



Elective Home Education Guidance 2023

Under Consultation

Queries about this document should be addressed to:

Specialist Education Welfare Officer

home.education@brent.gov.uk

Brent Civic Centre, Engineers Way, Wembley HA9 0FJ

Introduction

The purpose of this guidance is to assist Brent Council in carrying out its statutory responsibilities and to encourage good practice by clearly setting out the legislation and the roles and responsibilities of the Education Welfare Service (EWS) and parents/carers/carers in relation to children in Brent who are educated at home. This information is made available on Brent Council's website at www.brent.gov.uk and is sent to all parents/carers who enquire about home education. The EWS will translate this guidance into other languages on request.

Elective Home Education is the term used by parents/carers and the local authority to describe parents/carers' decision to educate a child of statutory school age at home rather than at school. Children whose parents/carers elect to educate them at home are not registered at mainstream schools, special schools, independent schools, academies, pupil referral units (PRUs), colleges, children's homes with education facilities or education facilities provided by independent fostering agencies.

The Local Authority must satisfy itself that parents/carers can provide their children with a suitable education either by attendance at school or otherwise. In Brent, the EWS has a responsibility to ensure that parents/carers fulfil this responsibility.

The EWS respects the right of a parent to home educate and will make every effort to create positive links with families. In Brent, we do not assume that because the provision is being delivered by parents/carers that the provision is necessarily unsuitable. We recognise that there are many, equally valid, approaches to educational provision and look to find the essential core elements set out below in home education.

- Consistent involvement of parents/carers or other significant carers in providing a substantial role in providing education.
- Recognition of the child's needs, attitudes and aspirations captured in a provision map, and access to resources/materials to deliver the curriculum. This should include any detail relating to the child's special educational needs and if an education health and care plan is in place that this includes all aspects of the education health and care plan.
- Opportunities for appropriate interaction with other children and adults for personal, social, and emotional development.

Elective Home Education organisations can offer advice and information to parents/carers, a list of organisations can be found in Annex 1.

As with children educated at school, welfare issues may come to light with home educated children and their families. These will be dealt with using established local authority safeguarding procedures and protocols for child protection and when necessary, referrals will be made by the Education Welfare Service. For further information on safeguarding please, go to [Brent's Local Safeguarding Partnership website](#).

The Law relating to Elective Home Education

The responsibility for a child's education rests with parents/carers. In England, education is compulsory, but schooling is not. Section 7 of the Education Act 1996 sets out the right of parents/carers/carers to educate their children at home.

"The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable-

(a) to his age, ability and aptitude, and

(b) to any special educational needs he may have, either by regular attendance at school or otherwise.”

Parental responsibilities

Parents/carers may decide to home educate their children from when they are of statutory school age and not enrol them in a school. They may also decide to home educate at any stage in their child's education until they are 18. Parents/carers are not required to have any qualifications or training before they can remove their child from school to home educate, but they must be able to provide a suitable education. For further advice about home education, parents/carers can contact Brent's Elective Home Education (EHE) Officer at Home.Education@brent.gov.uk or the organisations listed in Annex 1.

The LA recommends that you do not choose to educate your child at home just because:

- You are disappointed at not having gained a place at a particular school.
- You are having difficulty ensuring your child attends school.
- You have had a disagreement with the school or a teacher over your child.

If you do decide to home educate we would strongly recommend:

- Parents/carers plan the education offer
- Look at the costs involved, e.g. books, equipment, educational visits, tutors, entries for examination, online subscriptions. The Council does not make any financial contribution to the costs of elective home education;
- Consider the significance of the social aspect of your child's education. It is possible to plan activities through family, however many of your child's peers will be in school. Home School groups arrange activities through social media and home educating families can find links to some useful organisations at the end of this document.
- Bear in mind the time and energy required to provide effective provision and ensure academic progress. If it is your intention to emulate the provision offered by school then realistically you will be undertaking a full-time job

If your child is on the roll of a school, parents/carers must inform the headteacher of their child's school in writing that they wish to home educate. Deregistration is the term used when a parent/carer requests that a school removes a child's name from the register.

If a child is registered at a school because of an Attendance Order the parents/carers must get the order revoked by the local authority on the grounds that arrangements have been made for the child to receive education otherwise than at school before the child's name can be removed from the register.

Parents/carers are required to provide efficient, full-time education. As a guide, a full-time education for children attending school is 25 hours per week (Local Government Ombudsman).

It is now possible for home educated parents/carers to enrol their child at certain further education colleges from the age of 14 years. Parents/carers should contact their local college for further information.

Parents/carers can decide whether to meet the EHE Officer in their home, Brent Civic Centre or elsewhere. Parents/carers can also choose the way in which they demonstrate to the EWS how their child is being educated. For further information, parents/carers can contact the EHE Officer, or organisations listed in Annex 1.

Some parents/carers choose to send their child to an establishment where parents/carers or tutors teach a group of home educated children. (This is not the same as when a parent/carer

meets up with other home educating parents/carers and they remain with their children). Any group exceeding four children or offering full-time education must register as an independent school with the Department for Education (DFE). However, if five or more children are from the same family then they do not need to register with the DFE. Parents/carers should always check that any school or tuition group they are considering sending their child to is registered with the DFE. If they are concerned that an establishment is not registered, parents/carers can make enquiries with the DFE.

