



# **St Mary's Academy Trust**

## **Elective Home Education Policy**

**Date agreed by Performance and Standards Committee: November 2020**

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## **APPENDIX 1 ELECTIVE HOME EDUCATION NOTIFICATION (EHE1)**

## 1.0 INTRODUCTION

The policy has been updated to reflect the Department for Education (DfE) Guidance for Parents and Local Authorities issued April 2019. Whilst the guidance is non-statutory it has been produced to inform Local Authorities, schools, parents and other organisations concerned with Elective Home Education (EHE). A separate document for parents has been produced to support the DfE guidance.

- 1.1 The DfE guidance is intended to help Local Authorities understand their existing powers, and their duties in relation to children who are being educated at home, and how those relate to the obligations of parents. It aims to enable Local Authorities to identify children not receiving a suitable education, and to do something about it. The end result should be that every child is receiving a suitable education in a safe and appropriate setting, whether at home or in school. The DfE guidance can be found at <https://www.gov.uk/government/publications/elective-home-education>.
- 1.2 Elective home education is the term used to describe a choice by parents to provide education for their children at home or in some other way in which they choose, instead of sending them to school full time. This is different to education provided by a Local Authority otherwise than at a school/academy, for example, tuition for children who are too ill to attend school (EOTAS – Education Other Than At School). Throughout this policy “parents” should be taken to include all those with parental responsibilities, including guardians and foster carers, although in this case the Local Authority may be the corporate parents.
- 1.3 Section 7 of the Education Act (1996) states that the parent of every child of compulsory school age shall cause them to receive efficient full time education, suitable to age, ability, aptitude, and to any special educational needs they may have, either by regular attendance at school or otherwise. Where parents have chosen to home educate, Barnsley Council wants the home educated child to have a positive experience and aims to achieve this by developing positive, supportive relationships with parents and by working together, ensure the provision is in the best educational interests of the child.
- 1.4 Barnsley Council has a responsibility for ensuring appropriate arrangements are in place to safeguard and promote the welfare of all the children residing in the borough, including home educated children.
- 1.5 Barnsley Council strives to establish positive relationships with families choosing home education. Where this is achieved, it enables the Local Authority to better understand parents educational provision and preferences, offer them appropriate support, and provide a sound basis for investigation if the authority receives information that a suitable education is not being provided.
- 1.6 The Council acknowledges that the parent’s education provision will reflect a diversity of approaches and interests, with understanding that children learn in different ways and at different times and speeds. The Local Authority appreciates that parents and children may require a period of adjustment before finding their preferred mode of learning, and that families may change their approach over time.

## **2.0 REASONS FOR ELECTIVE HOME EDUCATION**

2.1 Home education is not the only alternative to school attendance. In any circumstances where a child cannot attend school the Local Authority should be offering alternative provision to reduce the likelihood that a child will not receive a suitable education. Notwithstanding that, there are many reasons why parents do choose to educate children at home, including those set out below:

- ideological or philosophical views which favour home education, or wishing to provide education which has a different basis to that normally found in schools;
- Religious or cultural beliefs, with the wish to ensure that the child's education is aligned with these;
- dissatisfaction with the school system, or the school(s) at which a place is available;
- bullying of the child at school;
- health reasons, particularly the mental health of the child;
- as a short term intervention for a particular reason;
- a child's unwillingness or inability to go to school, including school phobia;
- Special educational needs, with a perceived lack of suitable provision in the school system to meet those needs;
- disputes with a school over the education, special needs or behaviour of the child, in some cases resulting in 'off-rolling' or exclusion;
- familial reasons which have nothing to do with schools or education (e.g. using older children educated at home as carers);
- as a stop-gap whilst awaiting a place at a school other than the one allocated.

2.2 These various reasons for undertaking home education are not mutually exclusive. For some children, several of these factors might apply. When Local Authorities engage with home-educating families they should take into account the context of individual situations. Often home education will be undertaken as a positive choice which is expected to lead to a better outcome, however, in some cases home education may be attempted as a last resort. This appears to be occurring more frequently, and is likely to have implications for the quality of home education provided. In these circumstances, families may require more support and guidance.

