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Elective Home Education

Guidance and Procedures for Bristol City Council



BRISTOL
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ELECTIVE HOME EDUCATION GUIDANCE & PROCEDURES FOR BRISTOL CITY COUNCIL

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Introduction

Elective home education (EHE) is the term used by the Department for Education (DfE) and Bristol City Council (BCC), hereafter referred to as Local Authority (LA) to describe the educational provision made for children whose parents decide to educate them at home instead of sending them to school.

Children whose parents elect to educate them at home will not be 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. Some parents may choose to engage private tutors or other adults to assist them in providing a suitable education, but there is no requirement for them to do so. Learning may take place in a variety of locations, not just in the family home.

When parents choose to home educate, the LA seeks to work with the parents to build effective relationships in order to safeguard the educational interests of children and young people; these relationships should be rooted in mutual understanding, trust and respect.

The purpose of this document is to show how the LA will fulfil its statutory duty through setting out the legislative position and the roles and responsibilities of the LA, schools and parents in relation to children who are educated at home. The document also outlines the procedures that the parents, school and LA will undertake once parents decide to home educate their child. The term parent includes a child’s natural parents, anyone with Parental Responsibility for the child or anyone who is caring for the child.

Parental Rights & Responsibilities

The responsibility for a child's education rests with their parents. Education is compulsory, school is not. Under the Education Act 1996 parents are responsible for ensuring their children of compulsory school age receive efficient full-time education. This is from the first term after the child's fifth birthday, until the last Friday in June in the school year that the child turns 16 years old. The education can be at school or elective home education. Section 7 of the Education Act 1996 provides that:

"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."

An "efficient" and "suitable" education¹ is not defined in the Education Act 1996, but "efficient" has been broadly described in case law as an education that "achieves that which it sets out to achieve", and a "suitable" education is one that "primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so"

Article 2 of Protocol 1 of the European Convention on Human Rights states that:

"No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions."

Parents may decide to exercise their right to home educate their child from a very early age and so the child may not have been previously enrolled at school. They may also elect to home educate at any other stage up to the end of compulsory school age. If the child is in attendance at a school and parents wish to withdraw their child for home education the parents must inform the school in writing. That is, write a letter to the school that their child is enrolled at stating that they wish to remove their child from the school roll, in order to electively home educate.

EHE guidance says parents are presently under no duty to respond to requests for information from the LA or to meet with the LA, but guidance suggests that it would be sensible for them to do so. In order to enable accurate record keeping of children who are home educated the LA asks the parents of children who are home educated to notify us at **all** times of their intent to home educate and especially at the following transition times:

- if they do not intend to apply for a place in pre-school provision
- if they do not intend to apply for a place in a Reception class
- if they do not intend to apply for a school place at secondary transfer
- when they move into the area

¹ Further guidance as to what a 'suitable education' is can be found the DfE document (2007 & 2013) 'Elective home education: guidelines for local authorities' page 10 under the subheading 'Providing a full-time education' <https://www.gov.uk/government/publications/elective-home-education>

Parents who choose to educate their children at home must be prepared to assume full financial responsibility, including bearing the cost of a private tutor, any public examinations or courses.

Parents may choose to employ other people to educate their child, though the parents will continue to be responsible for the education provided. Parents are responsible for ensuring that anyone they employ is suitable to have access to children. The LA advises parents to fully satisfy themselves about the suitability of anyone they employ to support their child's education, by taking up appropriate references and making any other necessary enquiries including 'Disclosure and Barring Service' checks.

If a child is registered at a school as a result of a School Attendance Order the parents must get the order revoked by the LA on the ground that arrangements have been made for the child to receive suitable education otherwise than at school, before the child can be deleted from the school's register and educated at home.

At any stage following the issue of a School Attendance Order, parents may present evidence to the LA that they are now providing an appropriate education and apply to have the Order revoked. If the LA refuses to revoke the Order, parents can choose to refer the matter to the Secretary of State.

Parents should comply with notices and orders served by the LA under section 437 of the Education Act 1996 (see to Local Authority Responsibilities), if it appears that they are not providing a suitable education.

Please refer to Appendix A for further information about parental responsibilities in relation to EHE.

