

***Elective Home Education
Policy
For all
Havering Schools and
Academies

2021/2022***

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Vision

Havering's Elective Home Education Policy (EHE) is testament to the excellent and effective partnership work between Parents / Schools / Academies and the Local Authority. The policy is designed to give parents an opportunity to be fully informed before making a final decision to withdraw their child from school to EHE. Havering works in collaboration with the National Health Service (NHS) and all multi-agencies to identify families where children may not be attending schools and supports families to ensure the needs of all children are met.

Introduction

All Havering Head Teachers and governing bodies agree to the aims and principles of the EHE policy and by providing their fullest support they recognise their collective responsibility where parents request to EHE. All schools work collaboratively to support parents to encourage their children to remain in mainstream education particularly if they are vulnerable. All schools continue to work together in unity to commit to securing an inclusive ethos within Havering.

The Admissions, Attendance & Inclusion Team will work closely with all Havering Schools to provide an Inclusions Assessment Gateway where Early Intervention is a key element to access support services for the borough's EHE children. Further support is encouraged when re-integration a child back into main stream education.

Throughout this policy 'parents' should be taken to include all those with parental responsibility, including guardians and carers as well as natural parents without parental responsibility. The term 'child' or 'children' refers to all children and young people who are legally required to receive an education.

The Aims of the Policy

This document aims to set out the London Borough of Havering's current position for EHE and outlines its policy. The policy relates to the elective home education of children of compulsory school age.

The Local Authority recognises the right of parents to educate their children at home at any stage up to the end of compulsory school age. This right applies equally for the parents of children with special educational needs (SEN). Elective Home Education (EHE) is the term used by the Department for Education (DfE) to describe parents' decisions to provide education for their children at home instead of sending them to school and may also be used to meet the requirements to participate in education or training up to the age of 18 or 25 if a SEN child.

Home education is an option that parents can consider for their child. There are many reasons why a parent may decide to electively home educate including philosophical, religious and or spiritual beliefs, health, SEN, Cultural or even a dissatisfaction with their current educational offer.

Regardless of the reason for EHE, the Local Authority aims to ensure parents are fully informed when making their decision and aim to support parents with making their choice.

The Law Relating to Elective Home Education

The responsibility for a child's education rests with the parents. Education is compulsory in England, however, 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 –

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

Children who attend school normally receive approximately five hour's tuition per day for 190 days per academic year dependant on their age.

Education should aim at enabling children, when grown – up to function as an independent citizen of Britain, both in and outside of the community in which they were brought up. Suitable education at home should not directly conflict with Fundamental British Values defined in government guidance.

Children's Rights

The United Kingdom has ratified the United Nations Convention on the Rights of the Child (UNCRC). Article 12 of the UNCRC requires states to provide a right for children to express their views and for due weight to be given to those views, in accordance with the age and maturity of the child. This does not give children authority over parents, and a decision to educate a child at home is a matter for parents. Parents should, however, consider whether home education is realistically possible in their family's particular circumstances, and if their child is happy to be educated in this way. The child has a right to request to see the LA advisor if they feel they are not receiving adequate education.

Parental Rights and Responsibilities

Parents who home educate assume the full financial responsibility for their child's education. This includes the cost of resources, educational trips, private tuition, courses and public examinations fees. In addition to financial responsibility, parents must also factor in the substantial commitment of time and dedication in order for their child to succeed.

If a parent is considering home education due to differences with their child's school, the Local Authority advises parents to communicate their concerns with the senior leadership team who will aim to resolve these differences before the final decision is made.

Parents should not feel pressured to remove their child from the school roll if their child is having difficulty with learning, if there are behaviour or attendance issues or to avoid a formal exclusion.

If a parent feels that they are being pressurised to remove their child to home educate, they should immediately inform the Local Authority at EHE@haverling.gov.uk.

There is currently no formal requirement for parents to register or seek approval from the Local Authority to educate a child at home rather than in a mainstream school, however if a parent is considering elective home education the Local Authority would advise that the

parent contacts them at EHE@havering.gov.uk to seek advice on options and support that may be available.

Where a child is registered at a mainstream school, parents are required to notify their child's school in writing of their intentions to Elective Home Educate. Parents should ask the school not to remove their child from their role until they have had an opportunity to speak with the Local Authority.

The Local Authority will inform the parent of the commitment required to EHE and will require them to confirm that a full time education is being made for the child in alignment with their age and ability. Evidence of how parent intends to educate their children will be required.

If a child is below compulsory school age the Local Authority will work in partnership with the parents to ensure advice and guidance is provided.

