



Professionals Briefing Sheet – Schools

A Simple Guide to Elective Home Education in Hillingdon

Elective Home Education (EHE) is a right for all 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 School Placement and Admissions team to provide a guide to professionals about the legal rights and responsibilities of both parents and the local authorities. For further information, please contact the School Placement and Admissions team on 01895 558670.

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
- Covid-19 anxieties

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.

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.

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.

Section 7 of the Education Act 1996 states that:

Education must be full time, efficient and suitable to the age, aptitude and ability of the child and any special educational needs they may have.

Definitions:

Efficient – *'Achieves that which it sets out to achieve'*.

Full-time – *'No legal definition'. There is currently no legal definition of full-time education. However, DfE guidance refers to more than 18 hours a week constitutes to full-time education when reviewing unregistered schools.*

Suitable – *'education 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 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'*.

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

Schools themselves should **not** raise the topic of EHE with parents. If parents inform the school they wish to EHE then school should then discuss this with parents.

Schools must also notify the Local Authority when a parent withdraws their child from school to provide EHE. In this circumstance a parent is encouraged to write to the Head Teacher requesting that their child is de-registered and confirming that it is their intention to home educate their child.

All schools are expected to provide Hillingdon's School Placement and Admissions Team, with the following information via a dedicated form;

- Parent's letter, or email, informing the school of their decision to home educate (if provided).
- Reason/s the school are aware of why the parent has decided to home educate.
- An up to date attendance record for the child.
- Details of the allocated social worker, if the child has one.
- List of attainment levels (useful for education advisers when they visit, or if the case is referred to the Fair Access Panel).
- Notification/information if the child has special educational needs with or without an Education, Health and Care Plan.
- Any safeguarding concerns
- Confirmation that the school have offered to provide parents with either previous classwork or a summary of the curriculum followed to date (and possibly the future curriculum plan). This will assist the parent with their planning for home education. The parent may decide to ignore this documentation hence their reason to EHE as they may have dissatisfaction with the education system. However, this will be a useful tool for some.

Removing the child from the school roll

Under the Pupil Registration Regulations (2006), the school is required to deregister the child or young person upon receipt of the parent letter and inform the child or young person's home Local Authority (LA). In order to promote recent recommendations by Ofsted the school will temporarily keep a pupil on roll for 5 school days following referral to the School Placement and Admissions Team. This will allow time for an officer to process the request and attempt to engage the family further to seek a resolution (if necessary) before removal from roll. The removal should only be done following confirmation from the Local Authority. This confirmation will be made in writing with the school.

Notifying the Local Authority

Schools should follow the link below to notify the Local Authority for families who wish to home educate and be removed from the school roll:

[EHE Procedure for Hillingdon Schools - Leap](#)

Safeguarding

Schools should be informing parents if they have any safeguarding concerns about their child(ren) as and when they arise. Elective Home Education in itself is not a safeguarding concern. If school feel a child being EHE increases their concerns, then they should be open with the parent(s) about this including if this will result in a referral to Children's Social Care following the schools safeguarding policy. Each situation will be unique to the circumstances of the child. Schools should be clear with parents, and in any

subsequent referral, about why EHE would increase any prior safeguarding concerns. Whilst these conversations can be daunting being honest and upfront with a family is more likely to allow an ongoing partnership with the school in the future.

Any safeguarding concerns should be reported through the Multi-Agency Safeguarding Hub (MASH). Where children's Social Care are already involved with a family, schools should share this information with the allocated social worker and any risk will be re-considered in light of this.

Contacts

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