



Education Welfare Service

**St Helens Council
People's Services Department
Elective Home Education Policy**

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1.0 Introduction

1.1 Elective Home Education (EHE) is the term used by the Department for Education (DfE) to describe parents' decisions to provide education for their children, rather than sending them to school. This is different from home tuition provided by a local authority or education provided by a local authority other than at a school.

1.2 Elective home education is an option that any family may consider for their children. The reasons for deciding on this approach are many, as are the styles of education undertaken. For some families it is a decision based on their philosophical, spiritual or religious outlook, for others it is to meet the specific needs of a child or children. It may be because of dissatisfaction with 'the system' or used as a short-term intervention for a particular reason; whatever the circumstances, St. Helens Local Authority aims to support parents in their choice.

1.3 The purpose of this document is to set out the current legal position and to outline St Helens Local Authority's procedures. The information in this guide is designed to inform parents and carers of:

- The law relating to educating children
- The rights and responsibilities of parents/carers and children
- The processes involved
- Sources of additional information and support

1.4 These procedures relate to the elective home education of children/young people of compulsory school age i.e. between the ages of five and sixteen.

1.5 In compiling this document, St Helens Local Authority has drawn on the information and guidance provided by the DfE and other North West Local Authorities, notably from Lancashire Local Authority.

2.0 The law relating to elective home education- do you have to send your child to school?

2.1 *The responsibility for a child's education rests with their parents. In England, education is compulsory, but school is not.*

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

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

Parents have a duty to secure an appropriate full-time education for their children. Some parents choose to do this by educating their child at home as they judge it to be the best way to carry out their duty.

Section 7 of the Education Act 1996 provides that:

“The parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable to –

- (a) his/her age, ability and aptitude, and*
- (b) any special educational needs he/she may have,*

either by regular attendance at school or otherwise.”

2.3 The terms “suitable” and “efficient” are not defined in the legislation but in case law, where the Courts have deemed education to be

- “suitable” if it “equips a child for life within the community of which he or she is a member, rather than the way of life of the country as a whole, so long as it does not foreclose the child’s options in later years to adopt some other form of life if he wishes to do so.”
- “efficient” if it achieves what it sets out to achieve.
- Currently there is no legal definition of “full-time”. Children who attend school normally do so for between 22 and 25 hours a week, for 38 weeks a year, but this measurement of “contact time” may not be relevant to home education when education may take place outside of normal “school hours”. Therefore, full time does not mean being bound by school hours and terms, as this measurement of contact time is not relevant to home education, where there may be almost continuous one-to-one contact.

2.4 The majority of parents choose to send their children to school because school staffs are experienced and trained in teaching; schools have the resources to offer children varied experiences and opportunities for making friends.

The St Helens Local Authority (LA) view on home education is that:

- Schools in our LA offer very good opportunities for all of our children to achieve their potential.
- It is the right of parents to choose to educate their children at home.
- The child’s preferences should be taken into account when deciding to begin, or to continue, to home educate.
- Where parents choose to home educate, we wish to work in partnership and to assist them in providing the best possible home education for their children.

3.0 Parental rights and responsibilities

3.1 It is the responsibility of each parent:

- To ensure that their school age children are educated.
- To carry that duty out themselves or delegate that duty to a school
- To ensure the education provided is efficient and full time.
- To ensure the education is suitable to the child’s age, ability and aptitude.
- To make certain that if a child has special educational needs (SEN) the education fully meets their needs.

Parents may decide to exercise their right to home educate their child from a very early age and so the child may never have been enrolled at school. Parents are not required to register or seek approval from the local authority to educate their children at home.

3.2 Parents may elect to home educate at any stage up to the end of compulsory school age. Where a child has been registered at a mainstream school, parents are required to notify the school in writing when withdrawing a child for EHE. This is to confirm that provision is being made for the child's education otherwise than at school and to request removal from the school's roll (see section 6 for more detail).

3.3. The consent of the local authority is required to de-register pupils placed at a special school under arrangements made by a local authority (see section 5.2). Where a child is registered at a school as a result of a school attendance order parents must ask the local authority to revoke the order.

3.4 Providing a full time Education

Children learn in many different ways, at different times and speed and from different people. Home education will not necessarily follow a set timetable, but it is expected that some records of work of your child's progress are retained.

