

HOME EDUCATION POLICY

Services for Children and Young People



EDUCATION OTHERWISE THAN AT SCHOOL – ELECTIVE HOME EDUCATION POLICY

Introduction

This policy document applies to those children whose parents have elected to educate their children at home.

The policy does not refer to children who are unable to attend school because of illness, exclusion or any other reason. This document sets out parents' rights to educate their children at home and their responsibilities, the legal duties and responsibilities of Headteachers and the Local Authority.

It also sets out the arrangements the Local Authority will make in order to carry out its legal duty, ie if it appears that a child of compulsory school age is not receiving education suitable to age, ability, aptitude and special needs, to take steps to ensure that this is remedied.

“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, 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”. Education Act 1996 s437 – s443.

Further, if the Local Authority has concerns in respect of safeguarding (including child protection) issues surrounding the child or young person, then a multi-agency professionals meeting will be held with a view to considering further action.

Legal Framework

I. Parents' Rights and Responsibilities

I.1 The law allows parents to educate their children at home instead of sending them to school providing that, ensuring that their child receives an efficient full-time education.

I.2 The parents' legal duty is set out in section 7 of the Education Act 1996 as follows:

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

- a. to his age, ability and aptitude, and
- b. to any special educational needs he may have, either by regular attendance at school or otherwise.

I.3 The European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 2 of Protocol number 1 also supports this by stating:

“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 in conformity with their own religious and philosophical convictions”.

I.4 The implications of this section of the Education Act 1996 are clear:

- Parents have a right, if they choose to do so, to educate their children at home.
- Parents do have to inform the Local Authority that this is their choice.

Definition of Suitable Education

I.5 There is no absolute definition of what constitutes a suitable education. An interpretation was provided by an appeal case brought in Worcester Crown Court in *Harrison and Harrison v Stevenson* (1981). The parents appealed against their convictions for failure to comply with school attendance orders. The Court held that education is suitable to a child’s age, ability and aptitude “if, and only if, the education is such as:

- i. to prepare the child for life in modern civilised society, and
- ii. to enable the child to achieve his full potential”.

I.6 In another Court case *DfES, ex parte Tallmud Torah Machzikei Hadass School Trust* (1985) a definition of suitable education was offered as follows:

“education is ‘suitable’ if it primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as whole, as 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”.

I.7 There is no definition of full-time education and there is no direct comparison with the timetable and educational arrangements for children taught in schools. Children educated by their parents are taught on a one-to-one basis, or in small groups in very different conditions.

I.8 Providing a child is not a registered pupil at a school the parent is not required to provide any particular type of education and is under no obligation to:

- To have premises equipped to any particular standard
- Have any specific qualifications
- Cover the same syllabus as any school
- Adopt the National Curriculum
- Make detailed plans in advance
- Observe school hours, days or terms
- Have a fixed time-table
- Give formal lessons
- Reproduce school type peer group socialisation
- Match school, age-specific standards
- Produce examples of ‘work’ for inspection

- Seek permission to educate “otherwise”
- Take the initiative in informing the Local Authority
- Have regular contact with the Local Authority
- Meet with the Local Authority

2. **The Headteacher’s Duty**

- 2.1 Section 13(3) of “The Education (Pupil Registration) Regulations 1995” made it a duty of Headteachers to inform the Local Authority within ten school days when a parent has confirmed in writing his or her decision to educate his or her child otherwise than at school.

