

Elective Home Education Policy

2020-21



NEWPORT CITY COUNCIL - EDUCATION SERVICE

Elective Home Education Policy

1. Purpose

1.1 This policy provides guidance to schools and PRUs regarding parents/carers who choose to educate their children at home. It clarifies the responsibilities of Newport City Council Local Authority and head teachers/teachers in charge.

2. Introduction and context

2.1 In April 2010 the Welsh Government (WG) issued statutory guidance to help prevent children and young people from missing education.

2.2 Section 7 of the Education Act 1996 states that it is “the duty of parents of every child of compulsory school age shall cause her/ him to receive efficient full time education suitable to his/her age, ability and aptitude and to any special educational needs he/she may have either by regular attendance at school or otherwise”. Most parents comply with this duty by sending their children to school.

2.3 However, some parents decide that elective home education is a more suitable option for their child. Newport City Council supports the right of parents to educate their child at home.

2.4 Home education is a key aspect of parental choice and is a valid choice alongside the option to send a child to school, subject to the parents providing an education suitable to the age, ability and aptitude of the child.

3. Electing to home educate a child:

3.1 Home educators are required under Section 7 of the Education Act 1996 to provide “efficient full time suitable education”. There is no definition of “efficient full time suitable education” however as a guide it should prepare the child for life in a modern society and allow them to reach their full potential. As a good practice guide it should include:

- A broad and balanced curriculum.
- English/Welsh, mathematics and information and communications technology (ICT).
- Opportunities for social, emotional, physical, spiritual and cultural development.
- Relevant information to enable the child/young person to make suitable choices about their life and future.

The term ‘efficient’ has been described in case law as an education that “achieves that which it sets out to achieve”.



3.2 It is recognised that home educators come from all social, economic, racial and religious backgrounds.

3.3 Parents/home educators are not required to have any formal qualification or training to home educate their child, nor is there any obligation to seek or recruit tutors to support their child's learning at home.

3.4 Parents/home educators are not required to teach the National Curriculum as it only applies to state schools. As a home educator it is their choice as to what areas of work are completed. There is no requirement to observe the school hours, days or terms or to follow a fixed timetable. There is also no requirement for parents to assess their children.

3.5 The law requires a child to be educated from the start of the term following their fifth birthday until the last Friday in June in the school year in which they reach 16 years.

3.6 Parents will be responsible for all financial implications of home education, including books, resources; equipment and examinations costs.

3.7 Please refer to section 13 of this policy regarding safeguarding responsibilities.

3.8 Pupils who are home educated are able to sit WJEC examinations as an external candidate at various examination centres, for example their local school or college. Help regarding approved centres can be obtained from schools or the Assistant Head of Education (Engagement and Learning) (Appendix 1).

4. Consent to home education:

4.1 Parents electing to home educate their child are required to consider the following:

1. To submit written confirmation of their intention to home educate advising the head teacher of the reason for the decision, date from which the changes take effect, the brief outline of the educational provision to be put in place and details of the main location where the education will be provided. The Headteacher will then notify the Assistant Head of Education (Engagement and Learning) of this request.
2. If the child has never attended a school, they should inform the Local Authority of their decision
3. If the child is registered at a special school then the written consent of the Head teacher and the Assistant Head of Education (Engagement and Learning) for the Local Authority must be sought prior to de-registration
4. If the child has a statement of special educational needs the parents will be advised to seek advice from the head teacher and ALNCO to ensure that the needs of the child can be met



5. If the child is known to Children's Services, is a registered child on the child protection register or listed as a child in need, the Senior Education Welfare Officer will liaise with colleagues in the Children's Services to seek their professional opinions on the request before accepting the de-registration of the child from the school register.

4.2 Some parents choose not to inform the local authority if they are home educating their children. This is allowed within current legislation. However, they must notify the school where the child(ren) are on roll.

4.3 Children who have never entered the formal schooling system and who are electively home education may not be registered on the Local Authority record of individuals being electively home educated. However, with the agreement of parents, when the Local Authority becomes aware of children who are electively home educated the Education Welfare Service will complete a welfare check and the child will be added to the Local Authority register.

5. School's responsibility:

5.1 On receipt of written confirmation from a parent/carer indicating their intention to home educate, the head teacher of the registered school, on behalf of the governing body, is required within 10 working days to:

- Advise the local authority of parental intentions
- Head teachers are required to advise the local authority regarding the decision by the parents to electively home educate
- Remove the child's name from the school register
- Update the *School 2 School* website with their CTF (common transfer file)

6. Local authority responsibility:

6.1 Newport City Council cannot intervene in the parental choice to home educate their child (unless they are registered within a special school; the pupil has a statement of special education needs; has involvement with the Children's Service teams or established there is no adequate education taking place).

