

# ELECTIVE HOME EDUCATION GUIDANCE FOR FAMILIES

Education Participation and Skills



**1.0 INTRODUCTION****2.0 THE LAW RELATING TO ELECTIVE HOME EDUCATION****3.0 DECIDING TO HOME EDUCATE****4.0 ROLES AND RESPONSIBILITIES**

4.1 Parental rights and responsibilities

4.2 The Local Authority

4.3 The Plymouth Children's Partnership

4.4 Review

**5.0 FREQUENTLY ASKED QUESTIONS**

What should I do if I am thinking about educating my child at home?

What if my child has a special educational need or disability?

Will I receive funding for home education?

What will happen now that my child is being home educated?

What do I do if I want to return my child to school?

What is the raising participation age and how does this affect a home educated child?

How do I make a complaint?

**6.0 APPENDICES**

Appendix A – Guidelines on presenting evidence of home education

Appendix B – Useful contacts and information

## 1.0 INTRODUCTION

The purpose of this document is to provide information and guidance to parents and carers about home education by:

- setting out the legal position on elective home education;
- explaining the processes involved in becoming a home educator;
- outlining where to find additional information and support;
- answering some frequently asked questions.

Plymouth City Council (recognises that there are many approaches to providing education and respects the rights of parents<sup>1</sup> to choose to educate their child/children at home.

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

Home education is an option that any family may consider for their child/children. The reasons for deciding on this approach are varied. 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.

Whatever the circumstances, Plymouth City Council wishes to work collaboratively with parents and support them in their choice. The best outcomes for children are likely to be achieved when parents and the local authority work together, respecting each other's rights and responsibilities. Plymouth City Council aims to create positive working relationships with home educators.

## 2.0 THE LAW RELATING TO ELECTIVE HOME EDUCATION

In England, education is compulsory, but attending school is not. Section 7 of the Education Act 1996 states that:

**“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.”**

Some parents choose to do this by educating their children at home. An "efficient" and "suitable" education is not defined in the Education Act 1996 but "efficient" has been broadly described in case law as an education "which achieves what it sets out to achieve"<sup>2</sup>, and a "suitable" education as one that "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 a 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".

---

<sup>1</sup> 'parents' in this document refers to parents and adults with parental responsibility, including guardians and carers

<sup>2</sup> Elective Home Education Guidance for Local Authorities 2019 (DfE)

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.”**

### **3.0 DECIDING TO HOME EDUCATE**

Most parents think long and hard about taking the step to educate at home and it is worth considering the issues below before a final decision is made:

- Educating a child outside the school system will require a major commitment of parents' time.
- It may be difficult for one person to provide a broad education, or the range of subjects a child wishes to learn about.
- Attending school is about more than just schoolwork and many of the lessons learned are about how to get on with other people and developing other skills. There are a number of home education support networks in Plymouth and nationally, which provide a wide range of advice and activities to support families with home education. They may also provide opportunities for young people and their parents to socialise, share skills, interests and to learn together.
- There is no financial assistance for home educators, so some expense will be incurred for families including exam entries. However, as an information rich society, there is a vast amount of educational information available for free. Regular use of the library means that parents do not have to buy lots of books, and information can be accessed by using the internet at home and at the library.
- Disagreements with a school may be addressed and resolved. Parents are encouraged to contact the Headteacher or Plymouth City Council before withdrawing their child from school to be home educated. It is not advisable to take a child out of school because there has been an issue with a school relating to bullying, attendance, or behaviour.
- If a home educated child wishes to return to school at some point, progress to post-16 education/training or take public exams, parents will need to think about how to make this an easy step for their child.
- The Inclusion, Attendance and Welfare Service is available to provide advice to parents considering home education.
- Other home educators are also a useful source of information and support.

The type of educational activity provided can be varied and flexible. Home educating parents are **not required** to:

- teach the National Curriculum;
- provide a broad and balanced education;
- 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;
- match school-based, age-specific academic standards.

Parents should be aware however, that certain characteristics of education at home are expected:

- that parents or other significant carers are consistently involved;
- the child's needs, attitudes and aspirations are recognised;
- there are opportunities for the child to be stimulated by their learning experiences;
- there are opportunities for appropriate interaction with other children and adults;
- there is access to resources and materials – such as paper and pens, books and libraries, arts and crafts materials, physical activity, and ICT.

