

# **Information and guidance for parents on elective home education**

# Contents

Context	1
Approach to elective home education	1
Questions you may wish to consider	2
Decision to electively home educate	3
Position of the local authority	3
Home visit	5
Further follow-up from education adviser	7
Annual review	7
Special educational needs	8
Education, health and care plan	8
Information for parents where it appears that a child of compulsory school age is not receiving education	9
14-19 elective home educated pupils' information	10
Examinations	10
Local further education colleges	11
Health and wellbeing	12
Child protection and safeguarding	12

## Context

Education is compulsory, schooling is not. Although the majority of parents choose to send their children to school, a number of parents choose to educate their children at home. This is called elective home education (EHE). Sometimes home educating families may get together to arrange group activities.

Our procedures set out below are based on the legislative framework established by the Education Act 1996 and incorporate the essential principles of the Department for Education (DfE) elective home education guidelines for local authorities published in 2007 (revised and reissued in April 2019).

These procedures have been developed in the context of the duty placed on local authorities to make arrangements to safeguard and promote the welfare of children (Section 175 of the Education Act 2002).

The local authority will ensure that in discharging its elective home education responsibilities, it is alert and responsive to any actual or potential safeguarding concerns that may emerge, whether they emerge through the engagement or the non-engagement, of home educating parents. Should the authority consider that any safeguarding concerns may exist in relation to a home educated child, it will always consider these concerns to be of paramount importance and will act accordingly.

The procedures aim to achieve an appropriate balance between the rights of home educating parents on the one hand, and the responsibilities of the local authority on the other.

## Approach to elective home education

In Kingston and Richmond, Achieving for Children's Education Welfare Service will offer advice and guidance to parents in supporting their decision of choosing to home educate their children. In addition we offer all our families a home visit.

Whilst Achieving for Children (AfC), on behalf of the local authorities, encourages and supports parents to enrol their children at school, it nevertheless recognises that parents and carers have a right to educate their children at home. AfC is committed to working in partnership with these home educating parents to help ensure that their children are provided with efficient, full-time education suitable to their age, ability, and aptitude and to any special educational needs they might have.

AfC aims to build effective and positive relationships with home educating parents and their children, relationships which are rooted in mutual understanding, trust and respect.

These procedures are intended to detail how such relationships might be developed in Kingston and Richmond.

They aim to:

- clarify the legal position regarding elective home education
- identify the respective roles and responsibilities of home educating parents and the local authority
- establish clear, transparent and fair processes and systems

## What is a parent's duty?

Section 7 of the Education Act 1996 says:

'The parent of every child of compulsory school age will make them receive efficient full-time education suitable to their age, ability, aptitude and any special education needs, either by regular attendance at school or otherwise.' Additionally, a young person must participate in education or training until the age of 18. This includes home education. Please note, the term 'parent' is used throughout this guidance to include all those with parental responsibility.

## Questions you may wish to consider

Deciding to home educate is a big responsibility. When a parent has made the decision to home educate their child, the local authority does not provide tutors or tell you what to teach your children. As a parent you will be responsible for all aspects of your child's education, including their social and emotional development, as well as taking on full financial responsibility for their learning, for example, pay for any books, equipment, stationery, trips or tutors you choose to use. If you want your child to sit public examinations, you will need to bear the cost of entering them as private candidates and be responsible for arranging all examinations.

### What is efficient education?

This is not defined in the act. Each case has to be judged according to the child's needs and the educational provision made. However, this phrase does not mean that school subjects have to be provided. Parents will need to show that the opportunities being provided are helping the child to learn, and that development is taking place appropriate to 'age, ability and aptitude'. An education should equip a child for life in the 21st century and not limit future life choices.

### What is full time?

The length of time is not specified. To help you decide, children in school spend approximately 25 hours on work each week, plus homework, according to age. Children at state schools attend for 38 weeks a year.

### What does 'or otherwise' mean?

This phrase is not defined in law, but would include children being taught at home by parents, including the use of online or distance courses, or by private tutors.