6.2 The Assistant Head of Education (Engagement and Learning) will acknowledge the parental intention to home educate the child within 10 school days of receipt of the letter.

6.3 The Assistant Head of Education (Engagement and Learning) is required to consider and review the implications of the request to home educate if the child has a statement or is registered with a special school.



6.4 The Assistant Head of Education (Inclusion) and/or representative will endeavour to arrange to meet with parents and/or other relevant colleagues, at an agreed location within 10 working days of receipt of the letter, to discuss and consider the implications of de-registration of the pupil if the child has a statement or is registered with a special school, complete the initial home education forms with the relevant education welfare officer.

6.5 The welfare and needs of the child are paramount. Therefore, when any request is received from parents of a child who is on the child protection register or is a child in need the Senior Education Welfare Officer will discuss with colleagues in Children Services Team. A decision whether to accept the de-registration will be made following this consultation and parents advised accordingly.

6.6 In accordance with sections 437 to 443 of the Education Act 1996 the authority can intervene if it appears that the child is not receiving an efficient, suitable full-time education.

6.7 Information provided from relevant organisations will be sent to electively home educated learners via the local authority to ensure they receive the support, advice and services they are entitled to. This will include information from Careers Wales and Health Services (in particular school nurse), as recommended in the Welsh Assembly Inclusion and Pupil Support guidance

7. Pupils with special educational needs

7.1 Parents seeking home education for a child registered at a special school must obtain written consent from the head teacher and Assistant Head of Education (Inclusion) Learning prior to withdrawing them from school. The decision will be informed following discussions with Children's Services and other relevant agencies.

7.2 Pupils with a statement of special educational needs can be withdrawn from school to be home educated. However to ensure the needs of the child are met, parents will be advised to seek further information from the head teacher and/or SENCO of the registered school.

7.3 The authority continues its statutory obligation to support parents in the annual review of the statement. The Local Authority Statementing Officer will liaise with parents when the review is due to be undertaken.

8. Database

8.1 The authority will maintain a database of all pupils they are advised of as being home educated and will report the data to the Welsh Government on an annual basis as part of PLASC data collection.



9. Sharing information

9.1 Information provided from relevant organisations will be sent to electively home educated learners via the local authority to ensure they receive the support, advice and services they are entitled to. This will include information from Careers Wales and Health Services (in particular school nurse), as recommended in the Welsh Assembly Inclusion and Pupil Support guidance.

10. Monitoring and review

10.1 The Local Authority has a responsibility to ensure that parents are providing an “efficient, suitable full-time education”. Although, there is no legal requirement for parents to engage with the Local Authority it would be in the child’s best interest to keep communication links open. The Education Welfare Service will complete annual welfare checks of children and young people known to be home educated. During this visit an assessment of the suitability of the education will be made.

10.2 In accordance with Sections 437 to 443 of the Education Act 1996 Newport City Council can intervene if it appears that the child is not receiving an efficient, suitable full-time education. In extreme circumstances, a School Attendance Order can be served. This allows parents 15 days to provide information as requested to evidence the work completed to ensure the suitability of their education. Extreme circumstances would include:

- Where education is not efficient and suitable to the age, ability and aptitude and to special educational needs and this situation is unlikely to be resolved through further on-going dialogue
- When the authority has made every effort to secure information to comply with its duty to satisfy that an efficient and full time education is being provided.

10.3 Where concerns are held, Education Welfare Officers will seek to establish the wellbeing of the child and if they are a child missing education (CME) in accordance with the CME policy and guidance other options may be sought which could include serving an Attendance Order.

10.4 If parents fail to satisfy the authority that suitable education is being provided, parents can by law be required to “cause the child to become a registered pupil at a mainstream school”.

10.5 If an attendance order is served the parents have 14 days to appeal to the courts who may confirm, vary or annul the order.



11. Flexi schooling

11.1 Requests for flexi schooling, which would enable a child to be withdrawn from school on a part-time basis, but attend for certain days or certain subjects can be considered. Parents are advised to submit their request in writing stating the arrangement they would prefer. Discussions will then be held with the school to assess how viable the requests are. Parents will be advised of the decision within 15 working days. It is a school decision whether to agree to flexible schooling of a pupil.

