

Dorset County Council

Elective Home Education Guidance

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PURPOSE

This guidance sets out the parents' rights to educate their children at home together with the legal responsibilities of head teachers and the Local Authority (LA). It also sets out the arrangements the LA will make in carry out its legal duty if it appears that a child of compulsory school age is not receiving a suitable education.

SCOPE

This guidance applies to the parents of children educated at home, the children themselves and the LA. It does not refer to those children who have a home tutor provided by the LA because they are unable to attend school.

The policy has been informed by and written within the context of the following:

- The Education Act 1996
- Elective Home Education DCSF Guidance for Local Authorities 2007 (2013)
- Discussions with representatives of EHE parents – with thanks to the Home Education Centre (HEC), Chard
- Discussions with Dorset LA's appointed EHE Inspectors
- Discussions with representative of Locality Social Worker Team
- Milton Keynes, Lancashire and Sheffield EHE websites and policies (recommended as best practice by Education Otherwise and/or HEC)

DEFINITIONS

Child:

For the remit of this policy, the term child included child or children, young person or people.

Compulsory School Age:

This is the age when children must receive an education; from the first day of the school term after a child's 5th birthday until the last Friday in June of the academic year in which the child turns 16.

Parent:

For the remit of this policy, the term parent applies to parent(s), guardian(s) or legal carers and to any person with parental responsibility.

Raising of the Participation Age:

From September 2015, a child has a duty to continue in some form of learning (education or job with training) until their 18th birthday.

Suitable Education:

A suitable education is not defined in the Education Act 1996 but, for the remit of this policy, a suitable education is described as "one that primarily equips a child for life within the community of which he is a member" as long as it does not limit the child's options to adopt a different life style in later years.

PROCEDURE

1. The role of the parent

1.1 It is the parents responsibility in law to ensure that their child receives an efficient full time education that is suitable to age, ability, aptitude and any special needs.

1.2 Parents of a child registered at a maintained or independent school must inform the school in writing if they elect to home educate their child.

1.3 Parents of a child registered at a Special School must request the consent of the LA if it is their intention to educate their child at home. The LA may not withhold consent unreasonably.

1.4 Parents must comply with the notices served by the LA under section 473(1) of the Education Act 1996.

1.5 Home education is considered to be an acceptable way of meeting the requirements of The Raising of the Participation-Age.

2. The role of the School

2.1 When the school receives written notification from the parent of their intention to home educate it should acknowledge the parents letter in writing and delete the child's name from the school register with immediate effect.

2.2 The school must inform the LA, without delay, of the removal of the child's name from the register. They do not need to wait for written confirmation from the parent to inform the LA of the intention to home educate.

2.3 Schools must inform the LA via the *Notification of Request for Elective Home Education Form* of any concerns they have about the child's wellbeing or safety.

3. The role of the Local Authority

3.1 Ensuring a suitable education

3.1.1. When the LA becomes aware of a child being home educated within Dorset, the child's details will be added to the EHE database. The EHE advisor will write to the parent(s) within a week and send out an information pack and a registration form. These downloadable documents are reviewed annually and are freely available on the Dorset for You website ([link](#)).

3.1.2 Dorset County Council understands that parents may choose not to have contact with the LA or to simply submit information via email or post.

3.1.3 If parents chose to demonstrate to the LA that they are providing a suitable education, they can do so by meeting with an EHE Visiting Officer. This can be done at home or at some other mutually convenient venue. The Visiting Officer will write to parents within two weeks of any contact summarising matters discussed.

3.1.4 The LA has no authority to monitor the quality of home education on a regular basis. However the EHE team will, as a matter of courtesy, contact parents on an annual basis to offer support and an opportunity to discuss the education being offered to the child.

3.1.5 The LA has a duty to ensure that all children receive a suitable education. It may make a formal request for evidence where it has concerns that the child is not receiving such an education. In this case, the parent can meet with the EHE visiting officer or submit a report showing the plan for their child's education and some recent samples of work.

3.1.6 If the LA still has concerns about the quality of the home education received by any child, the EHE Advisor will write to the parents stating that this appears to be the case, giving the reasons for this opinion and inviting them to respond within 14 days. This formal notice to satisfy the LA represents the first stage in the process and may lead to a School Attendance Order under Section 437, Education Act 1996. If the LA is not satisfied, the EHE Advisor will refer the case to the Children Missing from Education Team.

3.1.7 The LA maintains a register of home educated children known to them only. Therefore there is no definitive list of all children being educated at home in Dorset. It is hoped that improved relationships with parents and parents groups will lead to an increase in the numbers known to and registered with the LA.

3.2 Safeguarding

3.2.1 The Education Act 2002 places a duty on the LA to ensure that all children are safeguarded and their welfare promoted. LA officers must act upon any concerns that a child may be at risk of significant harm, in accordance with child protection procedures ([link](#)). Processes have been put in place to allow various agencies involved with the child to raise concerns around the decision to home educate. If concerns are raised, normal child protection procedures will be activated.

3.3 Returning to school

3.3.1. If parents decide that they no longer wish to educate their child at home they will need to apply for a school place for their child through the Dorset School Admission process. This can be done at any time of year. The application will not in any way be jeopardised by the parents decision to home educate.

3.4 Special Educational Needs

3.4.1 If a child is being educated at home and has a statement of SEN, the LA has a duty to maintain the statement and review it annually so long as it remains relevant.

3.4.2 Parents who are educating their child at home may ask the LA to carry out a statutory assessment of their child's education needs. The LA will consider this request within the same statutory timescales and in the same way as any other request.

4. Further information

Any queries relating to this document should be directed to the Named Senior Officer for Elective Home Education:

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