



# Elective Home Education

## A Guide for Parents and Carers

2019 / 2020

## Contents

Introduction	Page 3
The decision to home educate	Page 4
Parental rights and responsibilities	Pages 5-6
The Local Authority's responsibilities	Page 8-9
Information, advice and support	Page 10-11
Durham Learning Resources	Page 12

## Introduction

The Government want all young people to receive a world-class education which allows them to realise their full potential, regardless of background, in a safe environment.

Electing to education your child at home is a big decision. The Local Authority want to provide you with the right information to help you to ensure that it is a positive experience that meets the needs of your child.

This guidance sets out the rights and responsibilities of parents and the Local Authority in the Elective Home Education process to enable us to work together in the best interests of your child.

The guidance also provides sign posts as to where you can find help and support should you require this.

## **The decision to home educate**

Making a decision to educate your child at home is a big decision and it can have far reaching implications for your wider family life. Parents are therefore encouraged to think through all of the possible consequences of the decision and explore all options.

The Local Authority has partners in a number of different agencies who can provide specialist information, advice and support if you are thinking about home educating to ensure that it is the right decision for you, your child and your family as a whole.

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If you do make a decision to home educate your child, you don't need to register or get approval from the Local Authority to do so unless your child is on the roll of a special school.

If your child is on a school roll and is compulsory school age you will need to put your decision in writing to the head teacher of the school. It is also helpful to tell the Local Authority so that we can provide you with specialist information, advice and support at the earliest opportunity.

If you have been home educating and feel that it is no longer working for you and your child, you can contact the Local Authority to discuss the best way forward. We know that it can be difficult for young people to adjust to a return to mainstream school, especially if they have been used to education at home for a long period. The Local Authority can provide help and support for planning the transition into / back into school or to another type of education provision.

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The Local Authority welcome the views of parents, children and young people about a number of aspects of home education. If you would be willing to share your views / are willing to be part of the elective home education parent reference group please contact us using the link below.

Should you have any queries or questions please use the email address below and a member of staff best placed to respond to your query will be asked to contact you:

[ElectiveHomeEducation@durham.gov.uk](mailto:ElectiveHomeEducation@durham.gov.uk)

## Parental rights and responsibilities

Parents of compulsory<sup>1</sup> school age children are required to ensure they receive:

- **efficient full time** education;
- **suitable** to the child's age, ability and aptitude and to any special educational needs they may have.

Parents can choose to meet the legal requirements<sup>2</sup> above by sending their child to school, or by educating them otherwise than at school (at home for example).

It is up to parents to provide a suitable education for their child but it does not have to be the same kind of 'lessons' that schools provide. Parents may wish to consider things like educational visits, projects, internet research, and activities with other children, as well as more formal learning.

Case law has described an **efficient** education to be one that achieves that which it sets out to achieve and a **suitable** education to be one that primarily equips a child for life within the community of which he/she is a member, rather than the way of life in the country as a whole, as long as it does not prevent the child from adopting some other way of life subsequently if he/she wishes to do so.

Whilst there no definition of **full time** education, children in school usually receive between 21 and 25 hours of teaching and learning each week for 38 weeks of the year. The Local Authority recognise home education is delivered in different conditions and there is no direct comparison with school based timetables or educational arrangements. Many parents find that having a timetable loosely based around the school year is beneficial, particularly for children who are planning on sitting external examinations.

<b>Important things to think about</b>	
Cost	<p>Parents who are home educating take on the whole responsibility and therefore any financial cost for their child's education. The Authority will not be able to provide tutors or other tuition. Also see cost of examinations below.</p> <p>Parents sometimes make arrangement for a child to receive part of their total education provision at a school. These arrangements are known as '<b>flexi-schooling.</b>' Schools do not have to agree to such arrangements, but some are happy to do so. If a school agrees to flexi-schooling, parents must still ensure full-time suitable education, although the child receiving part of their education at school would be taken into consideration.</p> <p>Parents who choose to educate a child in these ways rather than sending the child to school full-time take on financial responsibility for the cost of doing so, including the cost of any external</p>

<sup>1</sup> Children turn compulsory school age from the term after their fifth birthday