The 2019 [DfE Elective Home Education Guidance for parents](#) offers further clarity regarding the definition of 'suitable':

- Education at home should not directly conflict with the [Fundamental British Values](#).
- Local authorities may use minimum expectations for literacy and numeracy in when considering suitability, whilst bearing in mind the age, ability and aptitude of the child and any special educational needs the child may have.
- Education may not be 'suitable' even if it is satisfactory in terms of content and teaching, if it is delivered in circumstances which make it very difficult to work.
- Education may also not deemed suitable if it leads to excessive isolation from the child's peers, and thus impedes social development.

Plymouth City Council has developed guidelines on presenting evidence of home education (Appendix A)

## 4.0 ROLES AND RESPONSIBILITIES

### 4.1 Parental rights and responsibilities

Parents have a duty to secure an appropriate education for their children and some parents choose to do this by educating their child at home. They do so because they judge it to be the best way to carry out their duty. Parents may decide to home educate their child from an early age and need not enrol them at any school. They may also elect to home educate at any other stage up to the end of compulsory school age. Parents are required to provide an efficient education suitable to the age, ability and aptitude of their child.

Parents are not required to register or seek approval from the Local Authority to educate their child at home. However where a child has been registered at a 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. In the case of a child who attends a special school parents must have the consent of the Local Authority before a child can be de-registered from the school and home educated. The Local Authority will intervene to prevent a child being removed from school roll for elective home education (EHE) where expert evidence from a professional such as qualified Social

Worker, teacher or SEND officer indicates that the home education arrangement may be detrimental to a child's wellbeing and safeguarding.

Parents who choose to educate their child at home must be prepared to assume full financial responsibility, including bearing the cost of any public examinations. Further education colleges do have access to funding for home educated children to attend college between the ages of 14 and 16. Parents will need to contact the [City College Plymouth](#) to discuss the opportunities available.

Parents have the right to apply for a school place for their child at any time. However, there is no automatic right to return to a school previously attended by a child. Places offered will be dependent on where there are vacancies and normal application and appeal procedures apply. For more information contact the [Schools Admissions Team](#).

Parents should never feel pressured to make a decision to educate their child at home. If a parent is being pressured into educating their child at home they should contact the Inclusion, Attendance and Welfare Service without delay on 01752 307405.

## 4.2 The Local Authority

In carrying out our duties Plymouth City Council will apply the public law principals, acting in a way that is lawful, rational and procedurally fair. Plymouth City Council recognises that there are many approaches to providing education. What is suitable for one child may not be for another, but all children should be involved in a learning process. Plymouth City Council also recognises the importance of building positive relationships to support parents in their aim of providing their children with an effective education.

Local Authorities have a statutory responsibility to identify children missing education<sup>3</sup>. It is for this reason that, as well as those children who are withdrawn from school to be home educated, it is very helpful for parents to inform Plymouth City Council of children who are being home educated who have never been registered at a school, as we will not then deem them as 'missing education'.

Local Authorities also have a statutory duty to promote high standards for all children of school age in Plymouth, including those educated at home.<sup>4</sup>

In exercising its legal duty to ensure children living in the local areas receive a suitable education, local authorities do not receive funding to support home educating families. However, Plymouth City Council will be as supportive as possible where there are no resource implications. In our dealings with all parents we seek to be as respectful, timely and non-intrusive as possible.

When Plymouth City Council first becomes aware that a parent has elected to home educate their child, initial contact may be made in order to establish the provision is being made. 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 at least once a year to update our information on provision and to offer support. Whilst parents are under no duty to respond to this request

---

<sup>3</sup> Section 436a of the Education Act 1996

<sup>4</sup> Section 13a of the Education Act 1996

and a lack of response would not in itself trigger a concern, it is helpful if parents can keep us updated.

The Department for Education has provided advice to local authorities that in all cases where it is not clear as to whether home education is suitable, the authority should initially attempt to resolve those doubts through informal contact and enquiries as this is likely to be the most productive initial approach even when a child is not being suitably educated. Plymouth City Council must be satisfied that appropriate education is taking place and that there is no safeguarding concern. Therefore it is important that wherever possible we build a full picture of the individual circumstances of children rather than rigid adherence to a check list.

