

to For the attention of the Headteacher  
and Chair of Governors

date 16 January 2018

your ref

my ref

service

tel

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email

Dir105/MC/CSH

Children's Services

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Please ask for Paul Boyce

Dear Headteacher and Chair of Governors,

### **Re: Elective Home Education (EHE)**

The Local Authority and the LSCB have had, for some time, concerns regarding the increase in the numbers of children becoming electively home educated; the significant proportion that are vulnerable in some way; and some of the apparent practices in schools which appears to be promoting EHE. The request of the LSCB is that as Chair of Governors you seek assurance within your own schools as to how EHE is being managed and that it is in line with national guidance.

This letter aims to communicate the process of Elective Home Education and the duty of educational establishments to ensure that any misconceptions are clarified.

A significant number of parents have been reporting inappropriate conversations with school staff which appears to show persuasive tactics being used to encourage them to de-register their child from school to be home educated.

Examples of what parents have reported include:

- School staff advising if they home educate they would not be prosecuted for the poor attendance of their child.
- School staff advising parents that they can avoid their child's permanent exclusion by choosing to electively home educate.
- School staff asking parents to sign a letter prepared for them by the school stating intention to home educate (in some cases senior school staff calling at the family home with a letter for parents to sign).
- School advising they have 'done all they can' to support children with additional needs, including medical needs – particularly mental health.
- School advising 'if you home educate, we will provide you with useful resources and allow the child to sit exams in school as an external candidate'.

- School advising 'if you elect to home educate, it becomes incumbent upon the local authority to provide a tutor'.
- Schools advising parents if they home educate they can send their child to college for free.

Elective Home Education is the term used by the DfE to describe a **parent's decision** to provide education for their children at home instead of sending them to school. This is different to home tuition. Home tuition provided by a local authority or alternative education provided by a local authority or school is not Elective Home Education.

Whilst we recognise Elective Home Education is the legal right of all parents, some parents have reported that they felt there was no other option available to them other than to home educate for various reasons including a child's additional needs, being at risk of prosecution for poor attendance and schools advising they have exhausted all strategies. In some cases, parents have been ill-equipped to provide suitable full time education and at the point of de-registration, are not fully aware of the responsibilities Elective Home Education gives to them.

Children whose parents elect to home educate are not registered at school and parents who elect to home educate must be prepared to assume the full financial responsibility, including bearing the cost of resources and the cost of any public examinations.

We must be mindful the Equality Act 2010 is applicable and a claim for discrimination can be launched against a School/Academy. Schools/Academies must ensure they are not treating those with protected characteristics under the Act unfairly by reason of that characteristic. It is also of note that the Government guidance 'Supporting pupils with medical conditions at school' updated in August 2017 must be followed in relation to those children with a medical condition that impacts on their ability to attend/fully participate in school without assistance or adjustments being made.

In Wirral the majority of children attend schools and academies and we believe that they offer children opportunities to achieve their potential. However, for a wide variety of reasons, a small percentage of parents elect to home educate. We respect the right of parents to educate their children at home.

Schools should only remove a child's name from school roll upon receipt of written notification from parents that the child is being electively home educated/receiving education otherwise than at school. We have recently developed an Elective Home Education Notification Form which should be completed when a child is removed from school roll to be home educated. The EHE Notification Form should be completed and forwarded to the Education Social Welfare Service along with a copy of the written notification from parent. A copy of the form can be found at the end of this letter.

Government guidance is very clear that 'schools **must not seek to persuade parents** to educate their children at home as a way of avoiding exclusion or because the child has a poor attendance record' ('School Attendance – Guidance for maintained schools, academies, independent schools and local authorities November 2016 and Elective Home Education - guidelines for Local Authorities).

In the case of exclusion, they must follow the law and statutory guidance. It is **illegal** to exclude a pupil for any reason that is **not** disciplinary. If a pupil has a poor attendance record, the school and LA must address the issues behind the absenteeism and use other remedies available to them.

Schools should **not initiate** a discussion about Elective Home Education or volunteer advice informing parents of their right to home educate. This could be perceived as

seeking to persuade parents to consider home education particularly where the child has additional needs (including mental health) and/or a poor attendance record. Any advice given to parents should always be in the best interests of the child.

If a parent raises Elective Home Education as something they are considering, it is good practice to signpost them to the Education Social Welfare Service. Elective Home Education is a huge undertaking and it is essential that parents are given the opportunity to make an informed decision.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Paul Boyce'.

Paul Boyce  
Director of Children's Services

**EDUCATION SOCIAL WELFARE SERVICE**

**ELECTIVE HOME EDUCATION NOTIFICATION FORM**

Pupil Forename: ..... Pupil Surname: .....

Address: .....

.....Post Code: .....

Date of Birth: ..... Ethnic Origin: .....

Unique Pupil No (UPN): .....

Is this child currently known to social care? YES/NO

If yes please give social worker's name and contact details:

Is this child currently in the TAF process? YES/NO

If yes please give Lead Professional's name and contact details:

Are there any SEND issues? YES/NO

If yes please give details:

Do you have any concerns regarding this child? YES/NO

If yes please give details:

Parent 1

Title: ..... Forename: ..... Surname:.....

Address:.....

.....Post Code: .....

Tel No: .....

Relationship to Pupil: .....

Does the pupil live with this parent? YES/NO

Parent 2

Title: ..... Forename: .....Surname:.....

Address:.....

.....Post Code: .....

Tel No: .....

Relationship to Pupil: .....

Does the pupil live with this parent? YES/NO

Name of the person completing this form and role within school:

.....

Date pupil last attended: .....

Date pupil taken off roll: .....

Date ESWS informed by school: .....

Is a copy of the parent's letter attached to this form: YES/NO