## **3.0 REQUIREMENTS FOR ELECTIVE HOME EDUCATION**

3.1 There are no specific legal requirements as to the content of home education, provided the parents are meeting their duty in Section 7 of the Education Act (1996). This means that education does not need to include any particular subjects, and does not need to have any reference to the National Curriculum; and there is no requirement to enter children for public examinations. There is no obligation to follow the 'school day' or have holidays which mirror those observed by schools. Many home educating families do follow a clear academic and time structure but it should not be assumed that a different approach which rejects conventional schooling and its patterns is unsatisfactory, or constitutes 'unsuitable' education. Approaches such as autonomous and self-directed learning, undertaken with a very flexible stance as to when education is taking place, should be judged by outcomes, not on the basis that a different way of educating children must be wrong.

#### **4.0 THE ROLE OF THE LOCAL AUTHORITY**

4.1 The Local Authority should consider trends in home education in a wider strategic context, for example, in identifying shortcomings in local school provision and alternative provision settings, or failures by schools to manage attendance and behaviour properly.

4.2 In order to meet the requirements of the DFE guidance Barnsley Council will:

- keep and maintain an up to date register of pupils that are home educated;
- provide the Barnsley Alliance with termly reports on the EHE cohort in order to identify trends;
- provide advice to parents and the opportunity to speak to the EHE Advisor when they are considering EHE;
- record the reasons for EHE that is either stated in the parental letter or given by the school;
- identify and register all children that are not in a formal school setting;
- keep an up to date policy which reflects the views of those in the EHE community which is reviewed regularly in line with national guidance;
- take a holistic approach to EHE to address issues of suitability and safeguarding;
- make the rights and obligations of parents clear to them and provide advice on good practice and available resources;
- provide clear details of the complaints procedure and deal with any complaints in a sensitive manner;
- provide up to date information for local and national inspection purposes for children on the Elective Home Education Register.

4.3 The Local Authority will work with schools and academies to encourage parents not to decide to educate their children outside the school system if any of the following apply:

- as a response to disputes with school over the education, special needs or behaviour of the child, in some cases resulting in “off-rolling” or exclusion. In these instances every attempt should be made to resolve the issue 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;
- to gain access to Barnsley College for key stage 4 pupils who are registered as elective home educated;
- familial reasons which have nothing to do with education such as using children as carers.

4.4 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, including considering

- the costs involved;
- be aware that the child may well miss the social side of school, especially contact with other children and joint activities. 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.

## **5.0 REGISTERING PUPILS ON ELECTIVE HOME EDUCATION AND REMOVAL FROM THE ADMISSIONS REGISTER**

- 5.1 Barnsley Council strives to maintain an up to date register of those being educated at home. If parents write to the Council stating that they intend to educate their child at home from a specified date, including the child's name date of birth and address, they will be placed on the register. If a child is below statutory school age, then parents need not do anything to register their child.
- 5.2. Barnsley Council works in partnership with Health, Children's Social Care and the private and voluntary sector to identify any children that are not registered at school or through Elective Home Education and will register them once identified.
- 5.3 If a child is on roll at a school or Academy, 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.
- 5.4 Schools and Academies must delete the child's name from their admissions register upon receipt of written notification from the parent that it is their intention to educate their child at home and inform the Local Authority by completing the EHE1 form, returning it to the Education Welfare service. School must also write to the parent informing them that the child has been removed from school roll.
- 5.5 If a child is registered at a school as a result of a school attendance order, parents must get the order revoked by the Local Authority on the grounds that arrangements have been made for the child to receive a 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.
- 5.6 Barnsley Council 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.

## **6.0 DISPUTES BETWEEN PARENTS**

- 6.1 In some cases two parents (usually divorced or separated, but both having parental responsibility) may disagree as to whether home education is desirable, or at least is being provided properly. The Local Authority will do its best to obtain full details of who has parental responsibility in such cases. The parent with whom the child resides will be considered to have effective control over the child's education. If it is considered that the child is not receiving a suitable education both parents will be kept informed unless there is a specific safeguarding reason to limit information to one parent.

