

## **Ealing Council**

# **Elective Home Education Policy 2024**

Elective home education (EHE) is a term used to describe the practice of parents to provide or arrange education for their children at home, or at home and in some other way they choose, instead of choosing to send their child to school full-time.

### **Legislation**

#### **Section 7 of the Education Act (1996),**

Parents have a right to educate their children at home.

“The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable –

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

The responsibility for a child’s education rests with his or her parents. An “efficient” and “suitable” education is not defined in the Education Act 1996. But “efficient” has been broadly described in case law as an education that “achieves that which it sets out to achieve”. 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”.

#### **The Education Act (2002),**

This section states:

“A local education authority shall make arrangements for ensuring that the functions conferred upon them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children.”

The Children Act 2004 (“the 2004 Act”) provides the legislative framework for developing children’s services as detailed in Every Child Matters: Change for Children.

A Local Authority (LA) can ask parents who opt for elective home education for information about the programme they are providing so that it can be assessed whether the programme is suitable for the needs of the child.

The information that a parent can provide to the LA could take various forms including:

- A written report about the education programme you are providing
- Samples of work done by your child
- Inviting a representative from the SEN Assessment Service to your home with or without your child present to give information about your child’s educational programme
- Meeting a representative from the SEN Assessment Service with or without your child present in the LA offices

- Evidence in any other appropriate form
- Therapy provision, if stipulated in the EHC plan, should be accessed through the GP or at the electively home educating parents' expense. Professionals providing therapy should be invited to contribute to the annual review

### **The SEND Code of Practice (2015)**

An Education, Health and Care Plan (EHCP) must be reviewed by the LA at least every 12 months. The Review must involve the Child /Young Person, (CYP) their parent and any other professionals working with the child.

It must assess whether the educational programme put in place by parents achieves the Outcomes described in the child's EHCP and that the child is safe in the setting in which the child is educated and with the people that the parent employs to implement the educational programme.

The LA will no longer have the legal duty to secure any special educational provision specified in the child's EHC Plan because parents are deemed to be making their own suitable alternative arrangements.

### **Considerations**

- Why am I choosing to educate my child myself?
- What does my child think about being educated at home?
- Will I be able to teach the curriculum (English, maths, science, ICT, history, geography, PE, music etc) for my child's age group and write reports on their achievements?
- If not, will I need to employ teachers or tutors?
- Do I have space in my home for my child to have a desk and store books and other materials, have therapy and other inputs? Is it safe?
- How will I manage national assessments like Key Stage 2 SATs, GCSEs and A levels?
- Can I arrange and monitor the special educational provision that my child's Education, Health and Care Plan says that they require?
- How will I make sure that my child interacts with other children during the school day?
- What will I do to make sure that my child is safeguarded if I employ others to teach them?
- What will happen to my child if I am ill?

### **Ealing Council's Responsibilities**

- Conduct initial informal enquiries and Review Annually.
- If it appears that the CYP is not receiving a suitable education further information may be required
- If considerations around safeguarding are raised the LA will conduct further enquiries involving social care professionals, therapists and the schools.
- If parents are unwilling to engage it could be considered that suitable education is not being provided and parent may receive a formal notice.
- The LA will make a referral to the School Attendance and Children Missing Education Service and could result in the issue of a School Attendance Order.

- The LA has a duty to safeguard and promote the welfare of children. If no information is provided about the home education programme the LA can make a referral to the Safeguarding Service.

### **Expectations at the Annual Review**

- The Annual Review will be chaired by the coordinator at least once a year.
- An Early Annual Review can be requested if parents no longer wish to Electively Home Educate and wish the LA to consult with educational settings.
- The LA may want to review educational progress sooner and an Early Annual Review would be held (no earlier than 6 weeks).
- Parents will be expected to provide a synopsis of the educational journey, the progress made against the outcomes and reports from any professionals supporting with education, prior to the review.
- This may be through photos, examples of work, experiences, reports.
- If outcomes have been met, parents will be asked to provide the next steps in the educational journey.

### **Ealing's Process to Electively Home Educate**

1. Discuss with the School at the Annual Review the reasons why they wish to Electively Home Educate.
2. Parent and school should inform their Education Health Care Coordinator.
3. If CYP attends a mainstream school, they must write to the headteacher asking that their child's name is removed from the roll of the school. School will ask parent to complete Elective Home Education consideration form.
4. If the CYP attends a special school, parents must write to the LA asking that their child's name is removed from the roll of the special school that they attend. The Education Health Care Coordinator will need to present this to the Local Authority.
5. The Education Health Care Coordinator will begin their informal enquiries before presenting to the LA.
6. This decision will be relayed to the parent via email.
7. The LA has a duty to safeguard and promote the welfare of children. If no information is provided the LA can make a referral to the Safeguarding Service or Children Missing Education Team.
8. If EHE is agreed the plan will be re issued naming Elective home Education.
9. The Annual Review will be chaired by the coordinator at least once a year.
10. Parents will be expected to provide reports, evidence of education, progress and attainment information to the LA prior to the review.
11. This will be reviewed by the LA to ascertain if Elective Home Education can continue if this is the request.
12. This decision will be relayed to the parent via email.
13. If parents change their minds about home education and wish the LA to find a school place for their CYP, they should contact their Education Health Care Coordinator.

**Contact:**

SENAS@ealing.gov.uk

**Title of email:** Request to Electively Home Educate

