

Education and Inclusion

# Elective Home Education



## Contents

Policy Statement	3
Frequently Asked Questions	4
Why home education?	4
Is it legal to educate my child at home?	4
Do I need to be a qualified teacher to educate my child at home?	5
Will I receive funding for home education?	5
My child wants to take examinations, is there any funding for this?	6
What should I do if I am thinking about educating my child at home?	7
What if I would like a flexi-schooling arrangement?	7
What if my child has an Education Health Care Plan	8
What will happen now that my child is being home educated?	9
What do I do if I want to return my child to school?	9
What further help is available after compulsory school age?	10
Appendix 1: Useful addresses	11
Local Authority	11
Home education support groups	11
GCSE examination boards and information about exams	12
Correspondence courses	13
Appendix 2: Elective Home Education notification form	14

# Policy Statement

## Information and guidance for parents and carers

Parents or carers may decide to provide home-based education for their children instead of sending them to school - this is usually referred to as 'elective home education'. Hampshire County Council, as the local authority (LA) with general responsibility for education in its area, recognises that home education is a key aspect of parental choice and is equal, in law, to education provided in school.

The Children's Services department of Hampshire County Council takes the lead role in working with home educators and the young people who are being electively home educated in Hampshire. We are able to advise and guide home educators, where requested, through consultation and online guidance materials.

No educational choice should ever be taken lightly. Before deciding to electively home educate you should consider the time, resources and energy you will need to put into this important area of your child's life and you may want to involve your child in making that decision. Current legislation makes it clear that parents who choose to educate their children at home assume full financial responsibility, including bearing the cost of any public examinations. However, local authorities are encouraged to provide support where resources permit.

Department for Education (DfE) guidelines for local authorities 2007 states:

"Local authorities do not receive funding to support home educating families, and the level and type of support will therefore vary between one local authority and another."

Our role is set out in sections 437 to 443 of the Education Act 1996:

***"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. (s 437(1))"***

This is why it is helpful if you register your child as electively home educated. It denotes educated "otherwise" so removing potential confusion with a child "missing education".

## Frequently Asked Questions

Here are some of the questions most frequently asked by parents and carers who are considering home education. If you need further information, please use the contact details at the end of this information.

### Why electively home educate?

Home Education is an option that parents or carers may consider for their children. The reasons for choosing it are many and varied, as are the styles of education provided. For some families their decision may be based on their philosophical, spiritual or religious outlook; for others it is to meet what they consider to be the specific educational needs of their child.

Some children are never registered at school. Others are registered but are then home educated, either for a limited period or permanently. Whatever your own circumstances, staff at the Children's Services department will be happy to offer support, advice and guidance.

### Is it legal to educate my child at home?

Yes, parents may educate their children at home. Parents' legal duty is set out in section 7 of the Education Act 1996 as follows:

**“The parent of every child of compulsory school age has a legal duty to ensure that he receives efficient full-time education suitable:**

- **to his age, ability and aptitude, and**
- **to any special educational needs he may have either by regular attendance at school or otherwise.”**

'Full time' is not defined in the Act and it does not mean home educators are bound by school hours and terms. For information, however, full time education for children in school is considered to be between 23 and 25 hours of school time per week.

'Suitable' and 'efficient' are not defined either but the courts have given some legal guidance. They have said that education is efficient if it is **“achieving that which it sets out to achieve”** and it is suitable if it **“prepares the child for life in a modern civilised society and enables the child to achieve his full potential”**.

It is also important to note that parents have a right to educate their children from their own philosophical, spiritual or religious standpoint. The Human Rights Act 1998, Article 2 of the First Protocol 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 in conformity with their own religious and philosophical convictions”**.

This means that your child can be educated at home by you or by private tutors or both. If you are employing private tutors you are strongly advised to ensure that they have had a Disclosure and Barring Service (DBS) check (formerly CRB check).

Elective home education does not have to be identical to school education; no specific curriculum is laid down and you do not have to follow the National Curriculum. However, if you would like your child to go on to further education, or to take public examinations such as GCSEs, we would recommend that you follow the relevant curriculum. We have listed GCSE examination boards in the 'Useful addresses' section. We recommend that you contact them before you begin studies so that you can decide which examination board and syllabus you wish to follow. You will also need to arrange for your child to take exams at an examination centre.