## **7.0 CHILDREN AND YOUNG PEOPLE WITH SEND EDUCATED AT HOME**

- 7.1 The parental right to EHE also applies when a child has SEND.
- 7.2 The Local Authority has regard to the statutory guidance in the Special Educational Needs Code of Practice when carrying out SEN functions. The Code provides information about SEN in relation to home education (paragraphs 10.30 – 10.38). The Code emphasizes the importance of Local Authorities and other providers working in partnership with parents. The Local Authority understands its statutory duties towards children and young people with SEN or disabilities in the light of the guidance set out.
- 7.3 The Local Authority has a duty under Section 22 of the Children and Families Act 2014 to identify all children in their areas who have SEN. This includes home-educated children.
- 7.4 Where a child is registered at a special school under arrangements made by the Local Authority, the Local Authority's consent is necessary for the child's name to be removed from the admission register, but this should not be a lengthy or complex process and consent must not be withheld unreasonably.
- 7.5 Even if the parent is making suitable alternative arrangements by the provision of home education, the Local Authority is still under an obligation to conduct an annual review of the Education, Health and Care (EHC) Plan, and that should provide an opportunity for parents to seek additional support or discuss alternatives to home education.
- 7.6 EHE can be included as participation in education until the age of 18.
- 7.7 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.
- 7.8 The right to request an EHCP is the same for all children including those that are home educated. Information about the right to request an EHCP needs assessment and the right to appeal is available to all parents, including those who are considering home education because they feel that the special educational support being provided in the school is insufficient to meet the child's needs.
- 7.9 In some cases the Council will conclude that, even after considering its power to provide

support to home-educating parents, 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.

## **8.0 GYPSY, ROMA AND TRAVELLER CHILDREN**

8.1 Gypsy, Roma and Irish Travellers of Irish heritage are protected by the Race Relations Act of 1976 and have ethnic status in law. "Traveller" is an all embracing term for those groups who do not have this status. There are several distinct groups. Some terms are interchangeable but it is important to approach the question of identity with respect and for individuals to self-ascribe. The Council is committed to being sensitive to the needs of this community and the families who are electively home educating should be treated in the same way and the same guidance should be followed. Families can seek advice in respect of EHE from the Advisor or Education Welfare Service.

## **9.0 THE ROLE OF THE EHE ADVISOR (ALL CHILDREN)**

9.1 The EHE Advisor's involvement commences when elective education at home has been confirmed by the EWS. Suitable education should be provided from the outset.

9.2 The EHE Advisor will, with the parents' consent, visit the home or pre-arranged meeting place to discuss with the parent(s) and, if possible, with the child, the intended programme of work.

9.3 Parents should provide the EHE Advisor with detailed information about the education they are providing. Although parents are not under a legal obligation to do this, by not doing so, a conclusion of no suitable education can be reached and the matter can be referred to the Education Welfare Service.

9.4 Under section 437 of the Education Act 1996, the EHE Advisor will identify children who may not be receiving a suitable education and will refer to the Education Welfare Service to take action. If the council is not satisfied that a suitable education is being provided and the parents have not addressed these concerns the Education Welfare service will follow the School Attendance Order flow chart.

## **10.0 FLEXI-SCHOOLING**

10.1 Home educated children are not normally registered at any school, however, parents can choose to make arrangements for a child to receive part of their total provision at a school. The purpose of this will often be to provide education in specific subjects more easily than is possible at home. Such arrangements are known as 'flexi-schooling'. Schools are under no obligation to agree to such arrangements; if the school does agree then the child must be added to their admissions register and coded as authorised absence when the education is taking place at home. Parents must still ensure that the child receives a suitable full-time education but the element received at school must be taken into account in considering whether that duty is met.

## **11.0 WORK EXPERIENCE**

- 11.1 Children educated at home have no entitlement to participate in work experience under arrangements made by the Council. Parent/Carers who wish for 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.