Parents who are Electively Home Educating are able to educate their child in the way they think most appropriate. The Local Authority suggests that parents may find the National Curriculum a useful basis around which to plan their child's programme of study. The National Curriculum is available from the Department for Education on their website www.education.gov.uk and a Havering Home Education advisor will be happy to guide you with this process.

The Local Authority would promote that Elective Home Educated children take formal examinations. If they intend to undertake GCSE or IGCSE (International GCSE) examinations for example, this will affect the teaching that parents are planning to undertake. There are many commonly used examination boards. Having identified the examination board and subject(s), parents will need to obtain the syllabus of work to be followed for each course in sufficient time to be able to complete the programme of study.

When contacting the examination boards parents would need to specify that their child is a 'Private Candidate.' These exams would need to be planned for and arranged within the specified time frame advised by the chosen exam centre.

EHE Advisor Home Visit

The Local Authority believes in positive relationships and mutual respect between services and parents, we aim to work together and communicate on a reasonably regular basis.

Services working with children have monitoring and welfare responsibilities under legislation; therefore, the Local Authority are sure parents will understand that it will be necessary, as part of their general duty to meet with parents and their child at least once a year. The Local Authority would appreciate parent's co-operation with carrying out their responsibilities effectively to maintain the best interests of the child, particularly in relation to their statutory safeguarding responsibilities.

Evidence of Suitable Education

Parents can decide how best to show evidence of their child's education e.g. by keeping a daily log to record examples of their child's progress. The Home Education Advisor will assess child's education using a Red, Amber, Green (RAG) process and provide guidance and signpost to other services if requested. Although these circumstances will be rare, if no evidence is provided the LA can exercise their statutory duty to ensure that the child is receiving a sufficient full time education based on their age and ability.

Safeguarding at Home

If parents choose to employ others to educate their child, the parent will remain responsible for the education provided and the safeguarding of their child. In these circumstances, parents are responsible for ensuring that those whom they engage with are suitable to have access to children. It is strongly recommended that parents arrange for a Disclosure and Barring Service (DBS) check prior to employment and that there are arrangements made for ongoing supervision.

Working Children

If a job is made available to a home educated child the parent should ask the employer to contact the Local Authority at childemployment@haverling.gov.uk to establish if a child work permit is required.

Anti-social Behaviour

If it becomes apparent that a home educated child is participating in anti-social activities, the Local Authority will approach parents in order to review their child's educational progress as part of their statutory duty.

London Borough of Havering Roles and Responsibilities

The Local Authority recognises that there are many alternative approaches to education and promotes all children being given the opportunity to participate in an inclusive education. The Local Authority will ensure that no child is removed from a school roll before all support options have been explored as this may be looked upon as Off-Rolling by OFSTED.

When the Local Authority receives the notification that a parent has elected to home educate, contact is made by an EHE Advisor to gather information from both school and parent.

The Local Authority's EHE advisor will communicate with parents to offer guidance and support and explore all educational options. The EHE Advisor will also contact school to ensure the child remains on their school roll until the EHE advisor confirms the outcome of their communication with the parents.

The Local Authority will make contact with parents during each academic year to update the information they hold on the child and to offer support and guidance to the family. The EHE Advisor will be available to provide more frequent advice and home visits if necessary.

The Local Authority has no statutory duties in relation to monitoring or supporting the quality of home education on a routine basis. However, the Local Authority will carry out regular visits to assure themselves that EHE children are receiving an education that is suitable to their age and ability. These visits also ensures the Local Authority meets its safeguarding responsibilities. Where a child is known to social services, we will liaise with the social worker regarding the child's education.

However, under Section 437(1) of the Education Act 1996, Local Authorities shall intervene **if it appears** that parents are not providing a suitable education. This section states that:

"If it appears to a local education 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 Act provides that the period shall not be less than 15 days beginning with the day on which the notice is served. If:-

a parent on whom a notice has been served under subsection (1) fails to satisfy the LA, within the period specified in the notice, that the child is receiving suitable education, and In the opinion of the Local 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 child at a school named on the order.

The Local Authority considers that taking the above action shall be a last resort after all reasonable avenues have been explored and exhausted to bring about a resolution of the situation. At any stage following such an order, parents may present evidence to the Local Authority (or the court) that they are now providing a suitable and appropriate education and apply to have the order revoked.

The Local Authority will initially make contact to gather relevant information that will assist them in reaching an informed judgement. This will include seeking from the parent's additional information that evidences how the child's education is being provided. Parents will be given the opportunity to address any specific concerns that the Local Authority has. Children will be welcomed and encouraged to attend these meetings to contribute to the information provided. It is important to the Local Authority that the views of the child are sought and listened to.