### **Do I need to be a qualified teacher to educate my child at home?**

No. You need no formal qualifications, nor do you have to employ a qualified teacher to educate your child. You do not have to teach any compulsory subjects. Consideration of what will enable a good quality of life in “modern society” may aid decision-making in relation to how you will educate your child but generally what, and how, your child learns is up to you, as long as you can show that the education is efficient, suitable and full-time. There is no one form of education; children learn in many different ways, at different times and speeds.

### **Will I receive funding for home education?**

The simple answer to this question is “No”. Please remember that **local authorities have no legal responsibility or obligation to fund parents or carers who choose to home educate**. You will need to look at the costs that may be involved (equipment, visits, books, tutors etc) and plan what you intend to do before home educating. In common with many local authorities, Hampshire **does not** provide direct funding or resources (eg exercise or text books, pens, pencils or paper, home computers etc) to home educators. However, Hampshire County Council offers a visit from an Education Consultant to each home educating family and pays GCSE (or equivalent) examination fees for electively home educated young people who would be in Year 11 if at school and who meet the criteria set.

### **My child wants to take examinations, is there any funding for this?**

Yes, there is limited funding available. Details on eligibility and making an application are shown below. Further information on exams is also available from local Home Education support groups listed at the end of this document.

#### **Eligibility Criteria:**

- The child must be resident in Hampshire.
- The child must have been registered with Hampshire County Council as electively home educated for at least one year prior to the application.
- The child must be aged within the current year 11 at the time of the examination.
- Not all examinations can be funded, eg musical instrument examinations such as Grades 1-8 will not be eligible for funding. Examinations must be at GCSE, iGCSE, BTEC or equivalent level.
- Funding for examinations is limited to £287.00 in total for the child and there is no funding available for other associated costs.
- Applications will be considered whilst funding is available and applications are therefore considered on a 'first come, first served' basis

#### **Application and payment process:**

1. The parent/carer arranges where and when the child will sit the examination(s).
2. The examination centre notifies the local authority who will confirm your child meets the eligibility criteria.
3. Providing the eligibility criteria are met, Hampshire County Council will reimburse the exam centre directly for up to the maximum of £287.00 per candidate.
4. A number of Elective Home Education groups have arrangements with exam centres that will be happy to support you (see useful addresses) but payment will still need to be made directly from Hampshire County Council to the examination centre.

Applications for funding for College courses for home educated students aged 14-16 should be made directly to colleges. Colleges can reclaim funding from the government via the Education Funding Agency.

## What should I do if I am thinking about educating my child at home?

If your child is already registered at a school you must, by law, inform the headteacher in writing that you intend to de-register your child and educate him or her at home. If you simply remove your child from school without informing them in writing (verbally informing the school is not enough), you could be prosecuted for non-attendance. The school must inform us of your decision. You will need our consent to remove your child's name from the school roll if he or she attends a special school or is subject to a School Attendance Order. Consent from the local authority may not be unreasonably withheld.

If your child is registered at a school, then a decision to home educate may not be the best way to solve an issue with the school or to overcome difficulties with attendance. You may be able to resolve these issues with the headteacher or governors at the school, or through one of our services (listed in the 'Useful addresses' section). Our Elective Home Education Co-ordinator can provide advice if you feel that any pressure is being put on you to take your child out of school to home educate.

Hampshire County Council would wish to work collaboratively with you and would therefore encourage you to register your child as being electively home educated. All complaints or concerns received from members of the public must statutorily be investigated by the local authority.

If your child has never been registered at a school, there is no need to inform us of your decision to home educate, although it would help us if you did. Under new legislation in the Children Act we have a duty to identify 'children missing from education', so if we know that your child is being home educated then we will not deem them 'missing'.

## What if I would like a flexi-schooling arrangement?

### What is flexi-schooling?

Flexi-schooling is an arrangement where, following a formal request from parents or carers and with the approval of the school, a child spends some part of the week attending school and the rest of it being educated at home or at an off-school site. In such arrangements, however, the child will always continue to remain on the school roll.

### What is the legal situation with regard to flexi-schooling?

Parents and carers are fully entitled to ask schools about possible arrangements for flexi-schooling. There is, however, no parental entitlement to flexi-schooling and **the decision to agree it, or not, rests entirely with the Headteacher**. If a school decides not to agree such an arrangement, there is no formal appeal process.