From 26 June 2015 all young people were required to participate in education, employment, or training until the end of the academic year in which they turn 18. Local authorities should support all young people who are not engaged in education, employment, or training including those home educated. If additional support is required parents/carers or home educated young people can contact the EHE officer for a referral to the relevant post 16 participation team.

The responsibilities of a headteacher of a mainstream school

Once notified by parents/carers in writing of their intention to home educate, the headteacher should remove the child's name from the admissions register and inform the EWS, giving the child's name, address, and the ground upon which the name is to be deleted from the register.

Headteachers should provide a written reply to the parent's/carer's letter acknowledging receipt and giving the date on which the child's name is removed from the school's register and send copies of both letters to Home.Education@brent.gov.uk. Unless the child has an education, health, or care plan, where the school must request an emergency annual review to discuss the request with parents/carers, the local authority and, if appropriate, other allied professionals.

Education Welfare Service responsibilities

Once notified that a parent/carer is home educating the EHE Officer will send out a home education pack, which will include Brent's Elective Home Education Guidance and a questionnaire.

The EHE Officer will write to parents/carers to invite them to provide information about their home education arrangements within three weeks. It is best practice for the EHE Officer to meet with parents/carers to discuss their home education arrangements.

Whilst it is not a mandatory requirement for a parent/carer to provide the EWS with information about home education, we request that this is done as a matter of good practice. In the absence of this, Brent cannot satisfy itself that the education is being undertaken or that it is satisfactory and therefore cannot assess if the parent is in breach of Section 7 of the Education Act 1996. The local authority will only intervene if suitable education is not being provided or if they are unable to ascertain whether a suitable education is being provided. In cases like this the EHE Officer will refer parents/carers to Brent Admissions for a school place, see Elective Home Education Flowchart Annex 2.

The EWS, once satisfied that a child is receiving suitable education, have no statutory duties to monitor the education on a routine basis. However, it is good practice if families establish links with the EHE Officer and meet at least once a year.

The EWS recognises that in the early stages a parent/carer may not be able to supply the EHE Officer with a detailed plan, and therefore unable to demonstrate that 'efficient and suitable educational provision' is taking place. If this happens, reasonable timescales will be agreed between the EHE Officer and parents/carers to give them the opportunity to develop their provision, see Elective Home Education Flowchart Annex 2. It is important that a line of communication between the Local Authority and the family is established.

Where the EHE Officer has discussed home education with parents/carers or has been provided with information about home education, but requires further clarification on the education, a letter will be sent to the parents/carers requesting information to be provided within three weeks. Should parents/carers not respond, the EHE Officer will write to parents/carers and inform them that they have a further two weeks to provide the information before a referral is made to Brent's Admissions Department for a school place.

Brent Council is required to intervene through the school attendance order framework if the EHE Officer is not provided with any information about the home education or the home education is not suitable. The serving of a school attendance order is a last resort if all attempts to improve provision are unsuccessful and parents/carers then refuse a school place.

Sections 10 and 11 of the Children Act 2004 give local authorities general duties for promoting the well-being, (in relation to their non-education functions) safeguarding and promoting the welfare of children in their areas. This includes children educated at home as well as those attending school. Section 175 of the Education Act 2002 requires authorities to make arrangements for ensuring that their education functions are exercised with a view to safeguarding and promoting children's welfare. Therefore, the general duties of local authorities in relation to safeguarding are the same for all children, however they are educated. For home educated children if there is a section 47 safeguarding concern, the Local Authority will review the appropriateness of home education as part of any intervention plan. If a lack of suitable education or being home educated appears likely to impair a child's development, the local authority will fully exercise their safeguarding powers and duties to protect the child's well-being, which includes their suitable education.

A record of parents/carers who home educate and their child is held on Brent Council's pupil database. Under the Freedom of Information Act (2000), the EWS may be asked to provide data on the number of home educated children known to the Brent Council.

The EWS will make available Brent Council's complaints procedures to home educators on request.

The EWS will consult with home educators and support organisations on policy and procedures once a year.

Responsibilities where a child with an Education, Health and Care plan (EHC plan) attends a mainstream school or a special school

If the child has an EHC plan, it remains Brent Council's duty via the SEND 0-25 Team to ensure that the child's needs are met through the provision made by the parents/carers

Parents/carers of children who have an EHC plan and attend a mainstream or special school can deregister their children to home educate. Parents/carers must notify the school in writing of their intent. The school will hold an emergency annual review, including parents/carers, the local authority and, if appropriate, other allied professionals, to discuss how the child is receiving education otherwise than at school and how the outcomes in the EHC plan will be met.

Where children attend a special school the approval for electively home education rests with the Local Authority.

In cases where the EHC plan gives the name of a school or type of school where the child will be educated and parents/carers decide to educate at home, Brent Council is not under a duty to make the special educational provision set out in the plan provided it is satisfied that the arrangements made by the parents/carers are suitable.