“13(3) When the name of a pupil has been deleted from the admission register in accordance with regulation 9(1)(c) the proprietor shall make a return to the Local Authority giving the full name and address of that pupil within the ten school days immediately following the date on which the pupil’s name was so deleted” Section 13(3)

3. **The Local Authority’s Duty**

- 3.1 Sections 437-443 of the Education Act 1996, dealing with school attendance orders, confers a duty on the Local Authority if it appears that a child of compulsory school age is not receiving education suitable to age, ability, aptitude and special needs.
- 3.2 The legal duty of Local Authorities is concerned only with children who appear not to be receiving a suitable education. However, case law (Philips v Brown (1980) unreported) established that an Local Authority may make informal enquiries of parents who are educating their children at home to establish that a suitable education is being provided.
- 3.3 Parents of a child who has a Statement of Special Educational Needs can educate them at home. However, if the child is on the roll of a special school the child’s name may not be removed from the register of that school without the Local Authority’s consent. Consent may not unreasonably be withheld.
- 3.4 The Local Authority’s statutory duty to undertake an annual review of Special Educational Needs continues for those who are home educated. This review includes assessing whether the statement is still appropriate, requires amendment or might cease to be maintained.

4. The Role of the Local Authority

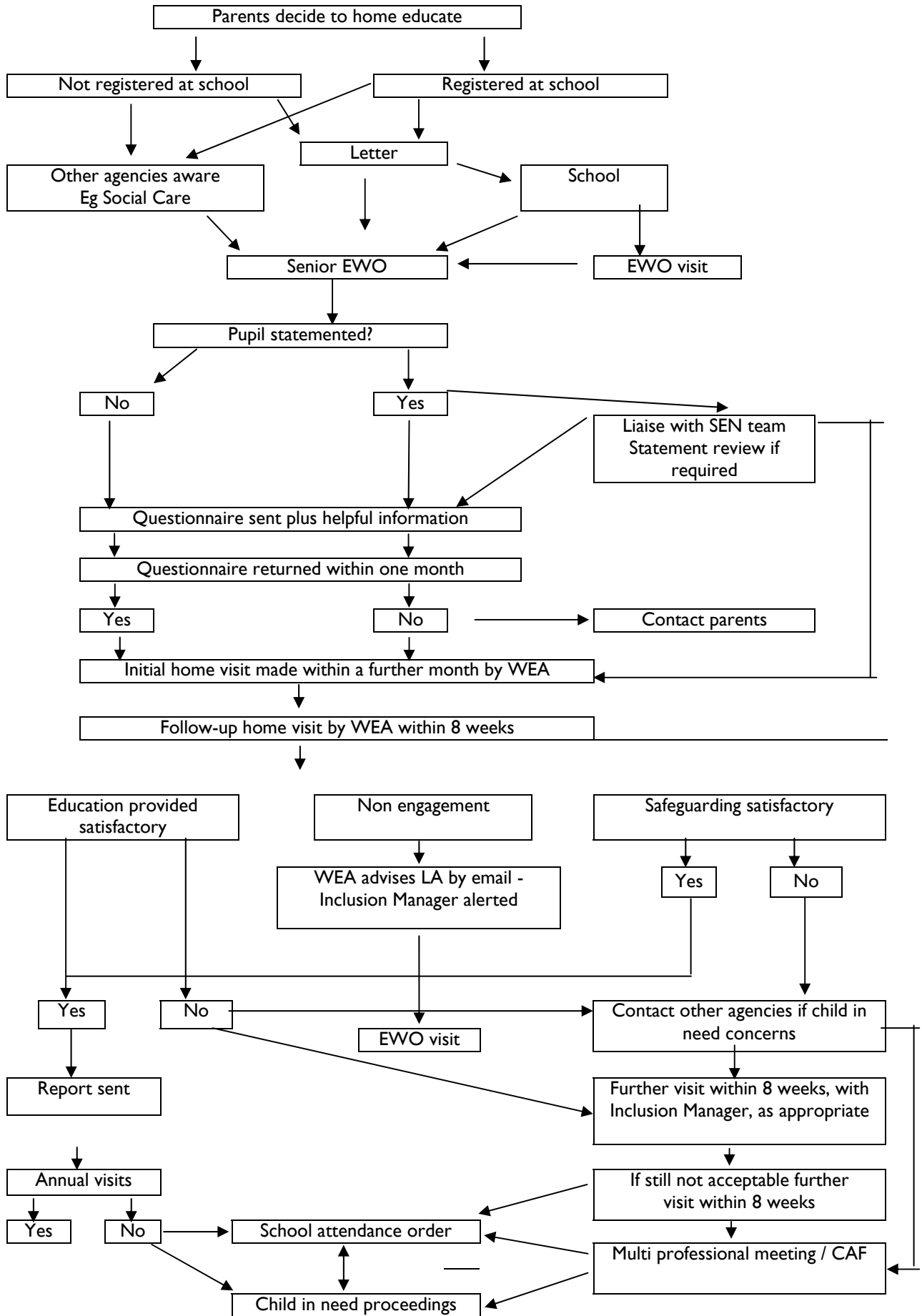
This section sets out the arrangements the Local Authority will make to ensure it carries out its statutory duties for children educated by parents.