## What if my child has an Education Health Care Plan?

Where children have SEN, the LA SEN department should work in partnership with, and support, parents to ensure that the SEN of these children are met. LA SEN departments do not have a duty under section 22 of the Children and Families Act 2014 to assess every home educated child to see whether or not they have SEN. The high needs block of the Dedicated Schools Grant is intended to fund provision for all relevant children and young people in the authority's area, including home-educated children. The LA SEN department should fund the SEN needs of home-educated children where it is appropriate to do so.

In cases where home education is in place for a child with an EHC plan, the plan should make clear that the child or young person will be educated at home. If it does then the LA SEN department, 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. Under Section 19 of the Act, the LA must have regard to the views, wishes and feelings of the child and his or her parents, or the young person.

In cases where the EHC plan gives the name of a school or type of school where the child will be educated and the parents decide to educate at home, the LA 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 are suitable. The LA SEN department must review the plan annually to ensure that the provision continues to be appropriate and the child's SEN continue to be met. Where the LA has decided that the provision is appropriate, it should amend the plan to name the type of school that would be suitable but state that parents have made their own arrangements under Section 7 of the Education Act 1996.

Where a child or young person is a registered pupil at a special school, the local authority must give consent for the child's name to be removed, but this should not be a lengthy or complex process. In some cases a local authority will conclude that, even after considering its power to provide support to home-educating parents, the provision that is or could be made for a child or young person with an EHC plan does not meet the child or young person's needs. The local authority is required to intervene through the school attendance order framework 'if it appears ... that a child of compulsory school age is not receiving suitable education'. The serving of a school attendance order is a last resort if all attempts to improve provision are unsuccessful. 'Suitable education' means efficient full-time education suitable to the child or young person's age, ability and aptitude and to any SEN he or she may have.

Parents may also home educate children who have SEN but do not have EHC plans. As with children and young people with EHC plans, the LA SEN Department should work with parents and consider whether to provide support in the home to help the parents make suitable provision. Information about the right to request an EHC needs assessment, and the right to appeal should be available to all parents including those who are electively home educating. Parents considering elective home education because they feel that the special educational needs support being provided by the school is insufficient to meet the child or young person's needs have the same rights.

### **What will happen now that my child is being home educated?**

Once registered, we will contact you to provide information and the opportunity to request a visit from an Education Consultant. This can be at your home, but you may prefer to meet at one of our offices or somewhere else. The purpose of the visit is to offer advice and guidance on education, teaching and learning.

### **What do I do if I want to return my child to school?**

For various reasons some home educators later decide that their child should return to school. If you decide on this you will need to apply for a place at your preferred school. Please note: it may not always be possible to get a place at your child's previous school, even if it is your 'designated' school, if all places have been filled. By law, a school cannot 'hold' a place for you if another family wants it. Our Admissions Team (see the 'Useful addresses' section) will provide you with detailed information, advice and guidance on applying for a place, and on the appeals process should admission be refused.

## What further help is available after compulsory school age?

The law now requires all young people in England to continue in education or training until at least their 18th birthday, although in practice the vast majority of young people continue until the end of the academic year in which they turn 18.

The raised participation age (RPA) does not mean young people must stay in school; they can choose one of the following post-16 options:

- full-time education, such as school, college or home education
- an apprenticeship
- part-time education or training if they are employed, self-employed or volunteering full-time (which is defined as 20 hours or more per week).

Young people who have been educated at home may want to take further education college courses. It is important to know that many courses have specific entry requirements, such as GCSE passes. Your local further education college will be able to give you more information.