The following procedure will be implemented:

- Once Plymouth City Council becomes aware of a parent's intention to home educate, checks will be made with the relevant, qualified Children's Services professionals to ensure that there is no known safeguarding or wellbeing concern.
- Contact will be made with the parent(s) and a meeting offered where appropriate, to talk through the parents' decision and provide advice and support where possible.
- If the child is registered at a school in Plymouth the school will seek the consent of the parent to keep the child on roll until the local authority has had an opportunity to meet with the parent and ensure that home education is a positive and informed choice.
- Plymouth City Council will liaise with appropriate professionals within the organisation including Children's Social Care and Special Educational Needs and Disabilities Services to undertake assurance checks in relation to the suitability of the home environment for learning.
- After 3 months the parent will be requested to provide information regarding the home education of their child, this will be requested within 3 months of starting home education and then at least annually after that.
- If no information about the provision of home education is received after two letters home, a third letter will be sent notifying parents that a Children Missing Education referral will be made.
- If a professional identifies concerns about a child who is home educated, a Children Missing Education referral will be made.

Plymouth City Council acknowledge that for many parents, the time they start home educating can be a stressful period, especially where their child has had a negative experience at school. Whilst there is no expectation that the home education will be fully up and running straight away, there should be no significant period in which a child is not receiving a suitable education.

It would be very helpful if parents would contact the Inclusion, Attendance and Welfare Service to provide any updates such as a change of name/address or if a home educated child starts at/returns to school so that any information or attempts to contact are not misdirected.

Plymouth City Council is keen to highlight the rich and varied nature of home education in Plymouth and will ask parents to let us know the outcomes and progression routes for home educated children at the end of each academic year, although you do not need to provide this.

Home education can be positive and rewarding for both children and parents. However, occasionally concerns regarding the education of a home educated child emerge and these can come from a variety of agencies, including the general public. In line with Government [Elective Home Education Guidelines](#), if it appears that a suitable education is not being provided,

**ELECTIVE HOME EDUCATION GUIDANCE FOR FAMILIES**

FINAL JANUARY 2022

Plymouth City Council will make informal enquiries that will assist it to reach an informed judgement. This will include seeking further information from parents that explains how they are providing a suitable education for their child. 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 refer to the legal case *Phillips v Brown* (1980).

If Plymouth City Council is still unable to satisfy itself that a child is receiving a suitable education, then a formal letter outlining concerns will be sent to the parents who will have the opportunity to address these. If, however, the issues raised remain unresolved and the Local Authority continues to have concerns that a suitable education is not being provided, this could lead to the Local Authority seeking to issue a School Attendance Order, enforceable by law.

#### **4.3 The Plymouth Children and Young Peoples Partnership**

The [Plymouth Children and Young People’s Partnership](#) has the statutory responsibility for ensuring that all agencies within Plymouth promote the safeguarding of children in **ALL** settings. The Partnership expects all agencies working with parents who elect to home educate their children, to promote the children’s wellbeing, support children being adequately safeguarded in their educational setting and, where appropriate, to notify other agencies of any concerns.

To ensure that the voice of the child is heard and to establish education suitability, Plymouth City Council will request that both the child and evidence of learning are seen when we arrange to meet with home educators. If the child is present and it is appropriate to do so; the Local Authority Officer will ask to complete a questionnaire with the child in order to capture the child’s voice. There is no legal requirement for home educators to facilitate this request and not allowing the Officer to obtain the voice of the child would not of itself trigger a concern.

#### **4.4. Review**

This policy will be subject to an annual cycle of review.

### **5.0 FREQUENTLY ASKED QUESTIONS**

#### **What should I do if I am thinking about educating my child at home?**

No educational choice should be taken lightly and before deciding to electively home educate, you should consider the time, resources and energy you will need to put into this very important part of your child’s life. As well as the demands that providing for subjects that you may not be as interested in as your child, parents who home educate take on the full financial responsibility. It is advisable to contact the Inclusion, Attendance and Welfare Service who will be able to provide advice and signpost you to other organisations that might be able to help as well as explain the procedure for becoming a home educator.

If your child currently attends a school, you will need to inform the school, in writing, that you intend to home educate and for him/her to be de-registered. It would be helpful if you also informed the Inclusion, Attendance and Welfare Service although you do not have to do this.

If your child has never been registered at a school, you do not have to inform the Local Authority of your decision to home educate. However, it is helpful if you do, as the Local Authority has a duty to identify children ‘missing from education’ and if we know that your child is being home educated, then we will not deem them ‘missing’.

**What if my child has a special educational need or disability?**

You are able to home educate a child with an Education, Health and Care Plan and should write to the school to inform them that you intend to home educate and for him/her to be de-registered. If your child is registered at a special school however, you will need the consent of the Local Authority before your child can be deregistered from the school.

The education you provide should be suitable to your child's age, ability, aptitude and any special needs but this does not mean that you have to provide everything previously provided by the school.

