over time. Parents are not required to have any qualifications or training to provide their children with a suitable education. It should be noted that parents of all educational, social, religious and ethnic backgrounds successfully educate children outside the school setting and these factors should not in themselves raise a concern about the suitability of the education being provided.
- 11.2 Parental education provision will reflect a diversity of approaches and interests. Some parents may wish to provide education in a formal structured manner, following a traditional curriculum and using a fixed timetable that keeps to school hours and terms. Other parents may decide to make more informal provision that is responsive to the developing interests of their child, though one approach is not necessarily any more efficient or effective than another. Although some parents may welcome general advice and suggestions about resources, methods and materials, The Council does not specify a curriculum or approach which parents must follow.

12.0 PROVIDING INFORMATION FOR PARENTS

The provision of clear information has an important role to play in the promotion of positive relationships. The Council provides written information and website links for prospective and existing electively home educating parents that are clear and accurate and which set out the legal position, roles and responsibilities, in an unambiguous way. It also recommends that contact details for home education support organisations are provided. Home education organisations' contact details may also be found through an internet search. All reasonable written information is made available to parents. The website can be viewed at;
www.barnsley.gov.uk/educating-your-child-at-home

13.0 SAFEGUARDING AND E-SAFETY

- 13.1 The Councils have a responsibility for ensuring that appropriate arrangements to safeguard and promote the welfare of children are in place for all children within the borough, including home educated children 2.2.1 Working Together to Safeguard Children. updated April 2013 can be found at
<http://www.safeguardingchildrenbarnsley.com>
- 13.2 Section 11 of the Children Act 2004 places a statutory duty on key people and bodies to make arrangements to safeguard and promote the welfare of children. Chapter 2.2 of the Government publication 'Safeguarding Children and Safer Recruitment in Education' defines 'Safeguarding and promoting the welfare of children' as:
- protecting children from maltreatment;
 - preventing impairment of children's health or development;
 - ensuring that children are growing up in circumstances consistent with the provision of safe and effective care;
 - undertaking that role so as to enable those children to have the optimum life chances and to enter into adulthood successfully.

- 13.3 The Elective Home Education Advisor will have particular regard to the relevant guidance and Barnsley Safeguarding Board's Safeguarding Procedures when considering what action to be taken where there are serious concerns about the welfare of a home educated child. .
- 13.4 Parents who choose to employ other people to educate their child(ren), though they themselves will continue to be responsible for the education provided, will also be responsible for ensuring that those whom they engage are suitable persons to have access to their children. Parents should satisfy themselves by taking up appropriate references and/or requesting a potential tutor to consent to a Disclosure and Barring check ((DBS)
- 13.5 Many parents and carers have only a limited understanding of e-safety risks and issues, yet they play an essential role in the education of their children and in the monitoring and regulation of the children's on-line experiences. Parents often either under-estimate or do not realise how often children and young people come across potentially harmful and inappropriate material on the internet and are unsure how to react to it. "There is a generational digital divide". (Byron Review 2008).
- 13.6 Any parents with concerns about any aspect of safeguarding are encouraged to make contact with the Advisor or with Education Welfare so that the appropriate expert officer can be contacted. Please note the following website address:-
www.safeguardingchildrenbarnsley.com

14.0 REPORTING BY THE ADVISOR

- 14.1 A written report will be sent to the parents. Parents will be told whether or not the provision is considered satisfactory when issues are discussed with them by the Advisor. If, after an input of advice and a suitable period of time to effect change, the provision is still unsatisfactory, the Local Authority may consider the appropriateness of issuing a school attendance order under the afore mentioned provisions of section 437 of the Education Act 1996 . Clearly, such an action would be a last resort and can only happen if it is clear parents are not educating a child according to age, ability and aptitude. Detailed discussion with parents will take place to show exactly why the education provision is not satisfactory.
- 14.2 Should the Advisor have any concerns regarding the welfare and safety of the child, they will follow the Councils local safeguarding procedures and make a referral to Children's Social Care and inform the Education Welfare Service.
- 14.3 The frequency of visits made by the Advisor, will to a large extent depend on professional judgement.
- 14.4 If evidence during the first visit is satisfactory then frequent visiting will not be necessary. However, follow up visits maybe made once every academic year if the parent consents to the same. If there are doubts regarding the suitability of the education being provided then the EHE Advisor may desire to re-visit and reassess within a shorter time period which will be arranged at a mutually convenient time period with the parent.