If the parents/carers make education arrangements that are suitable, the local authority are relieved of their duty to arrange the provision specified in the EHC plan. If, however, the parents/carers attempts to educate their child at home results in provision which falls short of meeting the child's needs, then the parents/carers' are not making 'suitable arrangements' and Brent Council cannot conclude that they are absolved of their responsibility to arrange the provision in the EHC plan.

The local authority has a responsibility to review the EHC plan annually via an annual review. The annual review process will be attended by the SEND 0-25 case officer.

Where Brent Council have discussed the education with parents/carers but there are concerns that the child's needs are not being met as described in the EHC Plan, a letter will be sent to the parents/carers informing them of the concerns and that they have a further three weeks to seek support, address concerns and provide the SEND 0-25 officer with further information. A review of the EHC plan may be arranged at any time during the year to consider changes to the educational provision.

In cases where Brent Council and parents/carers agree that home education is the right provision for a child with an EHC plan, the document should make clear that the child or young person will be educated at home. If it does, not then the local authority, under Section 42 (2) of the Children and Families Act 2014, must arrange the special educational provision set out in the plan, working with the parents/carers.

Parents/carers may also home educate children who have SEN but do not have an EHC plan. As with children who do have EHC plans, Brent Council may consider whether to provide support to help the parents/carers make suitable provision. Information about the right to request a special needs assessment and the right to appeal will be made available to all parents/carers including those who are considering home education because they feel that the special educational support being provided in the school is insufficient to meet the child's needs.

In some cases, Brent Council will conclude that, even after considering its power to provide support to home educating parents/carers, the provision that is or could be made for a child or young person with an EHC plan does not meet the child needs. In these cases, parents/carers will be encouraged to accept a school place. As a last resort, the EWS will issue parents/carers with a school attendance order where a child's needs are not being met.

Further reading

1. SEND Code of Practice 0 to 25 (DFE) 2015 .
2. School Attendance Orders, section 437- 444 Education Act 1996.

Some websites that families have found useful:

General

www.bbc.co.uk/schools/bitesize

<http://www.bbc.co.uk/learning/>

<http://www.bbc.co.uk/schools/>

www.timetoteach.co.uk/links/homeschoolresources.html

<http://www.echoeducation/>

www.time4learning.com

<http://www.futureschool.com/>

<http://www.homeworkelephant.co.uk/>

<http://www.crickweb.co.uk/>

<http://www.enchantedlearning.com/Home.html>

<http://www.happychild.org.uk/>

www.muddlepuddle.co.uk

www.clever-dragons.com

www.twinkl.co.uk

English

<http://www.bibliomania.com/>

<http://www.aquila.co.uk/>

Maths

<http://www.woodlands-junior.kent.sch.uk/maths/timestable/>

<http://www.mathszone.co.uk/>

Geography

<http://mapzone.ordnancesurvey.co.uk/mapzone/>

<https://www.littlepassports.com/uk/>

Science

<http://www.sciencewithme.com/>

<http://www.sciencekids.co.nz/gamesactivities.html>

http://home-ed.info/Resources/science_resources.html

<http://physics.org>

<http://www.krampf.com>

www.sciencemuseum.org.uk

<http://www.superchargedscience.com>

ICT

http://www.teach-ict.com/programming/scratch/scratch_home.htm

www.codecademy.com

Internet Safety

BBC – www.bbc.co.uk/webwise/topics/safety-and-privacy

CEOP - <http://www.thinkuknow.co.uk/>

Childnet International – www.childnet.com

Mumsnet – www.mumsnet.com

The Parent Zone – www.theparentzone.co.uk

Internet Matters - <http://www.internetmatters.org>

Elective Home Education Support Organisations

Education Otherwise – www.educationotherwise.net

Education Otherwise give support and information to families whose children are being educated out of school or who are considering home-based education. There are local groups, individual contacts and information leaflets.

Home Education UK – www.home-education.org.uk

This support for Home Educators, established in 2000 offers over 150 pages of support in all aspects of home education for parents/carers and children.

Expert Guide To Home Education – www.netmums.com

Offers support from the parents/carers perspective on many aspects of Home Education.

Gov.uk – www.gov.uk/home-education

The facts and legal procedures regarding Home Education.

Home Education Advisory Service – www.heas.ork.uk

PO Box 98, Welwyn Garden City, Herts, AL8 6AN. Tel: 01717371854. Email: enquiries@heas.ork.uk

Organisation that offers support to Home Educators.

Structured Home Learning – www.structuredhomelearning.com

29 Wickham Road, Hants, PO16 7LY. Tel: 01329310071. Email:

info@structuredhomelearning.com

Site designed to offer advice on resources and planning for structured home learning. Advice offered on curriculum etc.

HE-Special – www.he-special.org.uk

Home Educating children with special education needs. This site is run by families who have children with special education needs being home schooled full time or part time.

BBC – www.bbc.co.uk/schools/parents/carers/home-education

Site operated by the BBC giving bite size information on Home Education and the law.

HESFES – www.hesfes.co.uk

An annual weeklong festival, possibly the world's largest gathering of home educators.