School Responsibilities

If parents inform schools that they are considering home education, it is important that parents and schools are fully apprised of the expectations and implications of home educating before committing to making this important decision. If the parents have any concerns or issues with the school their child is attending, ways of resolving them should be discussed to enable the child to continue to be educated at school. The LA recommends that parents are given the contact details of EHE Officers telephone: 0117 3521438 and email: ehe@bristol.gov.uk to seek guidance and advice before formally requesting the school removes their child from the school's roll. It is also advised that prospective home educators are provided with this guidance and website link:

<https://www.bristol.gov.uk/schools-learning-early-years/elective-home-education>

Parents of a child who has an Educational Health Care Plan (EHCP) can educate them at home. However, if the child is on roll at a special school, the school and child's parents need to ensure they have the LA's consent before removing their name from the school's register. In the first instance they should discuss this with their allocated SEND Officer. The LA's statutory duty is to undertake annual reviews, which includes assessing whether the ECHP is still appropriate, requires amendment or is no longer maintained.

<https://www.bristol.gov.uk/web/bristol-local-offer>

When a school receives written notification from a parent of their intention to electively home educate, it is the responsibility of the school to:

- Formally acknowledge the parents' letter in writing
- Delete the child's name from the school's roll
- Immediately inform Bristol LA (EHE team) of the removal of the child's name from their roll and reason for removal using the 'Exit from School' form (see Appendix B). In order to comply with Child Missing in Education Guidance, schools should also complete the online Grounds for Deletion Notification Form, which can be found [here](#).

Please refer to Appendix A for further information about schools responsibilities in relation to EHE.

Local Authority Responsibilities

Where ever possible the LA aims to work in partnership with parents and endeavours to provide assistance. The LA respects a parent's right to choose to educate their child at home but the LA also has wider duties which are in place in relation to safeguarding children and, if necessary, ensuring that children are receiving a suitable education.

The LA has a statutory duty to:

"Make arrangements to enable them to establish the identities, so far as it is possible to do so, of children in their area who are not receiving a suitable education.

The duty applies in relation to children of compulsory school age who are not on a school roll, and who are not receiving a suitable education otherwise than being at school."

(Section 436A of the Education Act 1996)

In order to assist us with complying with this statutory duty the LA strives to maintain a register of all children who are electively home educated in Bristol. The LA responds to any information it receives which indicates a child may not be receiving a suitable education other than at school by making further enquires with their parent(s)/carer(s).

The LA, under Section 437(1) of the Education Act 1996, shall intervene **if it appears** that parents are not providing a suitable education. This section states that:

"If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that the child is receiving such education."

The Education Act 1996 provides that the period shall not be less than 15 days beginning with the day on which the notice is served.

Prior to serving a notice under section 437(1), Bristol LA will try to address the situation informally. If the LA has information that makes it appear that parents are not providing a suitable education, it will ask parents for further information about the education they are providing.

Section 437 (3) refers to the serving of school attendance orders:

"If –

- (a) a parent on whom a notice has been served under subsection (1) fails to satisfy the local education authority, within the period specified in the notice, that the child is receiving suitable education, and
- (b) in the opinion of the authority it is expedient that the child should attend school, the authority shall serve on the parent an order (referred to in this Act as a "school attendance order"), in such form as may be prescribed, requiring him to cause the child to become a registered pupil at a school named in the order."

A School Attendance Order will be considered after reasonable steps have been taken to try to resolve the situation. At any stage following the issue of the Order, parents may present evidence to the local authority that they are now providing an appropriate education and apply to have the Order revoked. If the LA refuses to revoke the Order, parents can choose to refer the matter to the Secretary of State. If the LA prosecutes the parents for not complying with the Order, then it will be for a court to decide whether or not the education being provided is suitable and efficient. The court can revoke the Order if it is satisfied that the parent is fulfilling his or her duty. It can also revoke the Order where it imposes an Education Supervision Order.

The LA also has a duty under section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children. This section states:

"A local education authority shall make arrangements for ensuring that the functions conferred upon them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children."

The EHE Officer may consult First Response where there is uncertainty about the welfare and/or safety of the child; this may result in following the South West Child Protection procedures (More information can be found on the South West Child Protection website).

Procedural Guidance

If the child is on a school roll and the parents decide to home educate, they need to approach the school (at which the child is registered). The school should give the parents details of EHE contact details for Bristol, so they can seek guidance from the LA. The school should provide the parents with this document and the following website link:

<https://www.bristol.gov.uk/schools-learning-early-years/elective-home-education>.

Once the school has received written notification from the parents that their child is being withdrawn from school to be educated at home the child's name should be deleted from the school's admissions register. The school should immediately inform the LA of the deletion and the reason for it by emailing the LA EHE officers on ehe@bristol.gov.uk and through completing the online Grounds for Deletion Notification Form, which can be found [here](#).