## **12.0 CHILD EMPLOYMENT AND ENTERTAINMENT**

- 12.1 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.
- 12.2 Performance Licence applications and information regarding children participating in broadcast and non-broadcast performances modelling and sporting activities can be found on BMBC website.

## **13.0 PROVIDING INFORMATION FOR PARENTS**

- 13.1 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](http://www.barnsley.gov.uk/educating-your-child-at-home) and further advice can be sought through the Education Welfare Service and the Elective Home Education Advisor.

## **14.0 SAFEGUARDING**

- 14.1 The Council has 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. Working Together to Safeguard Children, updated August 2018.
- 14.2 Sections 10 and 11 of the Children Act 2004 give Local Authorities general duties for promoting the well-being and safeguarding of children in their areas. This includes children educated at home as well as those attending school. Section 175 of the Education Act 2002 requires authorities to make arrangements for ensuring that their education functions are exercised with a view to safeguarding and promoting children's welfare. Therefore the general duties of Local Authorities in relation to safeguarding are the same for all children, however they are educated.
- 14.3 The EHE 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.

- 14.4 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).
- 14.5 Any parents with concerns about any aspect of safeguarding are encouraged to make contact with the Advisor or with the Education Welfare Service so that the appropriate expert officer can be contacted. Please note the following website address:  
[www.safeguardingchildrenbarnsley.com](http://www.safeguardingchildrenbarnsley.com)

## **15.0 REVIEWING PROCEDURES AND PRACTICES**

- 15.1 The Council will review these guidelines and practice in relation to home education on a regular basis. Home education organisations and parents are involved in the process of review in order to ensure the most effective practice and strengthen partnerships.

## **SUPPORT FROM OUTSIDE AGENCIES, CONTACTS, RESOURCES**

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

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 0BD  
Tel:02076121830  
Website:  
<https://services.parliament.uk/bills/201719/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](mailto: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: [LCollins@springwellacademies.co.uk](mailto:LCollins@springwellacademies.co.uk)

[www.parentcentre.gov.uk](http://www.parentcentre.gov.uk). Advice website for EHE parents

[www.education.gov.uk](http://www.education.gov.uk) website for advice on National Curriculum matters

[www.homeschool.co.uk](http://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 with DOB if known)	
Home Telephone Number:	1. DOB Relationship to child	
Mobile Number:	2. DOB Relationship to child:	
Ethnicity / EAL :	Gender:	Year Group:
<b>Name of School:</b>  Contact name in school:  Current % attendance:  Please enclose a copy of current attendance register.		
<b>Does this child / young person currently have (please indicate)</b>		
Early Help Assessment (EHA)		EHA Reference Number:
SEN Support		Undergoing EHCP Needs Assessment:
Education Health Care Plan (EHCP)		Date of EHCP Annual Review:
<b>Please note</b> :Where a child has an EHCPand attends a special school they cannot be removed from school roll without the consent of the Local Authority.		

<b>Is this child / young person currently: (please indicate )</b>			
Looked After	<input type="checkbox"/>	A Refugee / Asylum Seeker	<input type="checkbox"/>
Subject to a Child Protection or Child in Need Plan	<input type="checkbox"/>	From a Travelling Family	<input type="checkbox"/>
In Temporary Accommodation	<input type="checkbox"/>	Private Foster Arrangement	<input type="checkbox"/>

<b>Are any of the following agencies known to be currently involved with this child / family (please indicate and provide contact names if known)</b>			
<b>Please note</b> 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	<input type="checkbox"/>	Education Psychology / Inclusion service	<input type="checkbox"/>
Education Welfare	<input type="checkbox"/>	School Nurse	<input type="checkbox"/>
CAMHS	<input type="checkbox"/>	Youth Offending Team	<input type="checkbox"/>
Other Additional Information :			
Reason for parent/carer electing to home educate:			

<b>Head teachers Name</b>
<b>Signature</b> <span style="margin-left: 200px;"><b>Date</b></span>

**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](mailto: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>**