



One minute guide DRAFT—pending publication

Elective Home Education

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What is Elective Home Education?

It is the duty of parents of children of compulsory school age to ensure that they receive efficient full-time education suitable to their age, ability and aptitude and to meet any special educational needs. This is set out in Section 7 of the Education Act 1996. Parents may fulfil this duty either by ensuring regular attendance at school or otherwise. The word 'otherwise' affirms parents' right under the law to educate their child at home instead of sending them to school. This is called elective home education (EHE).

Where a local authority provides home tuition or an alternative education placement is organised by school or through the Area Inclusion Partnership, this is not EHE. There is no funding provided if a family choose to home educate, and children with eligibility for free school meals do not receive any support such as the [pupil premium](#). Parents take full responsibility for all education and access to exams.

What are the local authority's responsibilities?

The local authority is responsible for ensuring that children of school age are receiving a suitable education. However, the Act does not define full-time education and there is no direct comparison with the timetable and educational arrangements for children taught in schools. Parents are not required to provide any particular type of education and are under no obligation to:

- have **premises** equipped to any particular standard
- have any specific **qualifications** to educate
- cover the same **syllabus** as any school and /or adopt the National Curriculum or match school, age-specific standards
- make **detailed plans** in advance or observe school hours, days or terms or have a **fixed timetable**
- reproduce school-type, peer group **socialisation**

In law parents are under no obligation to seek permission from the local authority to educate their child at home or take the initiative to inform the local authority or have regular contact with representatives of the local authority.

With this in mind, Children's Services hold a register of EHE children where we are informed by schools or parents and undertake safeguarding checks and organise safeguarding visits at the point of the child becoming EHE. We request information on the education given to the child, assess the suitability and provide signposting for parents to access EHE networks and support. Where families wish to return to mainstream schools, support and advice can be provided by admissions, Leeds SEND Information Advice Support Service (SENDIASS; [guide](#)) and via fair access protocols ([guide](#)).

What responsibilities do parents and agencies have?

Parents—If the child is attending a mainstream school and parents decide to home educate, they must inform the head teacher in writing. Parents are requested to outline the plans for educating their children at home – this should be assessed for suitability. Many parents provide well for their children but some do not. Legal procedures through attendance can be enforced if education is found to be not suitable.

Where a child has a statement of educational needs or an Education Health and Care Plan (EHCP; [guide](#)) and attends a special school (in Leeds, a Specialist Inclusive Learning Centre) through arrangements made by a local authority, they cannot be removed from that school without the consent of the local authority. If the authority refuses to give consent, the family would need to obtain a direction from the Secretary of State. These children will continue to have reviews of their educational needs and specialist support.

Schools' responsibilities— When a school is informed by a parent that the child will now be home educated, they must notify the local authority. Schools are requested to complete a referral form with information on the attainment of the child up to this point, any information relating to agencies supporting the family and outline any concerns they may have about the child being home educated. Schools may remove the child from the school roll once they have contacted the local authority – however, where there may be concerns, schools may keep the place open for a short time while checks take place. Complex needs services regularly review these arrangements with the EHE team.

Children Services—When the EHE team receive a referral from school or parent, they check whether the child has an early help ([guide](#)) assessment or is known to the children's social work service ([guide](#)). A safeguarding home visit is carried out within three weeks of the referral. Information is requested from parents on education provision. Families are sent regular information about holiday activities, Youth Offer ([guide](#)), parent programmes, information advice and guidance. We also send age related information to families and offer signposting to networks and support that may enable their important role of educating their child. A parent forum is currently being developed.

Partner agencies - If a practitioner working in a partner agency is aware of or believes that a child is home educated, they should inform the local authority as soon as possible using the contact details below. If a child is neither on a school roll or on the EHE list, they will be listed as a Child Missing Education (CME; [guide](#)).

Key contacts and more information

Notifications from schools, parents and practitioners from partner agencies should be sent to: ehe@leeds.gov.uk

There is some Frequently Asked Questions (FAQ) guidance on EHE available for parents through the family information service [website](#).