- 4.1 Provide Home Education Advisers who are available to liaise with parents on request. The role of the Home Education Adviser will be explained in information provided for parents.
- 4.2 Maintain a register of pupils being educated at home. As this is not a statutory duty it is acknowledged that this list will be incomplete. This will enable Home Education Advisers to make contact with parents to offer support and work in partnership only if the parent wishes.
- 4.3 Publish information for parents who wish to educate their child at home. This information will be available for those enquiring about educating children at home or who already do this. Efforts will be made for parents to access this information such as through local libraries.
- 4.4 Organise the annual review for children with Statements of Special Educational Needs.
- 4.5 SEN Service will ensure HEA are aware of the results of SEN Review and any targets within the review.
- 4.6 If it appears to the Local Authority that a child is not receiving an appropriate education, then the Local Authority will, after allowing parents a reasonable amount of time to address concerns, issue a school attendance order requiring the child to attend a named school.
- 4.7 The Local Authority will convene a general meeting with home educators twice a year, in November and April. The purpose of the meetings will be to maintain dialogue and discuss areas of mutual interest and needs.
- 4.8 Issue each home educated pupil with an information pack which will address any concerns the child/young person may have about being home educated and offer guidance and support in respect of safeguarding issues.
- 4.9 HEA will be offered regular CPD.

Safeguarding

- 4.10 In pursuit of its safeguarding duties this Local Authority will consider the views of young people's social care in assessing the suitability of the environment for home education. This LA believes that the welfare of children is paramount and will take any necessary action to protect the children and young people of Plymouth, including those withdrawing the right to home educate. In pursuit of this the LA will liaise with Social Care when a parent decides to home educate.
- 4.11 This authority will consider carefully and monitor closely applications for Elective home Education that follow the instigation of legal proceedings in respect of school attendance.

ELECTIVE HOME EDUCATION



PLYMOUTH CITY COUNCIL EDUCATION WELFARE SERVICE

ELECTIVE HOME EDUCATION

EWO FORM

Name of child			
Date of birth			
Address			
Telephone number			
School			
Parental responsibility (1)			
Parental responsibility (2)			
Address (if different from above)			
Family ethnicity			
Code of practice stage	School Action	School Action Plus	Statemented
On CPR	Yes / No	Social Worker	

If not, why not

Parent advised school in writing	Yes / No	
School removed child from roll	Yes / No	
School notified EWS in writing	Yes / No	
Home visit made	Yes / No	

Observations / concerns from yourself and / or any other agency

If you have a file or individual information on this pupil, please pass to the Education Welfare Service with this form

EWO: Date:

ELECTIVE HOME EDUCATION QUESTIONNAIRE

Name of child		Date of birth	
Parent's name		Tel no	
Address			
Child's last school attended		Date of last attendance	

Please say why you want to educate your child at home	
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What are the main things you want to achieve by teaching your child at home?	
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Using the following outline, indicate how you will try to do this

Subjects studied

Amount of time spent on each subject (you do not have to follow the National Curriculum)

Teaching materials used (text books, videos etc)

Opportunities for social contact and experience (eg Brownies, Cubs etc)

Signed:

Date:

Parent / carer

Curriculum	
What made you decide to home educate?	
What subjects are being taught?	
Do you work to a set timetable? If so, what time is spent on each subject and in total for the week?	
What written work has been undertaken (including area and craft, resource books)?	
Do you have a written curriculum plan? If so, how far in advance does it go?	
How do you plan and structure activities?	
What teaching methods do you use?	
What resources are used to support the education?	
What practical subjects does your child do?	