15.0 REVIEWING PROCEDURES AND PRACTICES

The Council will review these guidelines and practice in relation to home education on a regular basis. Home education organisations and parents can be involved in the process of review in order to ensure the most effective practice and strengthen partnerships. Currently there is a Private Members bill with proposed changes to the law for Home Education Duties of Local Authorities 2017-19 awaiting its second hearing in October 2018. Any subsequent changes will be updated to this policy and re-circulated. Further details can be found on the link below.

<https://services.parliament.uk/bills/2017-19/homeeducationdutyoflocalauthorities.html>

SUPPORT FROM OUTSIDE AGENCIES, CONTACTS, RESOURCES

Materials and support are available to parents from agencies such as:

Education Otherwise Association Ltd

125, Queen Street, Sheffield,
South Yorkshire
S1 2DU

Helpline : 0845-478-6345 Web site : www.education-otherwise.org

WESPNEU

Worldwide Education Service and Parent's National Foundation Union
35Belgrave Square
LONDON
SE1X 7ED Tel: (0171) 235 2880

Education Now

Websedge
9-11 Grosvener Gardens
London
SW1W OBD
[Tel:02076121830](tel:02076121830)
Weblink; answers@websedge.com.

<https://services.parliament.uk/bills/2017-19/homeeducationdutyoflocalauthorities.html>

Local Organisations/contacts

Barnsley BMBC,

Diane Richardson
Education Welfare Service,
Corporate Mailroom, PO Box 634,
Barnsley, S70 9GG. Tel: 01226 773545
e-mail: dianerichardson2@barnsley.gov.uk

Laura Collins

Advisor for Elective Home Education,
c/o Springwell School,
St. Helen's Boulevard,
Carlton Road,
Barnsley, S71 2AY. Tel: 01226 291133
e-mail : ICollins@springwellacademies.co.uk

www.parentcentre.gov.uk. Advice website for EHE parents.

www.education.gov.uk website for advice on National Curriculum matters.

www.homeschool.co.uk Christian Home School



People Directorate for Early Start, Prevention & Sufficiency Service - Education Welfare

ELECTIVE HOME EDUCATION NOTIFICATION (EHE1)

Date notification received by school		
Please attach notification to this form		
Date Pupil deleted from the schools admission register		
Pupil Surname:	Pupil First Name :	
Alias:	Pupil Middle Name:	
Date of Birth:	UPN No :	
Address: Current <input type="checkbox"/>	Names of parents /Carer with whom the pupil resides (full names please with DOB if known)	
Contact No Home:	1. DOB Relationship to child	
Mobile:	2. DOB Relationship to child:	
Any Other Contact No's:		
Ethnicity / EAL :	Gender:	Year Group:
Name of School:		
Contact name in school:		
Current % attendance:		
Please enclose a copy of current attendance register		
Does this child / young person currently have (please indicate)		
EHA		EHA Reference Number:
SEN Support		Undergoing EHCP Needs Assessment
EHCP		Date of EHCP Annual Review :
Please note :Where a child has an Educational Health and Care Plan (EHCP) and attends a special school they cannot be removed from school roll without the consent of the local authority		

Is this child / young person currently: (please indicate)			
Looked After		A Refugee / Asylum Seeker	
Subject to a Child Protection plan		From a Travelling Family	
In Temporary Accommodation		Private Foster Arrangement	

Are any of the following agencies known to be currently involved with this child / family (please indicate and provide contact names if known) Please note if a child is subject to either a Child Protection Plan / Child In Need or where there may be safeguarding concerns schools must contact children's Social Care.			
Social Care (Social Services)		Education Psychology / Inclusion service	
Education Welfare		School Nurse	
CAMHS		Youth Offending Team	
Other Additional Information :			

Head teachers Name	
Signature	Date

Please send the notification for Elective Home Education and EHE1 form to :

Diane Richardson Senior Education Welfare CME / EHE Officer & Business Manager

Children Young People and Families Education Welfare Service
Corporate Mailroom PO Box 634 Barnsley S70 9GG

Telephone : 01226 773545 E-mail : dianerichardson2@barnsley.gov.uk

The Elective Home Education policy can be found at
<https://www.barnsley.gov.uk/services/children-families-and-education/schools-and-learning/educating-your-child-at-home/>

Barnsley Council/Education Welfare's privacy statement is available to view at
<https://www.barnsley.gov.uk/media/8746/early-start-prevention-and-sufficiency-education-welfare-service.pdf>

