

Education Inclusion Service

The Education Inclusion Service (EIS) discharges the LA's responsibilities in relation to EHE. We believe that parents should have the opportunity to make well-informed choices about their child's education. For that reason, LA officers provide support, written information, advice and guidance on all issues relating to EHE to families, schools and all relevant agencies.

The Education Inclusion Service is committed to building trusting, positive relationships with parents.

If parents of children at your school are considering EHE, please give them our contact details, or ask if their details may be passed to us. Parents can discuss their plans with a **Parent Adviser**, who will offer the necessary information, guidance and support to them.

Telephone: 01452 426015

Email: ehe@gloucestershire.gov.uk

Website: <https://www.gloucestershire.gov.uk/education-and-learning/home-education/>

Address: Gloucestershire County Council, Education Inclusion Service, 3rd Floor, Block 4, Shire Hall, Westgate Street, Gloucester GL1 2TP

Safeguarding Children

If a parent is considering or has already decided to home educate a child who has either a Child in Need Plan or a Child Protection Plan, the designated teacher for CP at the school must, in addition to the standard notification procedures, notify the social worker and **Gloucester Safeguarding Children's Board (GSCB)** immediately:

Telephone: 01452 583636 or 01452 426994

Email: gsep@gloucestershire.gov.uk

For immediate and urgent Child Protection concerns please contact the **Children and Families Helpdesk**:

Telephone: 01452 426565 (Option 1).

Outside office hours, contact the **Emergency Duty Team (EDT)**

Telephone: 01452 614194

If you have concerns about the immediate safety of the child or you believe a serious criminal offence has been committed please contact the **Police** at any time on 101.

Elective Home Education



Picture by Jem
aged 14
home educated

A Guide for Schools

by the Education Inclusion Service

September 2019

The Law

Parents' responsibility in relation to their children's education is clearly established in Section 7 of the Education Act 1996. The law does not say that parents must register their child at a school, but parents of every child of compulsory school age must ensure they receive a suitable education, either by regular attendance at school or otherwise.

The education must be:

- **Full-time (there is no legal definition of full-time for these purposes, but education would be the pupil's principal occupation).**
- **Efficient (this means it must achieve what it sets out to).**
- **Suitable to the child's age, ability and aptitude and any special educational needs they may have. The education must equip the child for life within the community in which they live and must not limit their options later in life.**

Many of the homes educating families in Gloucestershire do a good job and the LA is able to see that the parents have arranged a suitable education. For some children, the arrangements can work less well. It is important that the LA is able to support families in securing a suitable education and use the legal process to take swift and appropriate action if they are failing to do so. The LA targets its resources to those circumstances where it is less clear that a suitable education is being provided.

Under Section 437(1) of the Education Act 1996, the Local Authority (LA) can intervene if it has good reason to believe that parents are not providing a suitable education. In order to fulfil this duty, officers can make enquiries of parents who are educating their children at home, to establish that a suitable education is being provided. However, **The LA has no statutory duties in relation to monitoring or inspecting the quality of home education on a routine basis. We do not have the powers to insist that we see and question children who are being educated at home in order to establish whether they are receiving a suitable education. Parents are under no duty to provide information to the LA about the education they are providing at home, however, the majority of the home educating families in Gloucestershire consider it sensible to do so.**

The LA will challenge schools where it appears that parents have been persuaded or coerced to de-register their child from school for the purposes of Elective Home Education.

- *Schools must not seek to persuade parents to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record.*
- *In the case of exclusion, they must follow the statutory guidance. If the pupil has a poor attendance record, the school and LA must address the issues behind the absenteeism and use the other remedies available to them.*

Officers from the Education Inclusion Service met with a number of head teachers last academic year to discuss the issues around seemingly high numbers of children leaving the school for the stated reason of Elective Home Education. A theme emerging from many of these discussions was that head teachers often seek to meet with parents in these circumstances in order to fully explore the reasons, ensure that parents fully understand the implications of their decision and have an accurate appreciation of the responsibilities that come with educating a child at home under Section 7 of the Education Act 1996. **We see this as very good practice. For those schools who do not meet with parents in this way; this is something we would recommend as educating children at home works best when it is a positive, informed and dedicated choice.** Furthermore, evidence of this type of open discussion can avoid the emergence of any impression of off-rolling.

In order to structure and assist the dialogue in those exit discussions we have developed an **exit discussion template** for you to use. It enables clarity around the reasons for the choice to be obtained (surprisingly the vast majority of de-registration forms filled in by schools gives 'unknown' as the reason) and an opportunity for the school to reinforce key points to the parents so that they

are not under a false impression. Examples have been parents expecting that the school will still enter the child for public examinations, that the LA will provide a tutor and that the child is able to return to the school even if there are no vacancies.

We would be happy for a member of the Education Inclusion Service to attend that meeting. You can invite a member of the team by contacting your allocated Inclusion Officer or by using the general e-mail address. ehe@gloucestershire.gov.uk

We request that the exit discussion form be sent to the Education Inclusion Service but **that you do not delay in sending the de-registration form.**

The exit discussion template is available on the Elective Home Education page of schoolsnet, along with the de-registration form and the recently published DfE guidance for parents on Elective Home Education (April 2019).

<https://www.gloucestershire.gov.uk/schoolsnet/your-pupils/elective-home-education/>

Procedures

Parents of a child registered at a state maintained or an independent school must inform the school in writing of their intention to de-register for the purposes of Elective Home Education. When a **mainstream** school receives written notification from a parent of their intention to home educate their child, the head teacher must:

- **Acknowledge the parent's letter in writing.**
- **Delete the child's name from their register.**

We ask **mainstream** schools to do this within three working days of receipt of the parents' letter. **A school must not de-register a pupil for EHE unless the parent has expressly stated in their letter that they intend to home educate.**

Using the EHE de-registration form <https://www.gloucestershire.gov.uk/schoolsnet/your-pupils/elective-home-education/> on schoolsnet and by forwarding to the LA a copy of the written notification the parent sent to the school, inform the LA immediately of removal of the child's name from the register (Section 12 [3] of the "The Education [Pupil Registration] Regulations 2006).

The school should keep the child's school file. Parents are allowed to request a copy of this file from the school to assist them in planning their child's education. We ask schools to send the record of any safeguarding concerns to the LA for retention.

Special Educational Needs

Parents' right to educate their child at home applies equally where a child has Special Educational Needs (SEN). This right is irrespective of whether the child has an Education Health Care Plan (EHCP) or not. Where a child has an EHCP and is home educated, the LA has a duty to ensure that the child's needs are met and the same duties as it has towards other children. The LA will continue to maintain the EHCP whilst it is needed and will coordinate the Annual Review of the EHCP.

If the child who is to be withdrawn is on roll at a **special school** parents must seek agreement from the LA before the child is removed from the school for EHE. The school must inform the LA of the parents' request **before** the child's name can be deleted from the school roll. The LA will consider whether the elective home education is suitable and likely to further the outcomes specified in the EHCP, before the Children with Additional Needs Service can amend the Plan and the child's name be deleted from the school's register.