

What do we mean?

Elective home education is

a legal right under Section 7 of the Education Act 1996

This is a choice by parents to provide education for their children at home - or at home and in some other way which they choose - instead of sending them to school full-time.

Education is compulsory; registering with a school is not.

Where it is clear that parents are educating a child well at home, contact by the local authority need be minimal and not made more onerous than is required by the parents' own needs.

Some may not receive a suitable education through home education arrangements.

The parent is not required to give a reason for electing to educate their child at home, nor are they required to seek the agreement of the school or LA to withdraw their child from school (except where the child is educated in a special school at the arrangement of the LA or they are subject to a School Attendance Order).

Parents who choose to educate their child in this way rather than sending the child to school full-time, take on financial responsibility for the cost of doing so.

Primary responsibility for ensuring that children are properly educated belongs to parents

The local authority has moral and social obligations to ensure that a child is safe and being suitably educated. If it is not clear that that is the case, the authority should act, within its legal powers, to remedy the position.

DfE guidance (April 2019) aims to enable local authorities to identify children not receiving a suitable education, and to do something about it.

What factors need to be considered?

There is a **duty on a school to notify us** of children who are withdrawn from school for elective home education, but no duty (currently) on parents to inform the local authority.

Registration is currently not a legal obligation for either parents or local authorities.

In Gloucestershire however, we offer a voluntary registration scheme.

It is a parent's legal right and by law the school must remove them from the roll without delay (in the case of a special school this additionally needs the agreement of the EHCP SEN Casework Team).

Head teachers must not encourage or pressurise a parent in to de-registering a child from a school

Any immediate safeguarding concerns must be raised by Headteacher in line with locally agreed procedures.

Flexi-schooling is not classified as Elective Home Education as for this to be in place a child must be on roll at a school. Here is a link to [More information](#) about Flexi-schooling and what it is.

What are the key processes?

Upon de-registration from school, the school sends notification to LA. Where the child has a Child Protection Plan or a Child in Need (CIN) Plan, **the school should also notify the child's social worker.**

A Local authority's statutory duty is:

'to make arrangements to enable the authority to establish, so far as it is possible to do so, the identities of children in its area who are not receiving a suitable education'.

The law requires the local authority to establish that every child is receiving a suitable education, including those being educated at home.

The LA takes a proportionate approach in making enquiries and in satisfying ourselves that a child is receiving a suitable education through visits, phone calls and parent plans.

If an EHE child has an EHCP, the Advisory Teaching Service (ATS) & EHCP team attend the annual reviews. There is an additional EHE Officer allocated.

In cases where there were no previous concerns about the education provided and no reason to think that has changed because the parents are continuing to do a good job, a brief annual contact would be made in line with GCC's Elective Home Education Policy.

EHE officers can support a return to school if that is the wish of the family. If there is a SW with the family, the SW can discuss this with the EHE Lead and an officer can help assist if necessary (see section below).

Education law empowers action to be taken where parents who home educate their child fail to make suitable or adequate education (through, for example, School Attendance Orders).

What is my role as a School within this topic?

- You should follow the **GCC procedures for EHE** which can be found on our Schoolsnet page - [Elective home education - Schoolsnet \(gloucestershire.gov.uk\)](#) – also set out BELOW
- Head teachers **must not encourage or pressurise a parent in to de-registering a child** from a school. Equally, they are **not allowed to refuse the parent's right to de-register the child** from school for the purposes of Elective Home Education.
- 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, schools 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.*
- It is a parent's legal right and by law the school must remove them from the roll without delay (in the case of a special school this additionally needs the agreement of the EHCP SEN Casework Team).
- If a parent is considering or has already decided to home educate a child who is a **Child in Need** or has a **Child Protection Plan**, the DSL at the school must immediately inform the child's social worker.
- If you have any concerns about the **safeguarding** or **risky behaviours** of a child, who is going to be Home Educated, then please submit a MARF directly to the MASH.
- Schools are encouraged to make use of **Exit Discussions** to keep an open dialogue and ensure parents are making an informed choice about EHE.

Where can I get further information and who can I contact?

- EHE Team: either telephone 01452 427622 or email EHE@gloucestershire.gov.uk
- Cilla James – (EHE oversight/Locality Inclusion Lead) either telephone 01452 427979 or email EHE inbox as above but mark FAO Cilla James
- If child has an EHCP, contact EHCP casework and / or ATS: please email EHE inbox as above but mark FAO Cilla James, ATS or EHCP Caseworker – ideally by name
- EHE public page - <https://www.gloucestershire.gov.uk/education-and-learning/home-education> here you will also find a link to the DfE Elective Home Education Guidance

Please read this 5-minute guide in conjunction with the EHE Schoolsnet page and EHE Policy where all aspects are explained more fully

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 as soon as possible after receiving 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 <https://forms.gloucestershire.gov.uk/ElectiveHomeEducation> on Schoolsnet which includes a copy of the written notification the parent sent to the school, any relevant Safeguarding files and will inform the LA of removal of the child’s name from the register (Section 12 [3] of the "The Education [Pupil Registration] Regulations 2006). If the child in on a Child in Need or Child Protection Plan then the Designated Safeguarding Lead must notify the social worker immediately. If you have concerns about the immediate safety of the child or believe a serious criminal offence has been committed, please contact the Police at any time on 101.

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.

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.

What should schools do if parents are suggesting they wish to Electively Home Educate?

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.

Hold a **Transition to EHE Discussion** with the parents and invite a representative from the LA



If parents still wish to Home Educate, they need to send in a **letter/email** to the school stating their wishes



The school then completes an online **Deregistration Form**
(<https://forms.gloucestershire.gov.uk/ElectiveHomeEducation>) which includes attachments of:

- Letter from parent
- Any safeguarding information
- EHE transition discussion notes

When submitted this form automatically goes to the EHE team for allocation to an officer.



The following can also be found on our [Schoolsnet Page](#)

- [DfE EHE Guidance for Schools](#)
- [DfE EHE Guidance for Parents](#)
- Deregistration Form
- Contact details for Parents wishing to know more
- FAQ’s for Parents
- **Safeguarding** information
- Link to our Public [Home Education Page](#)
- [GCC Elective Home Education Policy](#)

EHE Contact Details

✉ - ehe@gloucestershire.gov.uk

☎ - 01452 427622

Safeguarding Children

If a parent is considering or has already decided to home educate a child who is a Child in Need or has a Child Protection Plan, the DSL at the school must immediately inform the child’s social worker.

If you have any concerns about the safeguarding or risky behaviours of a child, who is going to be Home Educated, then please submit a MARF directly to the MASH.