



**ABOUT THIS DOCUMENT:**

**Purpose**

The purpose of these procedures is to give clarity to leaders and parents when a family wishes to apply to educate their child at home.

**COMPILED BY**

Kevin Latham June 2022

**Agreed by Directors –**

**SIGNED**

**DATE**

Review Date – June 2025

## **Wellbeing in our Trust**

We are all affected by poor physical and mental health at times during our lives and it is important the appropriate support is available in a timely manner.

Health and wellbeing is everyone's responsibility and we encourage an open and honest culture whereby anyone can discuss any issues they may have.

The Trustees of Creating Tomorrow take the health and wellbeing of all employees seriously and are committed to supporting our staff. The Trustees ensure that support for staff is available through:

- Effective line management
- Commitment to reducing workload
- Supportive and professional working environments
- Employee support programs
  - Health Assured (confidential counselling support available through Perkbox account).
  - The Education Support Line telephone number 08000 562561 or website [www.educationsupport.org.uk](http://www.educationsupport.org.uk)

### **1. Introduction**

This document is based on the guidance issued to Local Authorities (LAs) by the Department of Education (DfE).

Elective home education (EHE) is the term used by the DfE when parents decide to educate their children at home instead of sending them to school.

These procedures aim to clarify the balance between the right of the parent to educate their child at home and our responsibilities as a school, and those of the Local Authority, for education.

Each Local Authority is required to provide guidance and set out the arrangements for parents to apply to EHE their child, and there are specific actions when this involves a student at a special school:

Luton: [https://m.luton.gov.uk/Page/Show/Education\\_and\\_learning/Pages/Elective-home-education.aspx](https://m.luton.gov.uk/Page/Show/Education_and_learning/Pages/Elective-home-education.aspx)

Northamptonshire guidance: <https://www.northamptonshire.gov.uk/councilservices/children-families-education/SEND/send-support-for-children/Pages/home-schooling-a-child-with-send.aspx>

Creating Tomorrow recognises that there are many approaches to educational provision, which are not just a 'school at home' model. What is suitable for one student may not be suitable for another, but all children should be involved in a learning process.

## 2. Parental Rights and Responsibilities

Throughout these procedures the word “parents” will be used to indicate anyone with parental responsibility.

In England, education is compulsory, but school is not and therefore we recognise a parents' right to educate their children at home.

The law states that:

*‘The parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable:*

- a) to his/her age, ability and aptitude, and*
- b) to any special educational needs he/she may have, either by regular attendance at school or otherwise’*

The Elective Home Education Guidelines for Local Authorities have more information about parents' freedom to choose the form of education they believe is best for their child.

Parents may choose to employ other people to educate their children, but they will still continue to be responsible for the quality of the education provided. They will also be responsible for making sure that the people they employ are suitable by taking up appropriate references, including a Disclosure and Barring Service (DBS) check where appropriate.

EHE differs fundamentally from home tuition arranged by the school, or Local Authority, which is provided for students unable to attend school through illness or disability. Home education is also different from hospital education or Pupil Referral Units. Once a student is electively home educated, it is the parent's responsibility to make all the arrangements. With EHE the parent will also have to pay for all educational materials plus any examination fees and associated costs.

## 3. Process for Parents and School

Parents’ right to educate their child at home applies equally where a child has SEN. This right is irrespective of whether the child has an Education Health and Care Plan (EHC Plan), however as the child is registered at a special school, under arrangements made by the local authority as detailed in the DfE Pupil Registration Regulations, the parent cannot de-register for home education without the agreement of the local authority:

- Parents will need to write to the headteacher of the school informing them of their wish to home educate their child and therefore their child's name to be removed from the school. (This process is called de-registering)
- The school will notify the LA;

- Luton – SENAT link team member
- Northamptonshire – EHC Plan coordinator link team member
- The LA will contact the parents about the arrangements they are making for their child's education.
- The parent will be allocated an elective home education support worker who will arrange a home visit to discuss plans and arrangements.
- After being notified, the local authority, in most cases will give consent to the school to remove the student from their roll.
- During the period between notifying the school and the LA agreeing for the student to be EHE, the student does not need to attend school, however the school will offer reasonable support to the parent.

Where a student has an EHC Plan and is home educated, certain duties will remain the responsibility of the local authority. Further information and guidance may be found in the SEN Code of Practice.

#### **4. Children's Services - Education Responsibilities**

The Local Authority will keep an up to date record of all children known to be home educated and will ask parents for some basic information about the provision they are making for their child's education. From time to time the authority will contact parents and ask them to confirm that the details are still current.

If it seems that a child is not being provided with a suitable education the LA will gather information to help the authority reach a properly informed judgement. Parents will always be informed in writing of any specific concerns.

However, if it still appears that a child is not receiving suitable education, local authorities can use other duties and powers to support their work on Children Missing Education (CME) and the LA will serve a formal notice in writing on the parent as set out in section 437 (1) of the Education Act 1996, which could be the first stage in serving a School Attendance Order.

If parents at any point would like their child/children to return to school they can contact the LA's relevant admissions team which can be found via the LA's Local Offer:

Luton: <https://directory.luton.gov.uk/kb5/luton/directory/localoffer.page?localofferchannel=0>

Northamptonshire: <https://www.northamptonshire.gov.uk/councilservices/children-families-education/send/local-offer/Pages/default.aspx>

## **5. Home Education and Special Needs**

Additional guidance and support for parents is available from Information Advice and Support Service (IASS) for independent advice and support: 01605 636111 or e-mail on [contact@iassnorthants.co.uk](mailto:contact@iassnorthants.co.uk) and there is also additional support via groups run by parents for parents: <http://www.iassnorthants.co.uk/Pages/home.aspx>

## **6. Safeguarding Children**

If health, child protection, welfare or social concerns come to light in the course of engagement with children and families or otherwise, these concerns will be immediately referred to the appropriate Children's Services department/Safeguarding Officer using established procedures.

When a referral for EHE has been received from a child's school, checks will be made by the LA to ascertain whether or not the child is currently open to social care. When a case is open to social care, the Elective Home Education / Safeguarding Risk Assessment will be sent to the child's social worker who must complete all relevant sections and return the risk assessment to the LA. Depending on the outcome of the risk assessment, follow up work and action may be required by social care and/or the LA.

### **Children Who Are In Need or With a Child Protection Plan**

Social workers are required to inform the LA of any child allocated to them who is in need or has a Child Protection Plan and who is being EHE.

LA officers must be invited to and attend (or contribute to in writing) statutory reviews for all EHE children identified as Children in Need or who have a Child Protection Plan.