Monitoring	
Do you and/or any adult mark your child's work?	
If work books are used, what is the age group for those currently in use?	
<i>(Secondary only)</i> Has the young person taken any external exams?	
How do you assess your child's progress?	

Monitoring Progress	
How often is progress checked?	
What do you do if you feel your child is not progressing appropriately, either in one subject or generally?	
What records do you keep to indicate your child's progress?	
How do you encourage your child? Are comments written and/or 'star system' or equivalent used?	
(For successive visits) How has Progressed since last year? How do you think you've progressed since last year?	

General	
Do any other adults provide education for your child?	
Is any of the teaching done with groups of other children?	
Where does your child study, and how do you ensure that it is a suitable area to work in?	
What social contact with children of the same age does your child have?	
<i>(To the child)</i> Can you tell me how being taught at home compares with being at school?	
How would you describe yourself now?	
<i>(To the parent)</i> How is compared to how s/he was at the school?	

Connexions / EP / Social Worker information given as appropriate

ELECTIVE HOME EDUCATION REPORT

Name		DOB	
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Date of visit		Met with	
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I. General Information

The reason(s) for home educating:

The child's wishes and feelings about being home educated:

The parent/carer's view of the child:

The child's learning environment:

The family's approach to home education:

Arrangements made for social contact, giving the young person opportunities to mix with children of her/his own age:

ELECTIVE HOME EDUCATION REPORT

Name		DOB	
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Date of visit		Met with	
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2. Curriculum

Subjects followed:

Resources used:

Time allocated for each subject – timetable details if followed:

Teaching methods used:

Planning and structuring of activities:

Practical subjects followed:

ELECTIVE HOME EDUCATION REPORT

Name		DOB	
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Date of visit		Met with	
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3. Monitoring progress

Methods used for recording progress:

Child's attainments compared to her/his age, abilities and aptitudes:

How the child is encouraged:

External exams taken:
(secondary aged pupils only)

4. Overall assessment, including suggestions, any areas of concern

Satisfactory - child seen

Satisfactory - child not seen

Provisional

Unsatisfactory

Date of next visit:

5. Safeguarding

Signed: Date:

PARENTAL QUESTIONNAIRE

ACCOMPANIED VISIT – ELECTIVE HOME EDUCATION VISIT

The following questionnaire is designed to be used following an accompanied visit to a home educator. The purpose of the questionnaire is to help Plymouth LA ascertain and assure the quality of the visit. You are under no obligation to complete this questionnaire but your co-operation would be greatly appreciated.

	Did you find the visit helpful?	Yes / No
1.	Which areas of your child's education are you concerned about?	
2.	What areas are you pleased with?	
3.	Are there any targets for your child's Education that the Home Education Visitor can help you with? For example – <ul style="list-style-type: none">▪ Which areas of your child's education are you concerned about?▪ What areas are you pleased with?▪ Are there any targets for your child's education that the Home Education Visitor can help you with?	

PUPIL QUESTIONNAIRE

ACCOMPANIED VISIT – ELECTIVE HOME EDUCATION VISIT

The following questionnaire is designed to be used following an accompanied visit to a home educator. The purpose of the questionnaire is to help Plymouth LA ascertain and assure the quality of the visit. You are under no obligation to complete this questionnaire but your co-operation would be greatly appreciated.

1.	What are your wishes and feelings about being home educated?	
2.	Do you find the Home Education Visitor approachable?	Yes / No
3.	How do you feel about sharing your work with the Home Education Visitor?	
3.	What do you hope to show me next time or what are your targets for next time?	

Mary McIntyre
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(Behaviour, Attendance and Family Support)
Plymouth City Council