<sup>2</sup> Section 7 of the Education Act 1996

	<p>assistance used such as tutors, parent groups or part-time alternative provision. If the child attends state-funded school or FE college for part of the week, that will have no cost to the parents. Examination costs are also the responsibility of parents if a child does not attend school full-time</p>
Examinations	<p>Parents will need to find a registered centre for exams; these include local schools and colleges. Parents will need to factor in the cost of the awarding body (examination boards) fees and the cost of examination centre invigilation.</p> <p>Not all awarding bodies offer qualifications suitable for private candidates owing to the supervised elements of many examination specifications. Coursework and controlled assessment (an essential feature of many traditional GCSE and A level examinations) must be supervised by an accredited person; this can be a potential barrier, particularly for young people embarking on home schooling late in the academic year or mid-course.</p> <p>It is therefore advisable for parents to contact individual awarding bodies to discuss the arrangements for private candidates at the earliest opportunity.</p> <p>Only state schools are required to carry out SATS tests. The Local Authority will not test children who are home educated. One of the most difficult aspects is to ensure a home educated child is learning. To do this it may be advisable to have a systematic way, through tests or other means, of knowing that they are actually making progress at a pace appropriate to their ability. National assessments and associated mark schemes can be downloaded following the assessment window from:  <a href="https://www.gov.uk/government/collections/key-stage-2-tests-past-papers">https://www.gov.uk/government/collections/key-stage-2-tests-past-papers</a></p>
Safety	<p>Some parents employ private tutors to deliver education. It is advisable for parents to check the credentials of private tutors to ensure the safety of their children (i.e. DBS checked).</p> <p>Online resources are often used for home education, however the internet can also present some real risks to children. It's advisable to consider the internet safety advice in this link:  <a href="https://parentzone.org.uk/projects/digital-parenting-magazine">https://parentzone.org.uk/projects/digital-parenting-magazine</a></p> <p>Work experience is not a statutory requirement for children. Parents should be aware that the exemptions relating to child employment legislation to enable young people to undertake work experience only apply with respect to work experience arranged by a governing body or local authority.</p>
Special educational needs / disability (SEND)	<p>If your child has special educational needs / a disability you will need to think about how you will meet those needs whilst educating at home.<sup>3</sup> Please see guidance contained in the links on page 10 of this guide.</p> <p>If your child has an Education Health and Care Plan (EHCP) the</p>

<sup>3</sup> If your child is on the roll of a special school you will need to seek the Local Authority's permission to educate your child at home

	Local Authority will continue to review this annually. Where applicable, in Durham, any review of a Statement of SEND or an EHCP will be undertaken by an Educational Psychologist, with parents and the child central to the process and decision making.
Views of your child	Is being educated at home what they want? If not, have you explored other options? How will they see friends? How will you provide opportunities for them to socialise?
Sex and Relationship Education	It is important that children and you people received advice around safe and healthy relationships and, at an appropriate age about sex and sexual health. The attached link provides some useful age appropriate information: <a href="http://www.fpa.org.uk/resources/leaflet-and-booklet-downloads">http://www.fpa.org.uk/resources/leaflet-and-booklet-downloads</a>

### **3. The Local Authority's responsibilities**

The Local Authority has a duty in law to:

- know (as far as it can do so) who the children are in their area who are **not receiving a suitable education**;<sup>4</sup>
- to **enquire** about what education is being provided;
- depending on the results of such enquiry, **intervene** if it appears that parents are **not providing a suitable education** for their child.<sup>5</sup>

It is difficult for the Local Authority to know which children are not receiving suitable education without asking parents to provide details about the education they are providing for their child. To make sure the Local Authority carry out these duties, the Durham education at home group request that parents provide:

- **a proposal**: outline of what education is to be provided and how;
- **examples of the child's learning**: work that the child has been undertaking or a report detailing the education that the child has received / is receiving.

To help and support parents and to develop a positive relationship between the Local Authority, parents and young people from the outset, a Local Authority officer will offer to meet with you and your child, discuss your **proposals** and provide you with helpful information. The meeting also aims to help to ensure that suitable education will be delivered from the outset.

Thereafter, you will be invited to share more information with the group about the education you are providing in order to demonstrate that the education being provided is suitable. This invitation to share more information with the group will be made at least annually.

**Examples of your child's learning** that you may wish to share with the group may include pictures, paintings, models, diaries of educational activity, projects, assessments, examples of work, books, educational visits etc. The examples will be returned to parents following consideration by the group. If examples are bulky or may be damaged in the post, parents may be asked to collect the material.

### **What if the Local Authority is not satisfied that I am providing suitable education for my child?**

Where it is **not clear** that parents are providing suitable education, the Local Authority will work with parents to try to address the situation informally by making informal contact and enquiries.

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<sup>4</sup> Section 436A of the Education Act 1996 inserted by the Education and Inspections Act 2006. This applies to children of compulsory school age who are not on a school roll and who are not receiving suitable education otherwise than being at school (at home, privately or in alternative provision).

<sup>5</sup> Section 437(1) Education Act 1996



Case law<sup>6</sup> states that it would be **sensible for parents to provide the information requested by the Local Authority**, otherwise the Local Authority may conclude that it appears parents are not providing a suitable education for their child and then they have a duty to intervene. Refusal to provide any information at all would therefore trigger this duty to intervene.

