

Elective Home Education: 5-minute guide for Social Care professionals



Elective home education is a term used to describe a choice by parents to provide education for their children at home, or elsewhere, which does not involve them being registered on a school's roll. This is different to home tuition provided by a Local Authority or education provided by a Local Authority other than at a school.

This briefing has been prepared by the Elective Home Education team to provide a guide to Social Care professionals about the legal rights and responsibilities of both parents and the local authority. For further information, please contact the Elective Home Education team at ehe@hillington.gov.uk.

Why do parents choose to electively home educate their children?

Families may choose home education for a variety of reasons:

- Lifestyle / culture / philosophical / religious beliefs
- Medical needs
- Bullying / fear of bullying
- Anxiety / School phobia / refusal
- Particular talent / activity (e.g. arts or sports)
- Not offered preferred school(s)
- Special Educational Needs where need is not being met at school
- Disaffection with school environment

This list of reasons is not exhaustive. Parents may choose to provide EHE for any reason.

Parental Rights and Responsibilities Education is compulsory but school is not.

The Education Act 1996 Section 7 states that a parent must ensure that their child receives education that is full-time, efficient and suitable. There are no statutory definitions for these requirements.

A parent must ensure that education is suitable to the child's age, ability and aptitude and takes account of any Special Educational Needs. The education should primarily equip the child for life within the community to which s/he is a member but should not foreclose the child's options in later years to adopt a different form of life.

Parents have a legal right to educate their child at home and are not required to have any qualifications or training to provide their children with a suitable education.



Parents do not have to follow the National Curriculum or follow a strict timetable of learning and may use different means to educate their child. Some parents employ tutors or purchase on-line educational resources. Parents often join with similar minded families and share resources. Many local resources (e.g. libraries, sports centres etc.) have sessions dedicated to home educated children. A variety of teaching methods are practiced, some families have a very informal approach and use totally child-led learning.

Safeguarding

Elective Home Education in itself is not a safeguarding concern. Many home educated children are safe, having their educational needs met and are thriving. However, where there are apparent safeguarding concerns it is important to acknowledge that in some circumstances a child who is EHE may have very limited or no contact at all with professionals compared to a child who is attending school. Professionals should be conscious they may be the only professional having contact with the child and/or family. As such professionals should be vigilant in ensuring safeguarding concerns are followed up correctly and reported through Social Care or the Multi-Agency Safeguarding Hub team (MASH).

What process should Social Care follow when a parent elects to home educate their child(ren)?

Professionals including social workers should not raise the topic of EHE with parents where this has not already been raised by them and the child is still on roll at a school. Schools should not be advised to discuss EHE with parents for example where there are attendance concerns. EHE should only be discussed when this is being requested by parents.

The allocated social worker should ensure that the Elective Home Education Team is aware as soon as possible when a family are planning to EHE or where EHE has commenced when a child has an open CIN/CP case. Where it is an open CP case the conference chair will also make clear to parents that the risk to the child will be re-considered in light of this information, with the likelihood that the child is considered unsafe as a consequence. Where information is known to the School Placement and Admissions team first this will be shared with Social Care colleagues without delay.

The allocated social worker should then ensure the Elective Home Education Team is invited to any subsequent professional/ CIN/CP meetings to ensure that the below statutory responsibilities can be met. Where a social worker is concerned that a child's educational needs are not being met at any

stage they should ensure they inform the Elective Home Education Team.

From these meetings there must be a collective plan of action which is documented to evidence that professionals are satisfied that the child is receiving full time, efficient and suitable education to the age, aptitude and ability of the child and any special educational needs they may have.

Discussions should:

- explore the likelihood of harm
- assess the changes in risk and support available
- assess the family's EHE plan alongside education experts
- consult with education experts including the previous school
- amend the plan to reflect the necessary actions that need to be taken, which may include referral to Fair Access to identify a school place.

If a CIN/CP plan is due to close to Children's Social Care when a child is EHE this information should be shared with the Elective Home Education Team. This team should not be named as a lead professional in a TAF (Team around the Family) plan as there is not a specific lead professional attached to an EHE case.

What are Hillingdon Council's responsibilities in relation to families who home educate?

What may surprise colleagues is that parents are under no obligation to engage with the Local Authority. However, they are encouraged to do so.

Parents are **not** required to seek approval from the Local Authority, unless the child has an Education Health Care Plan.

Hillingdon's School Placement and Admissions Team will contact parents once a child is made known to them and offer to visit; on-going advice and guidance can also be offered.

Hillingdon Council has a statutory duty, under section 436A of the Education Act 1996 to make arrangements to enable them to establish (so far as it is possible) the identities of children in their area who are not receiving a suitable education. This duty applies to all children of compulsory school age who are not on a school roll and do not appear to be receiving a suitable education otherwise than being at school.

A further statutory duty exists, which requires Hillingdon Council to serve a formal notice under section 437 of the Education Act 1996, if it appears that a child of compulsory school age is not receiving a suitable education.

A parent can refuse to have any contact with the LA regarding the provision of home education. There

is no statutory duty to monitor home education and the Local Authority cannot insist on seeing either a child or examples of a child's work or ask for evidence of a timetable of learning activities..... unless it is made known to the LA that it "... appears that the parents are not providing a suitable education..."

It should be noted by colleagues, that there will be families who are not registered with the authority, this is because if the parent has never registered their child with a school, there is no record of the child in the education system.

If information exists which may cast doubt on whether an "efficient and suitable education" can be provided, Hillingdon Council will seek to gather any relevant information that will assist in reaching a properly informed judgement. This will include seeking from the parents any further information that they wish to provide explaining how they intend to provide a suitable education for their child(ren) and the parents will be given the opportunity to address any specific concerns that Hillingdon Council has. The child will also be given the opportunity, but not required, to attend any meeting that may be arranged or express his or her views in some other way.

The findings of any investigation will be made available to the parents promptly, specifying the reasons for concluding that there are grounds for concern that a suitable education is not taking place. If the Local Authority has such concerns, and the parents, having been given a reasonable opportunity to address these concerns and report back to the education authority, have not done so, Hillingdon Council will consider instituting formal attendance procedures in accordance with the provisions of Section 437 of the Education Act 1996.

Contacts

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