If the Local Authority has highlighted any concerns parents/carers will receive written confirmation along with planned follow up meetings to allow the parent appropriate time to establish education provision and specifying what these are. This gives the parents of the child the opportunity to address the concerns that have been raised.

Local authorities have a duty under section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children. This section states:

"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 Local Authorities' functions. It does not, for example, give local authorities the powers to enter the homes of, or otherwise see, children for the purposes of monitoring the provision of elective home education. 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.

Children with Special Educational Needs

Parents' right to educate their child at home applies equally where a child has Special Educational Needs & Disabilities (SEND). This right is irrespective of whether the child has an EHCP or not. Where parents elect to home educate a child with an EHCP who is registered at a **mainstream** school, the school **must not remove the child** from the school roll. A meeting will be arranged with the parent, EHE Advisor and a member of the SEN

team and the school will be informed of the outcome. Parents must be given the opportunity to explore all education establishments.

On receipt of notification that parent wishes to withdraw from a **special** school to electively home educate, the Local Authority will request initial information regarding the provision that is being made and will confirm with the **special school** after consultation with SEND that the child can be removed from roll.

Where a child with an EHCP is home educated, the Local Authority retains a duty to maintain and review the plan annually, following the procedures set out in the Code of Practice for SEND. The Local Authority will involve the parents within the review process. 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.

Parents do not have to arrange provision detailed in the child's EHCP, 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 an EHCP, this change of placement will be reflected in the Plan. The EHCP may identify provision to be secured by the Local Authority, where the Local Authority considers it necessary to assist parents to fulfil their responsibilities.

School / Academy Responsibilities

Schools are welcome to seek assistance for the child by completing an '[Inclusions Gateway Form](#)' as support is available from the Local Authority to support children to remain in education.

When a parent is wishing to home educate, the school must notify the Admissions and Inclusions Team by

- emailing EHE@haverling.gov.uk the parents written notification, and
- completing the [EHE referral form](#)

Schools MUST NOT remove the child from the school roll until confirmation is received from the Local Authority, as this may be seen as 'OFF ROLLING'.

Following communication between the Local Authority and the parent(s) **the school will be informed if the child is to be removed from their school roll.** This is to ensure that parents are given opportunity to make an informed and impartial decision.

Under no circumstances should a school / academy seek to persuade parents to educate their child at home as a way of avoiding an exclusion or because the child has poor attendance or other known issues.

Post Statutory School Age (Youth & Careers Service)

All year 11 children will receive post 16 education and career advice through Youth & Careers Service. The aim of this is to ensure that all children have the same opportunities.

Funding

ELECTIVE HOME EDUCATION (EHE) TRANSFER OF FUNDING BETWEEN SCHOOLS

When a child is removed from mainstream education for the purpose of EHE, the AWPU and Child Premium funding within that financial year from the date the child is taken off roll will be recovered by the LA to assist in re-engaging the child back into mainstream education. The AWPU and Child Premium funding will be allocated to the admitting school from the date of admission to the end of the financial year.

Reviewing of the Policy

The Local Authority is committed to a successful education for all children and recognises that EHE can work well for some children. If, after careful consideration, parents decide to educate at home, the Local Authority hopes that this proves to be a happy and constructive experience. The Local Authority is not able to provide teaching support or detailed curriculum plans, but will offer encouragement and advice. The Local Authority will review this policy in relation to EHE annually.

Ofsted Inspections

Ofsted conducts periodic inspections of Local Authorities and this includes a review of the way in which they carry out duties in relation to vulnerable children. Although electively home educated children are not intrinsically 'vulnerable', such reviews will include children missing education and therefore cover the work of the Local Authority on those children who are being educated at home but are not receiving a suitable education. Reports of the Local Authority inspections are available on the Ofsted section of the Gov.uk website.

Complaints Procedure

If a parent wishes to make a complaint they should contact the Admissions and Inclusions Manager at EHE@havering.gov.uk

If concerns still remain the Councils complaints process can be found on the Local Authorities website. <https://www.havering.gov.uk/complaints>

Useful Contacts

- **Family Information Service** (Information, support and signposting for families)
Email: <https://familyserviceshub.havering.gov.uk/kb5/havering/directory/family.page?familychannel=0>
- **SENDIAS** (offering support and information for children with Special Educational Need's & Disabilities)
Email: sendias@havering.gov.uk
- **Havering Elective Home Education**
Email: EHE@havering.gov.uk - Tel: 01708 434376
- **School Admissions Team**
Email: schooladmissions@havering.gov.uk - Tel: 01708 434600
- **Attendance, Behaviour and Traveller Support Service**
Email: ews@havering.gov.uk - Tel: 01708 431777
- **The Department for Education (DfE)**
Website – www.gov.uk