## Decision to electively home educate

If your child is registered at a school and you then make the decision to home educate, you must put this in writing to the school. We will request a copy of your decision to electively home educate. Once the formal de-registration letter to your child's school has been received, they will notify us and the local authority and your child's name will be removed from the school roll. Your child's school place will now no longer be available. The school will notify us within 48 hours.

If you later decide you do want a school place, schools do not accept direct applications outside the normal admissions round. You will have to go through the authority's in-year admissions process which could involve a delay before your application is considered by a panel.

If your child is out of school because you have not accepted the place offered, we will ask you about the interim arrangements you are putting in place for your child's education.

If you do not notify us and just stop sending your child to school, this will be classed as unauthorised absence and someone from the school attendance team at education welfare will need to investigate why your child has stopped attending.

Schools must not put pressure on families to home educate, the decision rests with parents. If you are considering home education because you have concerns about an aspect of your child's current school provision, it is really important to discuss this with your school and with the Education Welfare Service. They will be able to advise appropriately, help to resolve your concerns, consider options of support and, more importantly, help you to confirm that home education is definitely the right decision for your child.

Where parents want to home educate a child with a statement of special educational needs or an education health and care plan, the process is the same as outlined above.

In cases where your concerns relate to the additional support for your child's special educational needs, parents are encouraged to raise their concerns directly with the school special educational needs coordinator (SENCo), or alternatively make an appointment with the school. Parents can also contact the parent partnership officer for advice and support on 020 8547 6203.

## Position of the local authority

You should notify the local authority when you do not need a school place because you are choosing to home educate. You should also notify the local authority if you move house. If we have not been notified, your child could be classed as missing education and we have a duty to investigate further. Local authorities have a duty to identify children who are missing education (CME) and to get them back into education. As part of this duty, we have effective monitoring and tracking procedures and we work and share information with partner agencies where necessary [www.gov.uk/government/publications/children-missing-education](http://www.gov.uk/government/publications/children-missing-education).

A local authority has a duty to ensure that all children receive an education. In order to fulfill this requirement, we will need to establish the educational provision you are providing. Once we have received confirmation that you intend to electively home educate, you will be asked to complete and return a request for information form providing details of the arrangements.

We do maintain a register of pupils being home educated. This is not a statutory duty and the numbers of children who are home educated fluctuate regularly. The register will enable the local authority to coordinate the children being home educated in their area in order to offer support and advice of their education.

We are also happy for you to attach with the request for information form, an education plan which includes a sample of the work being undertaken and outlines the education provision.

As part of our processes, following confirmation of your intention to electively home educate, an education welfare officer (EWO) will make contact with you within 10 working days of us being notified of your intention to home educate. They will initially discuss your arrangements and offer to a home visit of about one hour.

In addition, those who are new to home education may receive a further offer from our education adviser. If your child has special educational needs and has an education, health and care plan, please advise the education welfare officer who will be happy to undertake a joint visit with the education adviser.

Alternatively, parents may satisfy the authority in any of the following ways by:

- meeting with the adviser at their home with or without their child
- sending a letter or a report setting out their educational plans enclosing, samples of their child's work
- sending a letter or a report from a reputable third party acceptable to them and the local authority endorsing their educational plans
- sending in representative samples of their child's work
- providing evidence in another appropriate form acceptable to the local authority

This information can be sent directly to the service within a further 30 working days from the initial contact made by the education welfare officer. You will be provided with details of a date for us to receive this by and this will then be confirmed in writing. This will provide an opportunity and allow time for any reasonable adjustment to support home education. We would recommend that parents and carers consider the support before committing to undertaking this.

If your child has an education, health and care plan, we will require our education adviser, who may be a member of the Special Educational Needs and Disability Service, to visit. This will allow the education adviser to discuss the education arrangements for your child, in particular how you intend making the special educational provision set out in the education, health and care plan as well as advise you that the local authority has a duty to review the

education, health and care plan annually to see if it remains appropriate to meet your child's needs. If the home education is suitable, the local authority has no duty to arrange any special educational provision for the child. The education, health and care plan will be amended to set out the type of special educational provision that the local authority thinks the child requires, but it should state that parents have made their own arrangements under s.7 of the Education Act 1996.

