

## **Elective Home Education – Guidance for parents/carers**

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### **1. INTRODUCTION**

This information is for parents and carers who are considering or have decided to educate their child(ren) at home. It includes information to help you to make an informed decision about whether Elective Home Education (also referred to as home education or home schooling) is the best option for your child and yourself.

The Local Authority believes that the majority of pupils are best served within the state education system. However, we respect the right of parents who wish to educate their children at home. It is their legal right, but it is also a great responsibility that takes a lot of time and commitment.

Some parents may decide when their children are very young that they wish to educate them at home. Others may wish to home educate on a temporary basis, for example while they are awaiting the outcome of an appeal. Whatever your situation, a clear understanding of your rights and duties as parents is essential. It is also important to know what the role of the Local Authority is when pupils are educated at home.

Quite often, pupils or their parents find out that home education is not for them. It is important that you know how to get your child back in to school, if you decide at any time that home education is not your best option. As pupils get older it can be harder to meet their learning needs. The Education Welfare Service/Admissions Team will be pleased to advise and support you.

## **2. DfE GUIDANCE ON ELECTIVE HOME EDUCATION**

***3.12 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, they must follow the statutory guidance. If the pupil has a poor attendance record, the school and Local Authority must address the issues behind the absenteeism and use the other remedies available to them.***

Once you have decided to home educate your child you must write to the head teacher of your child's school regarding your intention to home educate. The Headteacher will forward a copy of your letter to the Education Welfare Service and your child's name will be removed from the school roll. From this point the Local Authority is no longer responsible for providing your child's learning or for provision of books or materials or marking or assessing work; all of this becomes your responsibility.

When the Education Welfare Service is notified of your intention to home educate your child, you will be visited by an Access and Inclusion Officer (AIO) who will discuss your decision with you and explain your responsibilities (see further down) and those of the Local Authority. We also inform the Health Service and Connexions (for pupils aged 13-16) that your child is being taught at home. This is so that possible areas of support and entitlement are not lost to your child.

At this point, if you decide that home education is not something you wish to undertake, the AIO can support you to apply for a school place so your child can return to school quickly to minimise them falling behind.

If, following the visit from the AIO, you decide to continue to home educate you will be advised of when the next visit to review the work being provided will take place. This visit is to establish that a suitable education is being provided and to give you the opportunity to discuss your programme of work and seek any support or advice you may need. There is no obligation to accept this visit to your home; you may wish to arrange to meet elsewhere if this is more appropriate or you may choose to provide samples of your child's work and the books and resources you are using. You could also compile a written report of your child's education.

During the visit, the AIO will be discussing your plan to provide your child home education. The AIO will need to make a judgement that the education you are providing is satisfactory. As per Section 7 Education Act (1996), this relates to whether the education is 'efficient full-time education suitable to [their] age, ability and aptitude and to any special educational needs [they] may have' (efficient and suitable are defined further below). From this discussion, the AIO will make a decision whether the plan is in line with the legal definition of suitable education (s7, Education Act, 1996):

- **If the education your child is receiving is satisfactory**, you will be told so by the AIO. You will be sent a copy of the report, and you will then be contacted annually to arrange a visit or meeting. If the AIO feels that it would be useful, a visit will be arranged sooner. This will also be discussed with you, and will be one of the recommendations in the report.
- **If the Local Authority considers that your child is not receiving a suitable education** you will be told during the visit. Reasons will be given and suggestions for improvement. Another visit may be arranged after you have been given a reasonable amount of time to adapt your programme. This is usually about three months. If there is no improvement, or if parents/carers repeatedly are unavailable for discussions and meetings to take place, the Local Authority may have to start proceedings for a school attendance order.

Even if you have reservations about how things are going, it is recommended that you meet an AIO to discuss what could be improved, rather avoiding a meeting.

**The questions and answers below will hopefully clarify the situation and help you in making your decision.**

### **3. QUESTIONS AND ANSWERS**

#### ***Does my child have to go to school?***

The 1996 Education Act states that 'it is the duty of parents to secure an appropriate full-time education for their children of compulsory school age'. Most parents carry out this duty by ensuring their child attends school. However, for a variety of

reasons, a small minority of parents decide to take on the duty to educate their child/children themselves.

***What are the parents'/carers' responsibilities/duty?***

It is the duty of parents of every child of compulsory school age “to cause the child 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” (Education Act 1996 Section 7).