However, if the child is attending a special school, the school and parents need permission from the LA before the child's name can be removed from the register. A child with an EHCP must have that reviewed annually in order to be assured that their needs continue to be met and they are achieving their outcomes. The annual review also offers an opportunity to focus on the future and plan for key phases of a child's life and reflect their changing strengths and needs. Where possible the annual request for evidence of a 'suitable and efficient' education will be combined with the annual review. Review meetings will be convened and chaired by the SEN team (Email: sen@bristol.gov.uk and telephone; 0117 922 3700).

Please see: <https://www.bristol.gov.uk/web/bristol-local-offer>

If a child is registered at a school as a result of a School Attendance Order the parents must get the order revoked by the LA on the grounds that arrangements have been made for the child to receive suitable education otherwise than at school, before the child can be deleted from the school's register and educated at home.

Once the LA has received notification that a child is being home educated the child's name is recorded on the LA EHE register. The LA undertakes a risk assessment prior to the initial contact. The LA will check to see if the child is subject to any Child Protection Plans. First Response will be consulted if there is uncertainty about the welfare and/or safety of the child. Initial contact will be made with the parent of the home educated child within one month of opting to home educate. The parents/carers will be sent an EHE Registration Form (seen in Appendix C) to complete and asked to outline the nature of education they intend to provide for their child.

An initial home visit will be offered usually within 3-6 months. Parents can also request a meeting at a neutral venue instead of their home or they may choose to provide a report instead of a meeting. The report should evidence that they are providing a suitable education for the age and ability of the child/young person concerned. Examples of evidence can be: a report about the education being given accompanied with samples of work and preferably an input from the child, having their educational provision endorsed by a third party (such as an independent home tutor), models, diaries, paintings, books, projects, educational visits etc.² Evidence is recorded on the pupil's case file. If it appears that a suitable education is being provided the LA will send the parent a letter confirming this.

Where it appears that a suitable education is not being provided, the LA will seek to gather any relevant information that will assist them in reaching an informed judgement. A written report will be provided after a visit from a LA EHE officer stating the LA's concerns about the educational provision and specifying what these are, to give the child's parents an opportunity to address them. Where concerns have been identified, more regular contact will be made while those concerns are being addressed. Where concerns merit regular contact, the authority should discuss them with the child's parents, with a view to helping them provide a suitable education that meets the best interests of the child.

² Further guidance as to what a 'suitable education' is can be found the DfE document (2007 & 2013) 'Elective home education: guidelines for local authorities' page 11 under the subheading 'Providing a full-time education' <https://www.gov.uk/government/publications/elective-home-education>

If the LA is not satisfied that a suitable education is being provided, and the parents, having been given a reasonable opportunity to address the identified concerns and report back to the LA have not done so; the LA will send a formal notice to the parents under section 437 before moving on, if needed, to the issuing of a School Attendance Order (section 437(1)). Please refer to Local Authority's responsibilities flowchart (Appendix B) for further detail. In most cases 'reasonable opportunity' is taken to mean 3 attempts to engage parents and/or approximately 6 school weeks.

The LA will assist families who request support with returning children to school.

The LA policy is to work in partnership with parents to develop good working relationships. Any enquiries relating to this guidance should be addressed to:

EHE Officers:

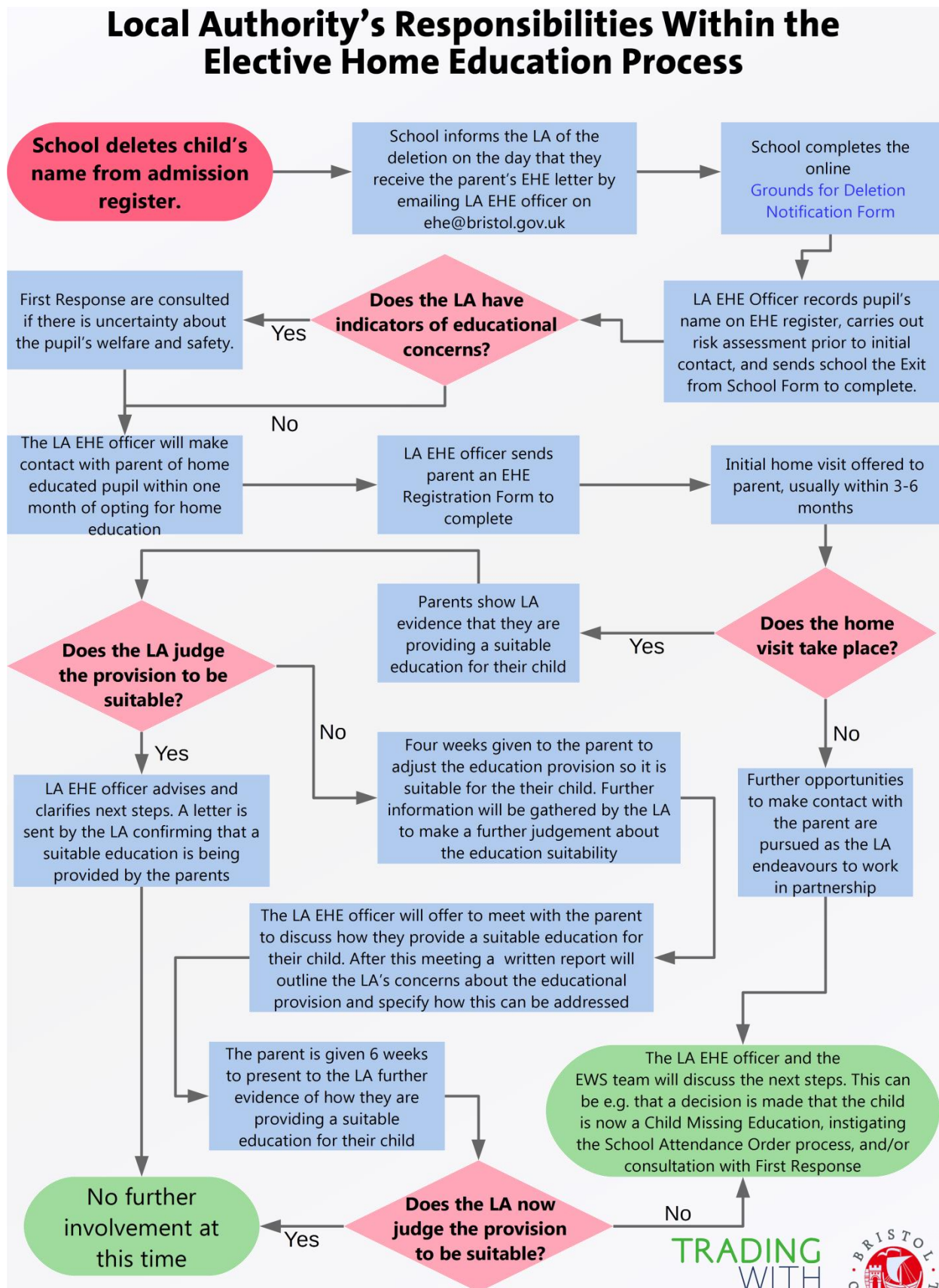
☎ 0117 3521438

✉ ehe@bristol.gov.uk

This policy has been drafted with reference to (but not exhaustively):

The Children's Act 1989, The Education Act 1996, The Education Act 2002, The Children Act 2004, The Localism Act 2011, Elective Home Education Guidelines for Local Authorities (DCSF 2007 and 2017), Working Together to Safeguard Children (DfE, March 2015) Children Missing Education: Statutory Guidance for local authorities (DfE September)2016