## Home visit

We offer two visits, one from our education welfare officers and one from our education adviser for all new cases. The visit offered by the education welfare officer provides an opportunity to discuss any questions you may have regarding elective home education so you are satisfied that it is the right decision for you as parents and your child. Families do not have to accept the offer of this visit, however we encourage these to be taken up.

At the home visit undertaken by the education adviser, they will want to talk to both you and your child and look at any records or plans of work of the education being provided and ask some additional questions. If your child has an education, health and care plan, the education adviser will discuss how you plan to make the special educational provision in the education, health and care plan. As a result of the visit, the education adviser will form a decision based on the information and the work evidenced to consider the suitability of the education provision being provided. Where education is considered to be efficient, full time and suitable to the age, ability and aptitude of our child and this has been confirmed, the Education Welfare Service will then contact you on an annual basis. If your child has an education, health and care plan, this contact will be made together with the Special Educational Needs and Disability Service.

Achieving for Children will support the choice of parents who elect to home educate, unless it appears to us through informal enquiries that suitable provision is not being made for the child. If we consider that provision is not suitable, we will make further investigations.

In Achieving for Children, we believe the most effective, efficient and easiest way for us to be assured that you are meeting your legal duties is by having a discussion with our education adviser who will talk with you and your child about your approach to home education. We do not have a rigid view of what is a suitable and efficient education and recognise that there are many approaches to educational provision.

We will consider a wide range of evidence from home educating parents. Our visit from our adviser will be arranged with you in advance. This will allow you time to also make suitable arrangements to support your child's education. The adviser will contact you directly to confirm the visit offer. We aim to provide all our new families contact with the adviser within 12 weeks. We will allow the parent up to 12 weeks, after a child is recorded on the home education register, to provide such information.

Parents should contact the local authority if they require an earlier visit.

- We will not expect you to have necessarily planned, in detail, what and how you are going to provide for your child's education at the initial visit with the adviser.
- The way in which you provide evidence of educational suitability is up to you. It must however demonstrate their learning and needs. It must be sufficient enough to convince a reasonable person of its appropriateness for your child's age, aptitude and ability.
- If you would like to offer any specific examples of learning for example, pictures, paintings, models, diaries of work, projects, and assessments, samples of work, books, and educational visits. We would be happy to view them.
- Our EHE adviser is qualified to advise, not only in the law on home education, but also in understanding the varied range and philosophies of home education.
- We find that the majority of parents report that the visits are helpful and reassuring despite initial worries that some new home educators may have about it.
- The government guidance document on elective home education for local authorities, offers the following as examples of evidence you could provide:
  - a report
  - samples of your child's work
  - the local authority representative invited to your home, with or without your child being present
  - the local authority representative met elsewhere, with or without your child

Although we have no legal right to see your child or visit your home in relation to EHE, we have a statutory duty to assure ourselves that the educational provision you arrange is suitable.

The approach to elective home education is based on a principle of promoting an active dialogue with home educating parents and working in partnership with them. We have established positive relationships with our home educating families. We therefore wish to continue to offer all new families a home visit with the parents and the child. If you would rather meet at a neutral venue, this can be arranged.

If you choose not to meet the adviser, then to fulfil our legal responsibilities, we will ask you to provide alternative evidence of the way in which you are fulfilling your statutory duties.

The type of evidence that would satisfy us could include:

- a detailed description of the provision, including your (or other significant careers) involvement
- a recognition of your child's needs, attitudes and aspirations
- opportunities you are providing for your child to be stimulated by their learning experiences
- resources you provide for their education that will demonstrate their learning

If you do provide information that evidences you are providing suitable provision, we will write to you to confirm that we are satisfied that you are meeting your legal duties.

Achieving for Children's approach to elective home education includes establishing a regular contact with our home educating families. We will contact you approximately 12 months after our initial acceptance of the suitability of provision when we will request an update on your child's provision to evidence your child's educational progress and learning. This is because your child will have developed, emotionally, socially and educationally over the year, as should the provision you arrange.