***What is compulsory school age?***

Compulsory school age is from the beginning of the school term after the fifth birthday until the last Friday in June in the school year in which the sixteenth birthday falls.

**What does 'efficient', 'full-time' and 'suitable' mean?**

Whilst the government have not produced a specific definition for these terms, they have been outlined as follows:

**Efficient** can be interpreted meaning as being education which 'achieves what it is intended to achieve' i.e. in terms of being suitable (see below).

As Elective Home Education may be often almost continuous one-to-one contact and may take place outside of typical school hours, **full-time** does not have to mirror school hours and there is no requirement to: have a timetable; set specific hours; or observe school hours, day or terms. However, statutory guidance states that education should occupy a significant proportion of a child's life and that parents/carers will be expected to demonstrate the amount of time education is being provided.

As the legal duty is on the local authority to be satisfied that the education is suitable, the local authority will have the discretion to interpret these more precisely (e.g. in defining what the education should be intended to achieve) in line with government guidance.

**Suitable** means that the education must be age-appropriate, enable the child to make progress in line with their level of ability, and support specific aptitudes (e.g. if they excel in an area, to potentially focus more on that). Further guidance has been provided around: providing an appropriate minimum standard; enabling the child to aim to become an independent citizen in the UK community; not conflict with the Fundamental British Values; develop literacy and numeracy in line with the child's

age, ability and aptitude; be delivered in a suitable environment; and not impede social development (i.e. without excessive isolation from peers).

***Who do I inform if I decide to educate my child at home?***

If your child is registered at school, you should inform the Headteacher in writing of your intention. It is the Headteacher's responsibility to forward this to the local authority; however, it would be helpful to forward a copy of your letter to the Education Welfare Service. [educationwelfareservice@hullcc.gov.uk](mailto:educationwelfareservice@hullcc.gov.uk)

If your child attends a Special School, as the local authority will be required to give consent to remove from the roll, you must speak to the special educational needs department (SEND team) at the Local Authority and discuss with them how you will meet your child's needs.

***What if my child has never been registered in a school?***

If your child has never attended school, you do not need to inform anyone, but we do ask you send details to us so that we know you are making arrangements for your child's education. If you do not tell us that you are educating your child at home and we find out that you have a child who is not on a school roll, we will contact you to ask how you are educating your child as part of our Children Missing Education process.

***What is the Local Authority's duty under the 1996 Education Act?***

The Act places the obligation on Local Authority's to intervene if it appears that a child is not receiving an efficient education, which takes into account age, ability, aptitude and any special needs that the child may have. Hull City Council undertakes this duty by offering visits at times that are agreed with parents/carers. These visits will usually take place during term time and during the working day.

***What if my child has Special Educational Needs?***

If your child has an Education Health and Care Plan (EHCP), the Local Authority has to ensure the needs are being met by reviewing the EHCP annually; the same review that would have been held in school. It is highly likely that an Early Annual Review of the EHCP will be held to discuss the requested changes to the EHC Plan.

If your child attends mainstream school, you can inform the Headteacher of your intentions to home educate and your child's name will be removed from the school roll.

If your child has special educational needs but does not have an EHCP, it is worth considering whether you are educating from home only because you feel the school was not meeting your child's needs. Your child has a right to the local authority meeting their needs with the availability of a suitable full-time education offer. SENDIASS (contact details at the end of this document) are available to provide you the information, advice and/or support to challenge any difficulties in your child being provided suitable full-time education. If your child may have special educational needs and they may require special educational provision (i.e. educational or training provision that is additional to, or different from, that made generally for others of the same age), then you can request a EHCP needs assessment by contacting the SEND Team at SEND@hullcc.gov.uk.

***Do I have to follow the National Curriculum?***

No. The National Curriculum applies only to maintained schools. However, statutory guidance states that there must be an 'appropriate minimum standard which is aimed at'. Such a minimum standard should encompass literacy and numeracy in line with the age, aptitude, ability and any special educational needs of your child.

When a child is electively home educated it is the decision of the parent/carer as to what to teach and how the child learns. However, you may wish to be aware of the content of the National Curriculum as it does provide a framework, especially if you intend to return your child to state education or to pursue more formal qualifications, such as GCSE's.