Information about further education in Hampshire:  
**[www.hants.gov.uk/education/goingtocollege](http://www.hants.gov.uk/education/goingtocollege)**

Hampshire County Council has a website for young people with information and advice, along with details of youth groups and other activities for young people:  
**[www.hants.gov.uk/youthtube](http://www.hants.gov.uk/youthtube)**

The Department for Education website has further information:  
**[www.education.gov.uk/childrenandyoungpeople/youngpeople/participation/rpa](http://www.education.gov.uk/childrenandyoungpeople/youngpeople/participation/rpa)**

## Appendix 1: Useful addresses

### Local Authority

#### **Elective Home Education**

##### **Co-ordinator**

Ruth Simpson

Children's Services Department  
Education Inclusion Service  
2<sup>nd</sup> floor, Elizabeth II Court North  
The Castle  
Winchester  
SO23 8UG

Tel: 02392 441507

#### **Elective Home Education**

##### **Administrator**

Daniel Troon

Children's Services Department  
Education Inclusion Service  
2<sup>nd</sup> floor, Elizabeth II Court North  
The Castle  
Winchester  
SO23 8UG

Tel: 02392 441507

**Email:** Daniel.troon@hants.gov.uk

#### **David Harvey**

##### **Area Strategic Manager**

Children's Services Department  
Education Inclusion Service  
2<sup>nd</sup> floor, Elizabeth II Court North  
The Castle  
Winchester  
SO23 8UG

Tel: 01962 876263

#### **Admissions Team**

Children's Services Department  
Elizabeth II Court North, The Castle  
Winchester, SO23 8UG  
Tel: 0845 603 5623

#### **Special Educational Needs Service**

Children's Services Department  
Elizabeth II Court North, The Castle  
Winchester, SO23 8UG  
Tel: 0845 603 5620

### Home education support groups

Whilst these groups may provide helpful advice, guidance and support, Hampshire County Council does not take any responsibility for the advice, guidance and support issued.

#### **Home Education Advisory Service**

PO Box 98  
Welwyn Garden City  
Hertfordshire, AL8 6AN  
Tel: 01707 371854  
E-mail: enquiries@heas.org.uk  
www.heas.org.uk

**Education Otherwise**

PO Box 325  
Kings Lynn, PE34 3XW  
Helpline – Tel: 0845 478 6345

**Early Years**

(an independent site focussing on learning for 0-8 year olds)  
<http://groups.yahoo.com/group/EarlyYearsHE/>

**Ed Yourself**

<http://edyourself.org>

**FareGos (Fareham and Gosport Home Education Group)**

<https://www.facebook.com/FaregosHEExamCentre/>

**North Hampshire Home Education Group**

HEET (Home Educators Educating Together)  
[www.heet.org.uk](http://www.heet.org.uk)

**GCSE examination boards and information about exams****OCR**

1 Hills Road  
Cambridge, CB1 2EU  
14-19 Tel: 01223 553 998  
[www.general.qualifications@ocr.org.uk](mailto:www.general.qualifications@ocr.org.uk)

**EdExcel**

Stewart House  
32 Russell Square  
London, WC1B 5DN  
Tel: 0844 576 0027  
[www.edexcel.com](http://www.edexcel.com)

**AQA**

Devas Street  
Manchester, M15 6EX  
Tel: 0161 953 1180  
[www.aqa.org.uk](http://www.aqa.org.uk)

**Joint Council for General Qualifications**

Veritas Street  
125 Finsbury Pavement  
London, EC2A 1NQ  
Tel: 020 7638 4132  
[www.jcq.org.uk](http://www.jcq.org.uk)

### **Correspondence courses**

#### **National Extension College**

Michael Young Centre

Purbeck Road

Cambridge, CB2 8HN

Tel: 01223 400 200 (main switchboard)

[www.nec.ac.uk](http://www.nec.ac.uk)

(offers a range of GCSE and A-level correspondence courses)

### **Disclosure and Barring Service**

[www.gov.uk/government/organisations/disclosure-and-barring-service](http://www.gov.uk/government/organisations/disclosure-and-barring-service)

## Appendix 2: Elective Home Education notification form

Please note: Whilst you do not have to complete this form it would help us if you did and may help to prevent confusion in some circumstances (refer to page 3). If your child has never been registered at a school, please enter "Not registered". If your child is registered at a school then please remember that **you must inform the school, in writing**, that you intend to educate him/her at home and request that his/her name is removed from the school roll.

### 1. Parents/carers:

Name:

Address:

Contact telephone number/e-mail address:

### 2. Child

Name:

Date of birth:

### 3. Name and address of school last attended (if any):

**4. Reasons for deciding to home educate: (if you wish to state these)**

Please send the form to the address below:

Children's Services Department  
Education Inclusion Service  
2<sup>nd</sup> floor, Elizabeth II Court North  
The Castle  
Winchester  
SO23 8UG