If you have any concerns about meeting with the adviser and would like to discuss this further, please contact Education Welfare by email: [ews@achievingforchildren.org.uk](mailto:ews@achievingforchildren.org.uk)

### Further follow-up from education adviser

Occasionally, where education is considered not to be broadly suitable, then an education adviser will contact you to discuss this and offer an additional visit. The nature of any concerns will be clearly explained to parents and carers and advice given as to whether the education is appropriate for the child or young person. We find that the vast majority of initial home education visits result in us being satisfied that parents meeting their legal duties.

After the discussion with the education adviser, they will write a summary of the main points (record of visit) and send a copy to you. You do not have to produce a report, unless you want to.

If the education adviser considers you are not meeting your legal duty to ensure a full time education, suitable for your child's age ability, aptitude and any special educational need they may have, they will tell you and explain the reasons why, for example, no tangible or clear evidence of suitable education. The record of visit will state that you are not meeting your legal duties.

The education adviser will make some practical suggestions as to how the provision may be improved so that it becomes suitable.

A follow-up visit will be arranged, within an agreed period of time (between one to three months) to discuss what progress has been made.

To be considered efficient, alternative or elective home education need not be the same as a child would receive at school. However, it must convince a reasonable person that the education is appropriate for the child.

### Annual review

On an annual basis, we will contact you. At this time we will request you provide us with a sample of the current education provision in place. We will need to be satisfied that the parent is providing suitable education.

## Special educational needs

Parents choosing to educate their children at home need to take account of any learning difficulties the child has. Sometimes a parent may want to seek advice about a learning difficulty or ask for their child to be formally assessed. Advice is available and further details may be obtained from the Special Educational Needs and Disability Service (020 8891 1411). Alternatively, please check the [local offer](#).

If an education, health and care needs assessment is agreed, the local authority will seek advice from the parents or carers, all involved educational professionals, health, schools, social care and others. The local authority will then decide whether an education, health and care plan (EHCP) should be issued and its contents.

## Education, health and care plan

A local authority's statutory duty to undertake annual review continues. The annual review will include consideration of whether the education, health and care plan is still appropriate and whether it needs to be amended or ceased. If the education, health and care plan is maintained, parents continue to have responsibility for the education provided for as long as they elect to home educate, and the local authority maintains its duty to ensure that the child's special educational needs are being met in accordance with the education, health and care plan.

As part of our processes, we will require that our education adviser undertakes a visit to provide advice and guidance. This will allow the education adviser to meet and discuss with you, the parents, and your child, the education needs and arrangements in place to support your child's education provision appropriate to age, ability, aptitude and additional needs.

Contact will be made approximately every 12 months to arrange an annual review of the elective home education provision.

### **What if my child is registered as a pupil at a special school?**

The education (special needs) regulations say, 'The parents of a child who is of compulsory school age and is registered as a pupil at a special school in accordance with arrangements made by the local authority, shall not withdraw the child from the school without the consent of the local authority, but any such parents aggrieved by refusal of the authority to give their consent may refer the question to the Secretary of State, who will give direction as they think fit.'

We will examine each request to electively home educate a child already registered in a special school detail but, until the process is complete and the local authority is satisfied that the parent can arrange the provision set out in the education, health and care plan, the child should remain on the roll of the special school named in the education, health and care plan.

Once satisfied that the parents can make the provision in the education, health and care plan, a local authority is under no obligation to arrange it or to meet the costs of that provision or other education related costs.

It is however, still under a duty to maintain the child's education, health and care plan and review it annually to see if it remains appropriate in accordance with the Education Act 1996, Children and Families Act 2014, Special Educational Needs Regulations and the relevant SEN Code of Practice.

If you would like to speak to a member of the Special Educational Needs and Disability Service about your child's annual review, please contact them on 020 8891 1411. You can also contact the Special Educational Needs and Disability Impartial Information, Advice and Support Service (SENDIASS) - details can be found on the AfC Local Offer website (see below).

For more information on local services and support available for families including children and young people aged 0 to 25 years with special educational needs or disabilities visit the [Local Offer](#) website.