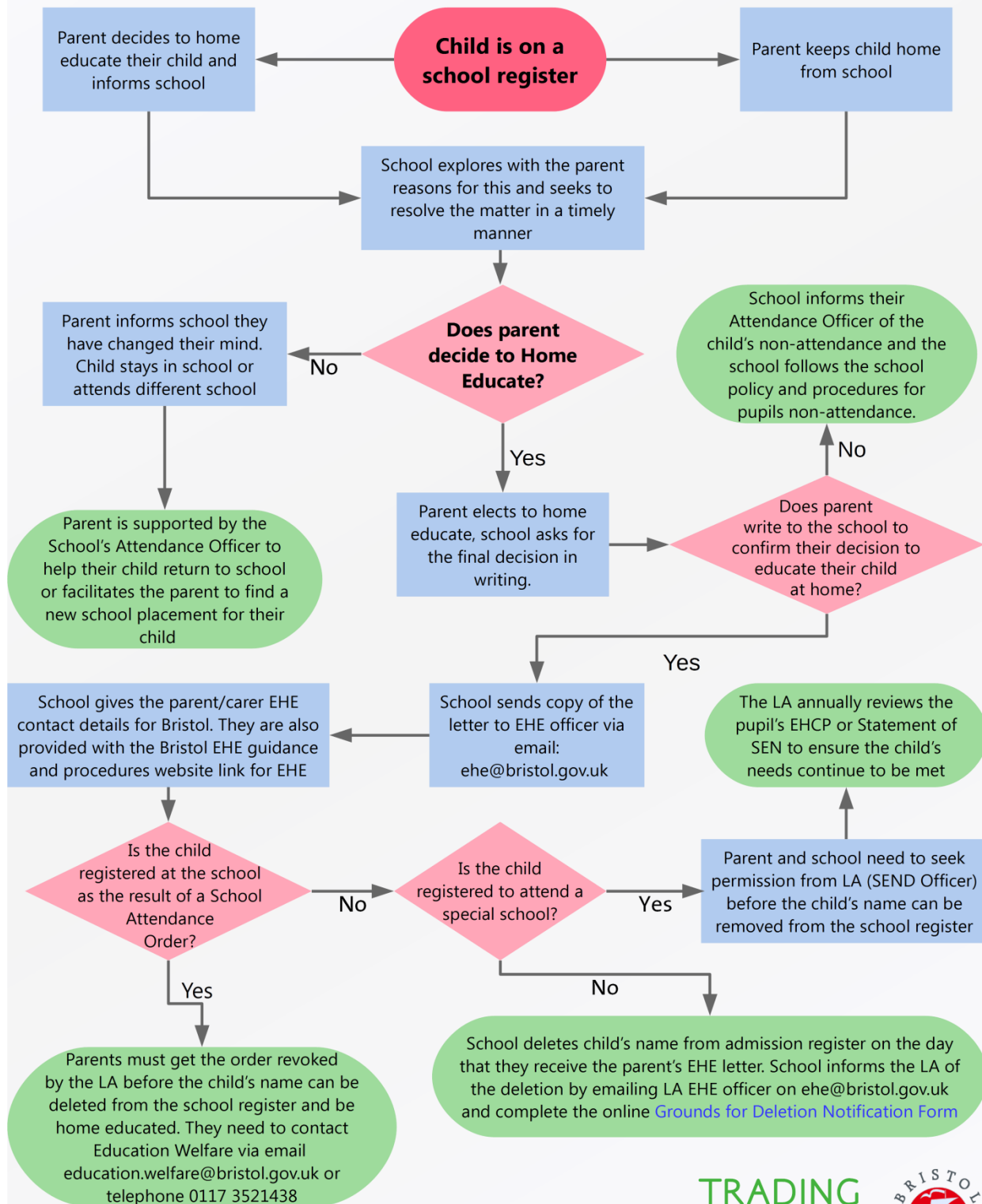
Appendix A -LA Responsibilities Flowchart



NB: The term parent includes a child's natural parents, anyone with Parental Responsibility for the child or anyone who is caring for the child.

Appendix B - Parents & Carers Responsibilities Flowchart

Parents/Carers and Schools' Responsibilities Within the Elective Home Education Process



NB: The term parent includes a child's natural parents, anyone with Parental Responsibility for the child or anyone who is carina for the child.

Appendix C - Exit from school form (School)



EHE NOTIFICATION TO BCC EXIT FROM SCHOOL FORM

(TO BE COMPLETED BY THE PUPIL'S PRESENT OUTGOING SCHOOL)

On receipt of written notification from a parent who wishes to educate their child at home, please complete this form and return to eh@bristol.gov.uk

Name of child:	<input type="text"/>	DOB:	<input type="text" value="Click here to enter a date."/>
Parent's Name(s):	<input type="text"/>		
Address:	<input type="text"/>		
Contact Numbers:-	<input type="text"/>		
Present School:-	<input type="text"/>		
Year Group	<input type="text"/>		
Gender	<input type="radio"/> Male <input type="radio"/> Female <input type="radio"/> Other		
	Is this child a Child in Care (CiC)? <input type="radio"/> Yes <input type="radio"/> No		
	Does this child have an EHCP or are they in receipt of SEND support? If yes please give further details below. <input type="text"/> <input type="text"/> <input type="text"/>		
Date enrolled at the school:	<input type="text" value="Click here to enter a date."/>		
Date of deregistration from school roll:	<input type="text" value="Click here to enter a date."/>		

Reasons given by the parent for EHE:



EXIT FROM SCHOOL FORM

<p>To the best of the school's knowledge, has the child been open to Children's Social Care in the last 2 years, or are they currently on CIN or CP Plan, or receiving help from Early Help etc?</p>
<p>Does the child have any known health needs (including mental health)?</p>
<p>Is the school aware of anything that could make it difficult for the parent to provide the child with a suitable full-time home education, or meet the child's needs in any other respect?</p>
<p>Does the school know about any risks associated with visiting the family at home?</p>
<p>Please provide us with any other factual details that might be applicable for us to know about in relation to this child/family.</p>
<p>Does the school have a Safeguarding file? If so, how will the school transfer this to the Local Authority?</p>

Print name of Headteacher

Signature of Headteacher

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Date

Appendix D - Parental Registration Form (Parent)

Bristol City Council

PARENTAL REGISTRATION FORM – ELECTIVE HOME EDUCATION

Child's Name			
Date of Birth		Ethnicity	Gender

Name of Parent		Title	
Relationship of Applicant to Child			
Please tick boxes as relevant	I/we have parental responsibility for the child		
The child lives with me/us		Is the child looked after by the LA?	
Address			
Post code			
Telephone Number	Home	Work	
OTHER PARENT(S) or CARER(S)			
<i>If any other person has parental responsibility and requires a separate copy of future correspondence, please give the details and any other relevant information.</i>			
Name			
Current Address (including postcode) If different from above			
Telephone Number/s			
Other information:			

OTHER INFORMATION	DETAILS
Name and details of last school attended	
Were there any attendance issues?	
Was the child excluded?	
Does the child have an EHCP?	
Is there any Social Care involvement?	
Any other professionals involved?	

Reason for choosing home education?
Does your child have any special needs?
Does your child have any health needs or issues?
Where will the main learning take place?
In your opinion what's going well with your child's learning? Please outline below:
In your opinion are you worried about anything in respect of your child's learning? Please outline below:

What involvement will you have in your child’s learning? Please outline below:
Please outline the plans you have for your child’s learning:
How will you take account of your child’s abilities? Please outline below:
How will you take account of your child’s interests? Please outline below:
What will you do if you become concerned about your child’s progress whilst you are electively home educating? Please outline below:

Declaration: I understand that by choosing to electively home educate my child I am assuming full responsibility for their education including planning & delivering the education and bearing the costs of any resources, tutors, courses or public examinations.

Print name (Parent).....

Signature of Parent.....Date:

Data protection: Your privacy is important to us – please refer to our privacy notice for a comprehensive summary. Your information will be held securely by Bristol City Council as both manual and electronic records. The information may be shared within the Council and/or with other statutory agencies and related professional bodies in order to fulfil our statutory duties.

Appendix E - Useful Websites to Support Educating at Home

For information only, Bristol LA is not responsible for the availability, content or endorsement of any of the external websites listed below:

Advisory Centre for Education (ACE)

www.ace-ed.org.uk

General advice line: 0300 0115 142

Bell English Young Learners

www.bellenglish.com

Telephone: 01223 275 598

Education Everywhere

www.educationeverywhere.co.uk

Tel: 01942 897779/01362 688466

Education Otherwise

www.education-otherwise.net

Helpline: 0845 478 6345

Freedom-in-education

www.freedom-in-education.co.uk/

Gypsy, Roma & Travellers

www.gypsy-traveller.org/about-us/ .

HE Special UK

www.he-special.org.uk/

Home Education

www.home-education.org.uk/

Khan Academy

www.khanacademy.org

BBC Bitesize

www.bbc.com

InterHigh Education

www.interhigh.co.uk

Oxford Home Schooling

www.oxfordhomeschooling.co.uk

Twinkl Educational Publishing

www.twinkl.co.uk

Home Education Advisory Service

www.heas.org.uk

Telephone: 01707 371854

Muddle Puddle

www.muddlepuddle.co.uk

NorthStar Worldwide

www.northstarworldwide.org

Personalised Education Now

www.personalisededucationnow.org.uk

The National Association of Traveller Teachers

www.natt.org.uk

The Travellers' School Charity

www.travellersschool.org.uk

TES

<https://www.tes.com/teaching-resources>

Other useful websites

www.educationalresources.co.uk Educational Resources

www.cie.org.uk (Cambridge International Courses/IGCSE Courses)

<http://qualifications.pearson.com> (EdExcel IGCSE Courses)

www.3at.org.uk (Examination Centre for IGCSEs in Bristol and mock exam service)