Records can take different forms and will provide evidence of your child's education attainment, useful not only to share with the local authority but also if your child returns to full time education, pre or post sixteen, or for a future employer.

In beginning to construct a home education programme you may wish to consider:

- What you hope your child will have achieved in one year's time and by the end of his/her current educational phase.
- How you going to set out to achieve these aims.
- Special talents and individual qualities that you may wish to nurture in your child.

Whilst you might have definite ideas of the way in which you will develop your home education programme, it might be helpful to be aware of what is being taught nationally-

In schools, children **aged 5 to 11** study art and design, design and technology, English, geography, history, information and communication technology, mathematics, music, physical education, science and religious education.

Age 11 to 14 subjects would include art and design, citizenship, design and technology, English, geography, history, information and communication technology, mathematics, modern foreign languages, music, physical education and science. The teaching of careers education, sex education and religious education is also important.

Age 14 to 16 subjects would include citizenship, English, information and communication technology, mathematics, physical education and science. The teaching of careers education, sex education, work-related learning and religious education is also included. Should you wish to enter your child for public examinations, such as GCSE, you will need to contact an examination board directly.

However, as educational activity can be varied and flexible, it is recognised that home-educating parents are **not** legally required to:

- teach the National Curriculum
- provide a broad and balanced curriculum

- have a timetable
- have premises equipped to any particular standard
- set hours during which education will take place
- have any specific qualifications
- make detailed plans in advance
- observe school hours, days or terms
- give formal lessons
- mark work done by their child
- formally assess progress or set development objectives
- reproduce school type peer group socialisation
- meet school-based, age-specific standards.

3.6 *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.*

4.0 Local Authority responsibilities and outline of procedures

4.1 St Helens Local Authority acknowledges that there are many, equally valid, approaches to educational provision and what is suitable for one child may not be for another. Essentially, all children should be involved in a learning process which allows them the opportunity to reflect and comment upon the education they are receiving, whether at home or at school.

4.2 When the Local Authority first becomes aware that parents have elected for home education, initial contact will be made by a School Improvement Adviser in order to establish that provision is being made. Many people find a home visit helpful but parents may prefer to meet at another venue, with or without their child. Parents may wish to complete the Authority's elective home education proposal form, or provide a brief report to let us know the provision that they are making. St Helens accepts that in the early stages, parents may not yet be in a position to respond fully to enquiries. In such cases a reasonable timescale for responding will be agreed with the parents.

What kind of evidence will be helpful?

A written programme of work will be a good starting point for discussion.

The type of question the Adviser may ask could include the following:

- How are you planning to ensure that your child receives a balanced curriculum?
- Have you a programme of work for the whole of the year? How does this relate to what you have planned in the near future?
- Have you thought how subject topics might link together?
- Have you planned a variety of work so that your child does practical work as well as written tasks?
- Who or what will you use to assist you?
- In what ways will you record your child's progress or difficulties?
- How will you determine how successful you are?
- Have you identified opportunities for your child to work with other children/youngsters for some activities?

You should try to arrange the programme so that access to Further / Higher Education will be possible and that a wide range of career opportunities would be open.

4.3 Although the Local Authority has no statutory duty to monitor the quality of home education on a routine basis, contact will be made with parents once a year, at least, to seek further information in order to keep our database up-to-date and to offer support. Parents are under no duty to respond to this request and a lack of response would not itself trigger a concern. The Local Authority's Advisers are available to provide more frequent support if required.

4.4 If the Local Authority has reason to believe that it **appears** a suitable education is not being provided, it will seek to gather any relevant information to assist reaching a properly informed judgement. This will include seeking from parents any further information that they wish to provide which explains how they are providing a suitable and efficient education. Parents will be given the opportunity to address any specific concerns raised by the Authority. Children are welcome to attend any meetings and make contributions to the information provided. Whilst parents are under no duty to respond to such a request, DfE guidelines comment that:

'it would be sensible for them to do so'

and refers to the legal case Phillips v Brown (1980).

4.5 Subsequently, if it appears to the Local Authority, still, that a child may not be receiving a suitable education, we may wish to contact parents to discuss the on-going educational provision. Usually, contact will be made in writing with parents to request further information. A written report will be made after such contact and copied to the parents stating whether the Authority has any remaining concerns about the education provision and specifying what these are, to give the child's parents an opportunity to address them. Wherever possible, parents will have been given guidance about ways in which suitable education that meets the needs of the child may be provided. The Authority may be able to suggest other useful services or may suggest other contacts that can provide advice. The report will suggest timescales and arrangements for future contact to ensure progress has been made.