An Early Review may be called by Plymouth City Council once they have been notified of the parents decision to home educate. This will enable the Education Health Care Plan (EHCP) to be updated to reflect any necessary changes, including the place of education. For as long as the EHCP is in place, the Local Authority will continue to hold an annual review to consider whether the EHCP needs to remain in place. You will still have the right of appeal to the SEN Tribunal.

You can apply for an EHCP for your child whilst they are being home educated. You will need to collect evidence to demonstrate that your child has significantly greater difficulties than other children of the same age and would require much greater support than other children if he/she attended school.

The high needs block of the Dedicated Schools Grant is intended to fund provision for all relevant children and young people in the authority's area, including home-educated children. Local authorities should fund the SEN needs of home-educated children where it is appropriate to do so.

The Ed Yourself website has a very comprehensive section on SEND:  
<http://ehe-sen.org.uk/statement.php>

**Will I receive funding for home education?**

The Local Authority does not receive money to fund parents/carers who home educate. Parents who choose to home educate will have to assume the full responsibility of any costs, including for any examination entries. There is a vast amount of educational information available for free as an example regular use of the library means that parents do not have to buy lots of books; information can be accessed by using the internet at home and at the library; colleges are now able to access funding for some home educated young people aged 14 to 16 to attend courses.

Parents sometimes choose to hire private tutors as part of the home education provision for their children. It is the parent's responsibility to check that tutors have an up to date [Disclosure and Barring Service \(DBS\)](#) certificate and that children are safeguarded at all times.

**What will happen now that my child is being home educated?**

Once your child is registered as home educated, you will be contacted by the Inclusion, Attendance and Welfare Service who will provide information and offer you a meeting in order to discuss your decision and complete a questionnaire so that Plymouth City Council can offer support to the parent and/or child and also signpost to other agencies. You do not have to accept a meeting and may choose to complete the questionnaire and return to the Inclusion, Attendance and Welfare Service by post/email.

**What do I do if I want to return my child to school?**

ELECTIVE HOME EDUCATION GUIDANCE FOR FAMILIES

FINAL JANUARY 2022

Parents have the right to apply for a school place for their child at any time. There is no automatic right to return to a school previously attended by a child. Places offered will be dependent on where there are vacancies and normal application and appeal procedures apply. For more information, click [here](#).

### **What is the raising participation age and how does this affect a home educated child?**

The Government has increased the participation age to which all young people in England must continue in education or training to 18.

This raising of the participation age means young people must choose one of the following options:

- full time education, such as school, college or home education (if previously home educated) or an apprenticeship;
- part-time education or training if they are employed, self-employed or volunteering full time (defined as 20 hours or more per week).

### **How do I make a complaint?**

If you're unhappy about the service you've received, or you feel that the Local Authority has done something wrong, or failed to do something, you can raise a complaint and we will investigate what has happened. You can also let us know if we've done something well or suggest something we could improve. In order to find out how to make a complaint or feedback about a service provided by Plymouth City Council click [here](#).

## **6.0 APPENDICES**

### **Appendix A – Guidelines on presenting evidence of home education**

Plymouth City Council has to determine whether the education that is being provided is an efficient and full time education, suitable to the child's age, ability, aptitude and any special educational needs that the child may have. When we look at the examples that parents present, we look at it in this light.

The first thing that we would like to know about is your approach to education. Once we have an idea of this, it becomes your responsibility to provide examples which clearly demonstrate the suitability of your child's education provision

#### **Does the information demonstrate that the home education is efficient?**

1. The information should demonstrate a home educators approach to assessment and planning in order that learning can facilitate academic progress.
2. The information should demonstrate progression expected across the period, whether or not this has been achieved (unless home education has only just started) and what next in order to further extend the child's knowledge.
3. The information presented should demonstrate opportunities for learning, including the range of subjects covered and information about a child's access to learning resources and social opportunities.
4. The information should demonstrate the ways in which the child is being introduced to a wide range of knowledge, understanding and skills.
5. Each topic should be allotted sufficient time but not to the detriment of other essential areas of learning i.e. literacy and numeracy.

6. It is also important for home educators to present opportunities for personal, social and health education, outdoor and environmental education, citizenship, careers, food technology and information and communication technology.

**Does the information demonstrate that the home education is full time?**

The information should enable Plymouth City Council to assess the overall time devoted to home education of a child on the basis of the number of hours per week, and weeks per year. Home educator's should be able to demonstrate that the education is occupying a significant proportion of a child's life (making due allowance for holiday periods).