12. Policy monitoring and review

12.1 The implementation of this policy will be monitored by the Chief Education Officer or by his/her representative.

12.2 The policy will be reviewed annually or following new relevant legislation.

13. Safeguarding

13.1 The welfare and protection of all children is of paramount concern and is the responsibility of the whole community. If any concerns regarding the welfare and safeguarding of the child come to light regarding home educated children or families, immediate contact should be made with Children's Services in the relevant area. This should be followed up with a written referral where appropriate.

13.2 If a parent elects to employ a tutor as home educator then they are responsible for ensuring that the person is a suitable candidate to have access to their child. It is the parent's responsibility to ensure appropriate references and DBS checks are completed.



APPENDIX 1: Elective Home Education (EHE)

Frequently asked question and answers:

Is it legal?

Yes it is legal to elect to home educate your child. Parents do not need to be a qualified teacher to home educate.

Will I receive any financial help?

It is recognised that a home educating family will incur additional costs when providing the resources and opportunities that are typically available for free in school. The Welsh Government has made funding available to assist home educating families with the costs of, for example:

- GCSEs or alternative qualifications;
- Welsh language courses for the family;
- learning resources such as textbooks and materials;
- educational trips;
- learning software; and
- facilities to use for group activities

Applications for this funding can be submitted using the form on the Newport City Council website.

Do I need to teach the National Curriculum?

The National Curriculum only applies to state schools. As a home educator it is up to you what areas of work are completed. However, the National Curriculum can provide a good basis on which to base your EHE programme. There is no requirement to observe the school hours, days or terms or to follow a fixed timetable. There is no requirement for parents to assess their children although schools can assist with sitting public examinations from the WJEC board if this is required.

At what age is schooling compulsory?

The law requires a child to be educated from the start of the term following their fifth birthday until the last Friday in June in the school year they reach 16 years old.

Can my child still take exams?

Yes you can arrange for some WJEC exams to be taken as an external candidate at various examination centres, for example a local school or college. Full details of this can be found on the WJEC website. Help regarding approved centres in Newport can be obtained from the Senior Education Welfare Officer. The costs of all exam requirements and entries must be met by the parents.



Can you home educate a child with a statement of special educational needs?

Yes parents can elect to home educate their child providing they do not attend a special school. However you will be asked by the local authority how you intend to meet their special needs as outlined in their statement.

What if my child attends a special school?

If your child is registered with a special school you will need to obtain permission from the Head teacher and Chief Education Officer before de-registration. Checks will be completed to ensure you can provide for all his/her special needs.

As a home educator, will I be monitored?

Yes the local authority has a responsibility to ensure that parents/carers are providing an efficient, suitable full-time education. There is no legal requirement for parents to engage with the local authority, however it would be in the best interest of your son/daughter to keep communication links open.

What happens if the authority is not happy with my provision?

In accordance with Sections 437 to 443 of the Education Act 1996 Newport City Council can intervene if it appears that your child is not receiving an efficient, suitable full-time education. A School Attendance Order can be served. This allows parents 15 days to provide information as requested to evidence the work completed to ensure the suitability of the education they are providing. If parents fail to satisfy the authority that suitable education is being provided, parents can by law be required to register their child at a mainstream school.

What if parents change their minds?

Should you decide you wish your child to return to mainstream education please contact the school admissions service for Newport City Council.

Is flexi schooling an option?

The authority will consider parental requests to flexi-school their child. Flexi-school enables your child to attend school for certain days or lessons on a part-time basis. This arrangement will be discussed with the head teacher.

Do you complete Disclosure and Barring Service (DBS) checks for potential home educators?

No. If a parent elects to employ a tutor to provide home education then they are responsible for ensuring that the person is a suitable candidate to have access to their child. It is the parents' responsibility to ensure appropriate references and DBS checks are completed to ensure that all safeguarding procedures are in place.



Can my son/daughter access extra-curricular activities?

Home educated learners are entitled to access support and provision including out of school hours learning activities (including accredited courses); leisure, sporting and cultural opportunities; advice and guidance; and participate in relevant consultation processes



APPENDIX 2

Elective home education contact information

Local Authority Contacts:

Assistant Head of Education (Engagement and Learning)

Education Services

Civic Centre

Newport City Council

NP20 4UR

Telephone: 01633 656656

Senior Education Welfare Officer

Education Services

Civic Centre

Newport City Council

NP20 4UR

Telephone: 01633 656656

Author: Andrew Powles

Date: July 2017

Updated Hayley Thomas August 2020

Review Date: August 2021

Version: 1.6