4.6 In the instance outlined above, some parents may welcome the opportunity to discuss the provision that they are making for the child's education during a home visit but parents are not legally required to give the Local Authority access to their home. As mentioned previously, they may choose to meet a Local Authority representative at a mutually convenient and neutral location instead, with or without the child being present, or choose not to meet at all.

Where a parent elects not to allow access to their home or their child, this does not of itself constitute a ground for concern about the educational provision being made. Where we are unable to visit homes, Advisers should, in the vast majority of cases, be able to discuss and evaluate the parents' educational provision by alternative means. Parents might prefer, for example, to write a report, provide samples of work, have their educational provision endorsed by a third party (such as an independent home tutor) or provide evidence in some other appropriate form.

4.7 Whilst there are no statutory duties in relation to the routine monitoring of the quality of home education, under Section 437(1) of the Education Act 1996, local authorities are required to intervene if it appears that parents are not providing a suitable education. This section states:

“If it appears to a local authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that the child is receiving such education.”

Section 437(2) of the 1996 Act provides that the period shall not be less than 15 days beginning with the day on which the notice is served.

Section 437(3) of the 1996 Act provides for the serving of School Attendance Orders:

If –

(a) a parent on whom a notice has been served under subsection (1) fails to satisfy the local authority, within the period specified in the notice, that the child is receiving suitable education, and

(b) in the opinion of the authority it is expedient that the child should attend school, the authority shall serve on the parent an order (referred to in this Act as a "school attendance order"), in such form as may be prescribed, requiring him to cause the child to become a registered pupil at a school named in the order.

4.8 St Helens LA considers that the taking of the above measures shall be a last resort after all reasonable avenues have been explored to bring about a resolution of the situation. At any stage following the issuing of an Order, parents may present evidence to St Helens (or the court) that they are now providing a suitable and appropriate education and apply to have the Order revoked.

4.9 Safeguarding

St Helens Local Authority has a duty to safeguard and promote the welfare of all children – this includes children who are home educated (section 175 Education Act 2002).

“A local authority shall make arrangements for ensuring that their education functions are exercised with a view to safeguarding and promoting the welfare of children.”

Section 175(1) does not extend a local authority's functions. It does not, for example, give a local authority power to enter the homes of, or otherwise see, children for the purposes of monitoring the provision of elective home education. However, in a very small number of cases, the local authority may insist on seeing children in order to enquire about their welfare, where there are grounds for concern, e.g. if there was evidence that a child was at risk of harm or neglect.

If parents choose to employ others to educate their child, they are still responsible for the education provided. In these circumstances, parents are responsible for ensuring that anyone they engage is suitable to have access to children. It is strongly recommended that parents arrange for a Direct Barring System check prior to employment and that arrangements are made to ensure their children are safeguarded.

5.0 Children with Special Educational Needs

5.1 Parents' right to educate their child at home applies equally where a child has special educational needs (SEN). This right is irrespective of whether the child has a statement of SEN or an Education, Health and Care (EHC) plan.

5.2 Where parents elect to home educate a child with a statement/ plan who is registered at a mainstream school the school will remove the pupil from roll, following receipt of written

confirmation from the parent that educational provision is being made otherwise than at school. LA approval for removal from roll is not required, irrespective of whether or not the child has a statement of SEN/ EHC plan, unless registered at a special school.

5.3 If a child is on roll at a special school, the LA must give consent for the child's name to be removed; St Helens Additional Needs Service will be involved in this process.

On receipt of notification that a request to electively home educate a child on roll at a special school has been received, the Additional Needs Service will request further information regarding the educational provision parents intend to provide at home. When this information has been received, unless circumstances exist where we feel more information is required, or that elective home education would not be in the best interests of the child for specific reasons, the EHE team will confirm with school that the child may be removed from roll.

5.4 Where a home educated child has a statement of SEN or EHC plan, a local authority retains a duty to maintain and review it annually, following the procedures set out in the Code of Practice for SEN. Parents should always be involved in the review process. However, it is not mandatory to see the child or the home as part of the review. Where parents wish for only minimal contact and there are no other concerns, the annual review can serve as the annual contact for EHE purposes.