**Does the information demonstrate the home education is suitable to the child's age, ability and any Special Educational Needs or Disabilities (SEND) that the child may have?**

1. It is important that you include information about your child's ability and how this is been assessed.
2. We also need to know whether or not your child has SEND and to what extent (if any) this impacts on their ability to meet age related expectations.
3. The information provided should demonstrate what the child is taught, and how it is taught, taking into account of the child's age, abilities, aptitude and any SEND.

**What other factors will Plymouth City Council take into account when making a decision?**

- Plymouth City Council may use minimum expectations for literacy and numeracy in assessing suitability, whilst bearing in mind the age, ability and aptitude of the child and any special educational needs he or she may have;
- education may not be 'suitable' even if it is satisfactory in terms of content and teaching, if it is delivered in circumstances which make it very difficult to work (for example in very noisy premises). This might also affect whether it is 'efficient' and indeed, whether it is 'received' at all for the purposes of s.7 Education Act 1996; and
- education may also not be deemed suitable if it leads to excessive isolation from the child's peers, and thus impedes social development.

**When might the home education be considered to be unsuitable?**

There may be a variety of reasons why the information / evidence provided has not been deemed suitable by the local authority. This may include:

1. The education provision described lacks detail and it is difficult to ascertain what is being taught / what subjects are being studied.
2. There is no or very limited examples of work submitted.
3. There is no or very limited information regarding resources used internally and externally.
4. There is no or very limited detail of how the child's progress is being monitored or examples of work to demonstrate relevant progression.
5. There is no clear academic or time structure.

It is important to note that the above is for guidance and by way of example only and is not an exhaustive list. Each case is judged upon its own individual circumstances.

**What types of evidence and information can I submit to Plymouth City Council?**

Plymouth City Council must be satisfied that appropriate education is taking place and therefore it will be about building a full picture of the individual circumstances rather than rigid adherence to a check list.

As a guide the types of information and evidence that can be submitted may include:

**ELECTIVE HOME EDUCATION GUIDANCE FOR FAMILIES**

FINAL JANUARY 2022

- A report written by the home educator
- timetables
- curriculum plan
- photographs
- work books
- progress reports
- dated work over time
- conversations with the child / parent; home visits; etc.
- original work (or photocopies of this);
- art work;
- scrapbooks;
- musical, academic and sporting achievements (certificates);
- diary of events and activities;
- recordings;
- on-line blogs.

There are as many ways of demonstrating examples of education provision as there are home educators. Plymouth City Council will always be happy to listen, add to the above list as new ideas are suggested and to share good practice.

## Appendix B – Useful contacts and information

### Local Authority:

- Lead Officer for Home Education, Isabelle Morgan. Tel: 01752 307405 email: [Isabelle.morgan@plymouth.gov.uk](mailto:Isabelle.morgan@plymouth.gov.uk)
- [Plymouth 0-25 Special Educational Needs Team](#)
- [Plymouth Local Offer](#) – a source of local information, help, support and advice regarding SEND for parents, carers, children and young people.
- [Plymouth Online Directory](#) (POD) - a community-based directory with a focus on health, social and wellbeing services.
- [Plymouth Safeguarding Children's Partnership](#)
- The Council's full Privacy notice can be found [here](#)

### Other organisations:

- [Plymouth Information Advice Service for SEND](#)
- [Department for Education](#)
- [National Association of Gifted Children](#)
- [BBC Learning](#) and [BBC Bitesize](#)
- [Disclosure and Barring Service: www.gov.uk/government/organisations/disclosure-and-barringservice/about](#)
- [Family Lives](#)

### E-safety

<http://www.thinkuknow.co.uk/> on this website you will find advice for parents and children of different ages on a wide range of issues relating to e-safety;

<http://parentinfo.org/> this website offers advice to parents on internet safety and 'coded' online language. This has been devised by the Child Exploitation and Online Protection service (CEOP).

**Home education:**

- Education Otherwise: [www.educationotherwise.net](http://www.educationotherwise.net)
- Home Education Advisory Service: [www.heas.org.uk](http://www.heas.org.uk)
- Ed Yourself: [www.edyourself.org](http://www.edyourself.org)
- Home education in the UK – SEN: [www.he-special.org.uk/](http://www.he-special.org.uk/)

There are many organisations, groups and websites which provide information and support for home educating families which can be easily accessed through a search on the internet or through the links pages of some of the above groups. Whilst these organisations, groups and websites may provide helpful advice, guidance and support relevant to home education, their inclusion in this document does not imply an endorsement of them by Plymouth City Council. The views expressed within external websites are those of the site's owners and, unless specifically stated, are not those of the Local Authority.