### Information for parents where it appears that a child of compulsory school age is not receiving education

If it appears to a local authority that a child of compulsory school age in its area is not receiving suitable education, either by regular attendance at school or otherwise, it will serve a notice in writing to the parent requiring them to satisfy the local authority, within the period specified in the notice, that the child is actually receiving an education.

Suitable education is defined in law as suitable to age, ability, aptitude and any special educational needs the child may have.

In rare cases, it is possible that the local authority will direct a parent to enroll their child at a school by means of a school attendance order. The authority will begin by dealing with this situation informally. The education adviser will have set out any concerns prior to this being considered and have asked parents for a response with a view to providing further information. This process will also apply where the authority has received a referral from another agency about the child's education. The timescale will be decided on a case-by-case basis.

We would hope that the parents' response is sufficient for the matter not to be taken further, but where it still appears to the authority that the child is not receiving efficient full time education suitable to age, ability, aptitude and special needs, a formal notice will be sent to the parents requiring them to provide evidence of suitable education. The education welfare manager will be notified and become involved.

In very rare cases if, after a number of discussions, we consider that your child is not receiving a suitable education as a result of evidence not being forthcoming, and we believe it would be appropriate for the child to attend school, Education Welfare will seek to apply for a school attendance order (SAO) requiring your child to attend the school named in the order.

The school attendance order will be served and parents will either have to register their child at a named school or provide sufficient additional evidence to cause the authority to revoke the order. Parents can also be prosecuted for failing to comply with a school attendance order. Not ensuring that your child attends school would then become an offence under the Education Act 1996.

At any stage following the issue of the order you may present evidence to the local authority that you are now providing an appropriate education and apply to have the order revoked. In Achieving for Children, we only take out school attendance orders as a last resort, after all reasonable steps have been taken to resolve the situation.

## 14-19 elective home educated pupils' information

Parents and young people can obtain support and information from the 14-19 Partnership regarding future pathways and post-16 opportunities. The aim of this is to ensure that all home educated young people have the same opportunities as those young people who are registered and are attending school.

We will send out information in the form and a link to the online opportunity pack that is produced by AfC's 14-25 partnership on an annual basis specifically for the targeted age groups. The Opportunities Pack provides a summary of post-16 learning options and further help for young people aged 16 to 19 in Kingston and Richmond. For more information please contact the 14-25 Team on 020 8547 6988 or email:

[14-25@achievingforchildren.org.uk](mailto:14-25@achievingforchildren.org.uk)

In addition, home educated children can now look to enrol at a college from 14 years with some course fees being paid by the Education Funding Agency. It is up to each individual college to decide what they can offer to this age group. Please be aware that we are not in a position to support the funding of any such courses.

## Examinations

Home educated young people can take examinations as external candidates, which invariably costs money. Consideration should also be given to where some GCSEs have coursework or controlled assessment.

It is up to families to identify suitable qualifications and find an appropriate exam centre for the young person to sit the exams. The exam has to be taken at an approved exam centre usually a secondary school or post-16 provider. As a home educator you will have to contact the provider directly. You should contact individual examination boards in order to find out the precise way they handle private candidates. Making contact with one of the home education support organisations for advice on GCSEs can be most useful.

- You will have to pay for any exam registration fee and assessment of coursework by an accredited person. The registration fee for each GCSE exam is approximately £55.00.
- Some GCSE courses maybe offered by adult education centres.

- Online correspondence courses are also available, although they can be expensive (from over £350 per subject).
- If you do wish for your child to take GCSEs, at no cost, they will need to be on a school roll. To enable them to be on a school roll for Year 10, you should consider starting the process before the preceding autumn term by contacting the Schools Admission Team for advice on school places: 020 8547 5569.

## Accessing college or sixth form

A placement at a college of further education is a legal possibility, depending on the current national and local funding for under 16 year old students. The normal application process begins up to nine months before the course starts and while it is possible to apply much later, your chosen course might be full. Achieving for Children has no funding available for this. It is worth noting that once a pupil is 16 years of age, they can enrol on a wide range of adult courses, including GCSEs, A/AS level exams. You and your child will need to consider long term job or career aspirations, before deciding whether they actually need to study GCSEs. GCSE exams are not necessarily a prerequisite to higher levels of formal education, but may be a requirement for some post-16 college courses and types of employment.