Where informal efforts have not brought about a satisfactory resolution and it appears the child is not receiving suitable education, the Local Authority will serve a notice on the parent requiring them to satisfy the Local Authority of suitable education.

Following the issuing of a notice they may then serve a school attendance order naming a school where the parent must register their child. Non-compliance with an order is a criminal offence and may be dealt with via an application for an Education Supervision Order to the family court, via prosecution or both.

## **Safeguarding**

Local Authority duties in relation to safeguarding are the same for all children, however they are educated.

If the Local Authority is not satisfied that a child is receiving adequate, safe or appropriate / suitable education at home, and where this likely to impair the child's intellectual, emotional, social or behavioural development statutory powers may well be required to address situation.

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<sup>6</sup> Donaldson v Brown (1980)

#### 4. Information, advice and support

A parent can receive **help, advice and guidance** about home education by contacting the Local Authority using the email address:

[ElectiveHomeEducation@durham.gov.uk](mailto:ElectiveHomeEducation@durham.gov.uk)

Once the Local Authority has been notified of the parent's decision to home educate, a Local Authority officer will offer to meet with you and your child, discuss proposals and provide you with helpful information.

#### **Tailored and specialist advice and support:**

Durham's education at home group includes **specialist officers** who are able to provide families with tailored information to meet your child's needs.

If a child has a Statement of Special Educational Needs or an Education Health and Care Plan, advice is available from specialist officers will be available to discuss the special educational needs of your child, any provision required to meet those needs and a parent's plans to home educate.

If your child is in their final years of compulsory school education when you elect to home educate, the officer who meets with you initially is likely to be a specialist from the Authority's improving progressions team who can provide information advice and guidance on transition to further education, employment and training helping you map your home education proposal against your child's future plans and aspirations. The officers also have excellent links with local colleges should parents be considering approaching a local 14-16 college about their offer to 14-16 year old children who are electively home educated. The offer can vary from college to college.

The Local Authority's education development service has subject specialists who are able to offer guidance about specific subject areas. Specialist advice on educational establishments who may be able to host external candidates is also available as well as information on examination awarding bodies.

Specialist officers from the Local Authority's equalities team and Gypsy, Roma Traveller education service are also part of the education at home group as well as members of the school health service and officers from children's services and can offer information and guidance to families. Support is tailored to individual need.

The Local Authority therefore provides a wealth of information, advice, guidance and support via our specialist officers and this has been informed and shaped by discussions with parents, children and young people about the type of advice, information and support that is helpful. However, should you be dissatisfied with the service provided, complaint can be raised via Children's services complaints - 03000 265762 or 07387 252448, email [CYPSComplaints@durham.gov.uk](mailto:CYPSComplaints@durham.gov.uk)

## **Special Educational Needs / Disability**

Further information families on elective home education where your child has a special educational need/ disability is available on Durham's SEND Local Offer – Families Information Service website:

<http://www.countydurhamfamilies.info/kb5/durham/fsd/localoffer.page>

A guide for parents / carers of children and young people with SEND who are educated at home can also be found on Durham County Council's website:

<https://www.durham.gov.uk/article/2338/Educating-your-child-at-home>

## 5. Durham Learning Resources

Durham Learning Resources loan age appropriate books and artefacts to support curriculum topics and reading development and comprehension. Parents and children / young people can choose their own items, or staff can make selections for you according to your criteria.

### What you can **borrow**:

- 30 items for £60 **or**
- 15 items for £35.

There is a loan period of up to one year and resources can be collected from our library at Sevenhills, Unit 1 Greenhills Business Park, Enterprise Way, Spennymoor, Co. Durham, DL16 6JB.

### What you can **buy**:

Durham Learning Resources also sell a selection of age appropriate **reading and topic activity packs**. These packs contain fantastic books to support reading and learn about a topic, an array of activities linked to the books to encourage reading and embed the learning, plus fantastic free gifts, and will arrive through the letterbox addressed directly to your child.

### **Packs include:**

- A popular age appropriate fiction book to support reading development and encourage a love of reading,
- A topic book on a national curriculum topic to help your child learn about the world around them.
- Fun activity sheets based upon the books to encourage reading and support reading comprehension, as well as developing topic knowledge.
- Free gifts including stationery and toys as a reward for all the hard work!

Please contact Durham Learning Resources at [dlr@durham.gov.uk](mailto:dlr@durham.gov.uk)

tel. 03000 263 781 for more details.

Please ask us if you would like this document summarised in another language or format.

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[ElectiveHomeEducation@durham.gov.uk](mailto:ElectiveHomeEducation@durham.gov.uk)

**03000 265896**