5.5 Parents do not have to arrange provision detailed in the statement/plan, but do have a duty to provide an education suitable to their child's age, ability and any special educational needs. Where parents elect to home educate a child with a statement of SEN/EHC plan, this change of placement will be reflected in the statement/plan. The statement/plan may identify provision to be secured by the Local Authority, where the Authority considers it necessary to assist parents to fulfill their responsibilities.

If a child has a statement of Special Educational Needs, and particularly if they are registered at a special school, parents may wish to contact the St. Helens Additional Needs Service for further advice, prior to making a decision to electively home educate.

6.0 Withdrawal from school to home educate

6.0 The first contact between the Local Authority and home educators often occurs when parents decide to home educate and approach the school (at which the child is registered) and/ or the Authority to seek guidance about withdrawing their child from school. It is important that this initial contact is constructive and positive. Whilst parents must inform the school in writing of their decision, they are not legally required to inform their local authority. Where a parent is seeking to withdraw a child from a special school, the school must obtain consent from the local authority before they can remove the child from their roll (see above, section 5.2).

6.1 Schools must delete a child's name from their admissions register upon receipt of written notification from the parents that the pupil is receiving education otherwise than at school. Schools will inform St Helens Local Authority as soon as the ground for deletion is met, following which the LA Adviser will provide parents with a copy of the notification from the school and the "St Helens Elective Home Education Guidance and Procedures" document.

6.2 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.

6.3 Schools must not seek to persuade parents to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record. In the case of exclusion, they must follow the statutory guidance. If the pupil has a poor attendance record, the school and Local Authority must seek to address the issues behind the absenteeism and use the other remedies available to them.

7.0 Reviewing procedures and practices

7.1 St. Helens will review these guidelines and practice in relation to home education at least every two years. Home education organisations and parents will be involved in the process of review in order to ensure the most effective practice and strengthen partnerships.

8.0 The St. Helens EHE team

8.1 The Elective Home Education team, within St Helens Directorate for Children and Young Peoples Services, includes Officers from the St Helens People's Services Department, Education Welfare Service and School Improvement Advisers.

8.2 Overall responsibility for the EHE team is with the Assistant Director (People's Services). Operationally responsibility is with the Education Welfare Service.

8.3 The EHE team will explore the options for access/signposting to other LA services and facilities, within available resources. Where possible, we will seek to ensure EHE children have appropriate access to services and facilities from other agencies that would generally be delivered via school.

8.4 We understand that there is no one 'correct' educational system and are supportive of differing approaches or "ways of educating" providing they are feasible and legally valid.

8.5 Our role is not to tell parents how to educate their children or to promote registration at school. It is to advise and support parents and to respond if there are concerns that a child is not receiving a full time education suitable to his or her age, ability and aptitude.

8.6 As young people cease to be of compulsory school age, there remains a requirement for them to remain in education or training¹. Currently, responsibility for the Local Authority's duty to promote effective participation, post 16, and to identify young people who are not participating, rests with St Helens CYPS Post 16 Service. The EHE team will provide details for the Post 16 Service to assist them in discharging this duty.

9.0 National and regional organisations, useful websites.

9.1 There are many websites that provide information for anyone considering EHE – some links are provided below.

EHE Specific

www.education.gov.uk (Department for Education)

www.iassnetwork.org.uk/find-your-iass/north-west/st-helens/

¹ The Education and Skills Act 2008 Section 1

(St. Helens Information, Advice and Support Service)

www.heas.org.uk

www.home-education.org.uk

www.electivehomeeducationsservice.co.uk

www.parentscentre.gov.uk

www.edyourself.co.uk

www.edplace.com

www.structuredhomelearning.com

www.ace-ed.org.uk

(The Advisory Centre for Education (ACE) is a national charity that provides advice and information to parents and carers on a wide range of school based issues including exclusion, admissions, special educational needs, bullying and attendance.)