If your child wishes to consider going on to higher education, universities do not necessarily expect GCSEs, A Level grades are more important. Universities do not discriminate against home educated applicants as they often view home educated children as motivated self-learners.

Home educated young people can go on to college or sixth form if they choose. GCSEs, or equivalent, are normally required before a student can begin an A Level course.

## Local further education colleges

Please find details of our nearest local colleges. This list is by no means exhaustive.

Nescot College	020 8394 1713
Kingston College	020 8546 2151
Richmond upon Thames College	020 8607 8000
Esher College	020 8398 0291
West Thames College	020 8326 2020
South Thames College	020 8918 7777

## Health and wellbeing

The Education Welfare Service provides advice and support regarding the welfare and wellbeing of children. The education welfare officer will help you consider your child's wellbeing and access to services that are available to support you and your child. Please view [Achieving for Children's Local Offer](#) at for more information.

In addition to the health and wellbeing of children and young people, the school nursing team is available to all school age children. School health teams can offer health reviews, support, education, advice and guidance to children and young people who are home educated.

For primary school aged children, this may include a height, a weight, a hearing check and an immunisation review. You can discuss any health concerns over the telephone, and advice, support will be offered regarding any concerns identified. Advice will be given about access to primary care and dental services as well as local services providing health promotion.

For secondary school aged children and young people, they can offer a health assessment if you have concerns about the health of your child, an immunisation review and support regarding physical and emotional health and wellbeing. The school nurse can arrange to meet the child or young person with or without their parent or carer in one of our clinics or in the home.

If you would like more information please contact them directly. Kingston School Health team can be contacted on 020 8549 6323. Richmond School Health Service can be contacted on 020 7798 0850. The Education Welfare Service will routinely share information with the school health services and will provide our EHE families with information sent to us regarding the offers being made to all children of school age including children who are home educated up to the age of 18.

## Child protection and safeguarding

A local authority has a statutory duty to safeguard and promote the welfare of children, as a requirement of the Children's Act 2004. Safeguarding is everybody's responsibility and because of the Children's Act, there is an expectation that all those who come into contact with children and families, in their everyday work, have a duty to safeguard and promote the welfare of children.

Sections 17 and 47 of the Children's Act, allows local authorities to see children in order to enquire about their welfare. Should either the education welfare officer or the adviser have concerns about the safety or wellbeing of a child, they will tell the parents verbally and record the concerns in the record of their visit. The parent will be informed that this is no longer just an education issue and our concerns will be shared with the appropriate statutory children's services.

The local authority will, nevertheless, aim to discharge its safeguarding functions in relation to home educated children by attempting to engage proactively with all home educating parents and will always seek to see, speak with and ascertain the views of children who are home educated.

Whilst AfC recognises that children who are home educated are no more likely to be the subject of abuse or neglect than are children who attend school, it nevertheless notes the circumstances of home educated children.

Whilst a failure to respond to AfC's informal enquiries will not in itself be evidence of safeguarding concerns, a repeated and persistent failure to respond, together with other contextual information, may in certain circumstances cause AfC to consider the need for further action.

If the parents of a child who is subject to a child protection plan declare an intention to home educate, AfC will usually oppose this, unless it can be demonstrated that home education will be in the child's best interests and will not prejudice the effective implementation of the child's child protection plan.

## Sources of information and support

If you would like to talk to someone about elective home education or would like further information, please contact the Education Welfare Service at [ews@achievingforchildren.org.uk](mailto:ews@achievingforchildren.org.uk)

The Government has published [guidelines on elective home education](#).

The guidelines are clear that home education can be varied and flexible and that there are many, equally valid, approaches to educational provision.

- [www.educationotherwise.org](http://www.educationotherwise.org)
- [www.home-education.org.uk](http://www.home-education.org.uk)
- [www.heas.org.uk](http://www.heas.org.uk)
- [www.netmums.com/children/home-education](http://www.netmums.com/children/home-education)
- [www.home-ed.info](http://www.home-ed.info)
- <http://edyourself.org>

