



## TEA-BREAK GUIDE



### What is Elective Home Education?

Section 7 of the Education Act 1996 states that: "The parent of every child of compulsory school age shall cause them to receive efficient full-time education suitable: (a) to his/her age, ability and aptitude and (b) to any special education needs he/she may have, either by regular attendance at school or otherwise."

The Act does not specify what the terms 'education', 'efficient education' or 'suitable education' mean and so parents or carers generally have the freedom to determine these for themselves, however, "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".

Parents or carers do not need permission from the Local Authority to begin home education. However, if a child is already on the roll of a school, the parent or carer must notify the governing body of the school and the school in turn will notify the Local Authority within 10 school days.

Parents may choose home education for a variety of reasons. The local authority's primary interest should lie in the suitability of parents' education provision and not their reason for doing so.

### Action

All agencies need to ensure they are aware of any children they are working with who are Electively Home Educated.

Agencies need to ensure any families they are working with who have made the decision to Electively Home Educated are making an informed decision made on personal choice. All agencies need to work together to ensure that any family who want their child to return to school are supported to ensure the child is allocated a school place as soon as possible.

### Elective Home Education in Northamptonshire?

We are seeing increased number of pupils being removed from school due to parents trying to avoid legal action for irregular attendance or due to the threat of a permanent exclusion. In the case of irregular attendance we are now continuing with the prosecution, as we believe it is in the public interest to do so to discourage other parents from using this as a means of avoidance. Schools are also using Elective Home Education as a means of legally removing pupils from roll, by suggesting this as an option to avoid consequences. This rise is mirrored in the increase in referrals to school admissions for in year placements when parents have removed their child and immediately apply for another school place.

Local authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis. However, under Section 437(1) of the Education Act 1996, local authorities shall intervene if it appears that parents are not providing a suitable education.

In Northamptonshire, parents and carers that electively home educate are asked to provide the local authority with a copy of a 'Home Education Plan'.

All families are offered an annual visit. When we do visit we make every effort to speak to the child and obtain their views. A risk assessment is carried out by the Education Inclusion Officer and Social Worker of any children open to Social Care and Electively Home Educated. The assessment aims to identify any concerns and any actions that need to be addressed either by the Social Worker or the Inclusion Officer. The Inclusion Officer and Admissions Officer work together to ensure children who wish to return to school can access provision as soon as possible.

### Role of Schools

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.