These subjects are taught to pupils aged 5-11:

- English (following the national literacy programme from 1998)
- Mathematics (following the national numeracy programme from 1999)
- Science
- Design and technology
- History
- Geography
- Art
- Music
- Physical education
- Religious education
- At age eleven, a modern foreign language is added
- At age fourteen, children start to specialise more and can drop some of the subjects

The QCA (Qualifications and Curriculum Authority) produces many publications, which you may find useful, such as the details of the National Literacy Programme and suggestions for schemes of work. You will have to pay for these publications.

***Do I have to enter my child for tests and examinations?***

No, there is no requirement for you to enter your child for any tests or examinations. For an older child, you may wish to consider their need for qualifications, for example at GCSE or GNVQ part one. About half of sixteen-year-olds are expected to gain five or more GCSEs at 9 - 4 grades. If they do not get qualifications at 16 years, it is possible to complete an access course at college to catch up. Your records of the education you have provided and your child's progress will be very valuable to your child when gaining access to post-16 provision.

***Do I have to let the Access and Inclusion Officer visit my home?***

The Access and Inclusion Officer (AIO) is there for support and to confirm for you that you are meeting your legal requirement in regards to your child's education. The AIO will find it difficult to make a judgement on the suitability of the education being provided unless sufficient information is shared to make this judgement.

The AIO can support you and offer advice and guidance. It may be easier for you to meet at your home as usually this is where you will have the products of your child's education, but you can arrange to meet elsewhere if this is more appropriate.

If you prefer, you can choose to submit your evidence annually to the local authority, rather than share at a home visit. You can send your evidence in the post or by e-mail to the Education Welfare Service.

If, after an annual request, the service does not receive an update from you, we may consider intervening under Section 437(1) of the Education Act 1996 (local authorities shall intervene if it appears that parents are not providing a suitable education).

***What is the role of the Access and Inclusion Officer?***

It is up to parents how you plan your child's education and to provide books and other materials. The role of the AIO is to support you to provide an "efficient" and "suitable" education, so you are fulfilling your legal duty to your child. The AIO will offer you advice and information if you require it.

The AIO would like to talk to you and your child about the work that is being done. Here are some of the questions you may be asked:

- How are you planning to ensure your child has a broad and balanced education?
- How do you provide for your child's physical development?
- How do you arrange for your child to mix socially with his/her peers?
- How is the work organised?

- Do you include practical activities as well as written work?
- How will you record your child's progress and difficulties?

For older children:

- Will your programme allow them access to further or higher education?
- Will your programme give your child a wide range of career opportunities?

These questions are designed to challenge you and stretch the education you are providing. Do not worry if you are struggling; the AIO will support you to look at how you can develop your teaching and your child's learning.

### ***What do most successful home educators provide?***

Below are some considerations for what makes a successful home educator:

- They make the learning process active, practical, participative and hopefully fun.
- They make systematic plans for their child's learning.
- They take full advantage of all available resources, such as museums, libraries, parks, computer, a range of adults, educational video and audio tapes, clubs.
- They encourage their child to read widely.
- They plan a programme of educational visits and broadcasts.
- They provide opportunities for physical development.
- They encourage their child to develop socially with other children and adults.
- They make learning enjoyable by using a variety of approaches.
- They give their child opportunities for independent learning.
- They make sure their child has a quiet area for studying.
- They have a coherent philosophy of education.

### ***What if the Access and Inclusion Officer has concerns or reservations about the education I am providing?***

After the AIO has visited you will receive a report. If the AIO is not satisfied that a suitable education is taking place then further visits may be offered with the aim of helping you overcome the difficulties within an agreed time scale. If the Local Authority still considers your child is receiving a less than satisfactory education, this may result in an application for a School Attendance Order (Section 437, Education Act 1996) which will require the child to attend a named school. **Please note that at any stage following the issue of an attendance order process you may present evidence to the Local Authority that you are now providing a suitable education and apply to have the order revoked.**



***What if I decide to educate at home and then change my mind?***

Your child can return to school at any time. However, it is important to remember that once your child's name has been removed from the school's register the school is not obliged to keep this place open for your child. In most cases, the school allocated will be the same school your child had previously attended. However, due to school capacity it is possible your child may be allocated a different school. The LA will not provide transport or cover cost, unless they are specifically entitled to this (see Home to School Transport Policy on Hull City Council website - <https://www.hull.gov.uk>).

If you are considering applying for a school place, this should be as early as possible in year 9 as schools may find it difficult to accommodate your child's preferred options in Key Stage 4. The Education Welfare Service and Admissions Team can give you advice on how to apply for a school place.