Advice and Guidance

www.bbc.co.uk/radio1/advice

www.bbc.co.uk/schools/studentlife

www.parentlineplus.org.uk

www.thehideout.org.uk (domestic violence help)

English

www.bbc.co.uk/schools/bitesize

www.bbc.co.uk/skillswise

www.primaryresources.co.uk/english/English

www.senteacher.org (printable w sheets for literacy and numeracy)

www.freep-phonics-worksheets

www.firstschoolsyears.com

www.twinkle.co.uk

www.cookie.com

www.readingeggs.co.uk

www.english4kids.com

www.muddlepuddle.com

magicblox.com

An online children's **book** library, where kids discover and read stories on a computer or tablet for **free**.

www.oxfordowl.co.uk

www.cgpbooks.co.uk

(From Primary to A-Level, SATS to GCSE... a large selection of revision and practice material)

Spelling

<http://www.spelling.hemscott.net/>

www.phonicsplay.co.uk

Handwriting

<http://www.first-school.ws/theme/handwriting.htm>

<http://www.first-school.ws/theme/printables/writing-paper/handwriting.htm>
<http://www.homeeducationresources.com/FREEhandwriting.htm>
<http://www.homeeducationresources.com/topics/Pblank.htm>
<http://www.donnayoung.org/penmanship/>
http://www.keepandshare.com/htm/printable/paper/handwriting_paper/free_printable_handwriting_paper.php

Maths

www.bbc.co.uk/schools/bitesize
www.bbc.co.uk/skillswise
<http://www.mathsisfun.com/>
<http://nrich.maths.org/public/>
www.cool.math.com
www.mathseeds.com
www.kangaroomath.com (secondary)
www.twinkle.co.uk
www.mad4maths.com
www.cookie.com
www.cgpbooks.co.uk

Science

www.bbc.co.uk/science
www.bbc.co.uk/schools/websites/4_11/sitescience.shtml
www.bbc.co.uk/schools/websites/11_16/site/science.shtml
www.physics4kids.com
www.cgpbooks.co.uk
www.symphonyofscience.com

General Resources

<http://www.kidzone.ws/>
www.topicbox.co.uk
www.topmarks.co.uk
www.activelearning.com
www.superclubsplus.com

(SuperClubsPLUS is a protected Social Learning Network where primary school kids can meet friends, have fun and learn cool stuff.)

Other Subjects

www.patoss-dyslexia.org (useful for SEN/access arrangements/dyslexia)
www.bdadyslexia.org.uk

(UK national organization, offering a wide range of information for parents, dyslexic adults and teachers.)

Learning Games

<http://www.ictgames.com/>
www.moshimonsters.com/
www.thekidzpage.com/learninggames/index.htm
www.funschool.kaboose.com

GCSE Specific

www.bbc.co.uk/schools/gcsebitesize/science/
www.s-cool.co.uk
www.mrbartonmaths.com/goodesites.htm
www.cloudlearn.co.uk
www.mathsangel.co.uk (past papers and answers to GCSE questions).

A Level Specific

www.s-cool.co.uk
www.bbc.co.uk/schools/websites/16/
www.biologymad.com
www.cloudlearn.co.uk

Distance Learning

www.littlearthurschool
www.interhigh
www.firstcollege
www.weshome.demon.co.uk/teach.html

(WES Home School Service is designed to create a school in the home where parents teach their own children. Courses in English, Mathematics, Science, Humanities (5-14 yrs) and Reception (4-5 yrs) are offered. Teaching support and assessment are provided by WES personal tutors - highly qualified and experienced UK teachers.)

www.aceministries.com

(Accelerated Christian Education is an American educational products company which produces the Accelerated Christian Education (ACE) school curriculum – an individualized programme and designed to allow students to work at their own level of achievement. The classes have an emphasis reflecting the Christian ideas and principles of the company.)

Examination Boards

<http://www.aqa.co.uk/>
<http://www.ocr.org.uk/>
<http://www.edexcel.com/i-am-student/Pages/home.aspx>

<http://www.cie.org.uk/cambridge-for/learners-and-parents/>
<http://www.wjec.co.uk/index.php?nav=98>
<http://www.education.gov.uk/childrenandyoungpeople/youngpeople/qandlearning/skills/a0064058/functional-skills>

The above websites have been selected as potentially useful to individuals sourcing information relevant to elective home education. St Helens LA do not link to external sites in return for cash, services or any other consideration in kind.

More specifically:

- **The inclusion of a link to an external website should not be understood to be an endorsement of that website or the site's owners (or their products/services); and**
- **The views expressed within external websites are those of the site's owners and unless specifically stated are not those of St Helens LA**