Find out how to register your child for a Hull School contact the Schools' Admissions Team via email - [lsadmission@hullcc.gov.uk](mailto:lsadmission@hullcc.gov.uk).

***What is flexi-schooling?***

Some parents/carers choose to make arrangements for a child to receive part of the total provision at a school, known as 'flexi-schooling'. Schools are under no obligation to agree to such arrangements. When a child is flexi-schooled, the parent/carer must still ensure that the child receives a suitable full-time education but the element received at school must be taken into account in considering whether that duty is met.

***What further information is available?***

Hull City Council have further documents on the council website for Elective Home Education (see [www.hull.gov.uk](http://www.hull.gov.uk)), including 'Elective Home Education Frequently Asked Questions' and 'Home Education Protocol'. The government have issued guidance on Elective Home Education, titled 'Elective home education: departmental guidance for parents (2019)' and 'Elective home education: departmental guidance for local authorities (2019)'.

For information about SEND, you can visit the Hull Local Offer (<https://hull.mylocaloffer.org/>). Hull SENDIASS provide your legal rights and entitlements to education, health and social care SEND issues (see <https://www.kids.org.uk/sendiaass/services/hull-sendiaass/> or call on 01482 467541).

***Finally...***

Please think very carefully about electively home educating your child. Taking control of your child's education is a huge responsibility and will take a great deal of your time and commitment.

The cost of books, materials, resources, examinations (if required) and educational trips are all the responsibility of the parent/carer as you are outside the public education system.

Plan what you intend to do with your child before making a decision to home educate.

One of the many benefits of school life is the social interaction between children and young people. You may, therefore, have to make a determined effort to maintain social networks for your child to prevent them from becoming isolated from other children.

Try to resolve any problems at school before taking such a big step. Make an appointment to speak to the head teacher.

Further information, with signposting to support service is available on the Hull City Council website: <https://www.hull.gov.uk/support-education/home-education>

If you do decide to educate your child at home, your decision will be respected.

#### **4. POLICY HISTORY**

Implementation:

Updated: May 2024

#### **5. CONTACT DETAILS**

If you have any further queries, please contact:

##### **The Education Welfare Service**

**Room 128 2<sup>nd</sup> Floor Guildhall Alfred Gelder Street Hull HU1 2AA**

**Telephone: 01482 613842**

#### Education Welfare Service Privacy Notice

This notice explains what personal information we hold about young people we are working with, how we collect, how we use and how we may share information about them. We are required to give you this information under data protection law.

We can be contacted by calling (01482) 300300 or at the address above.

We collect information in order to allow us to assess and support young people in line with our statutory obligations and also where parents have asked us to do so.

If you are home educating your child we may collect the following information:

- Basic information (such as name, address, date of birth, gender) about the young person we are working with.
- Information about the Special Educational Needs, including medical information where this is appropriate of the child we are working with
- Information about the previous school life (such as attainment and attendance) of the child.
- Information about the home life of the child we are working with and their family, including any involvement with Social Services and any other Hull City Council departments.
- Information collected during visits to your home and the views of the person visiting.
- Details of the parent/carer and family of the child we are working with.
- Any information from services that work or have worked with the child or family.

We will process this personal information in accordance with the following conditions in the GDPR:

- 6(1)(c) processing is necessary for compliance with a legal obligation to which the controller is subject;
- 6(1)(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- 9(2)(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;
- 9(2)(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;

We will receive information relating to the child we are assessing and their family from: the child themselves; schools; the family; and other agencies who are working or have worked with the child or family in the past.

We may share personal information with other agencies who might be able to support you or need to know that you are educating your child at home and also with members of our moderation panel (to allow them to make decisions about you).

In line with our statutory obligations, we will keep any work that we do until the child the work relates to reaches 25 years of age.

More details about how Hull City Council uses personal information can be found on our website - <http://www.hull.gov.uk/help/privacy-notice>

## OFFICIAL

If you would like to enquire about how your personal information is processed by us or wish to complain please contact:

Hull City Council  
Data Protection Officer  
Room 11  
The Guildhall  
HULL  
HU1 2AA

You also have the right to complain to the regulator:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

The information in this document can be made available in other formats (large print, audio, digitally and Braille as appropriate) and different languages. Please telephone 01482 300 300. Textphone users please telephone 01482 300 349.