

Elective Home Education

Isle of Wight Policy and Procedures

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1.0 INTRODUCTION

The purpose of this document is to provide information and guidance to parents and carers about home education by:

- setting out the legal position on elective home education;
- explaining the processes involved in becoming a home educator;
- outlining where to find additional information and support;
- answering some of the most frequently asked questions.

2.0 POLICY STATEMENT

The Isle of Wight Local Authority recognises that there are many approaches to providing education and respects the rights of parents¹ to choose to educate their child/children at home.

Elective home education (EHE) is the term used by the Department for Education (DfE) to describe parents' decisions to provide education for their children at home instead of sending them to school. This is different to home tuition provided by a local authority or education provided by a local authority other than at school.

Home education is an option that any family may consider for their child/children. The reasons for deciding on this approach are many: for some families, it is a decision based on their philosophical, spiritual or religious outlook; for others it is to meet the specific needs of a child or children.

Whatever the circumstances, the Local Authority wishes to work collaboratively with and support parents in their choice. As the best outcomes for children are likely to be achieved when parents and the Local Authority work together, respecting each other's rights and responsibilities, the Local Authority aims to create positive working relationships with home educators.

3.0 THE LAW RELATING TO ELECTIVE HOME EDUCATION

In England, education is compulsory, but attending school is not. Section 7 of the Education Act 1996 states that:

“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.”

Some parents choose to do this by educating their children at home. 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", and a "suitable" education as 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".

Article 2 of Protocol 1 of the European Convention on Human Rights states that:

“No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions.”

¹ 'parents' in this document refers to parents and adults with parental responsibility, including guardians and carers

4.0 DECIDING TO HOME EDUCATE

Most parents think long and hard about taking the step to educate at home and it is worth considering the issues below before a final decision is made:

- educating a child outside the school system will require a major commitment of parents' time;
- it may be difficult for one person to provide a broad education, or the range of subjects a child wishes to learn about;
- attending school is about more than just schoolwork and many of the lessons learned are about how to get on with other people and developing other skills. There are a number of home education support networks on the Isle of Wight and nationally which provide a wide range of advice and activities to support families with home education and provide opportunities for young people and their parents to socialise, share skills and interests and to learn together;
- there is no financial assistance for home educators, so some expense will be incurred for families, including any exam entries. However, as an "information rich society", there is a vast amount of educational information available for free. Regular use of the library means that parents do not have to buy lots of books, and information can be accessed by using the internet at home and at the library;
- disagreements with a school may be addressed and solved and parents are therefore encouraged to contact the Headteacher or the Local Authority first as it is not advisable to take a child out of school because there has been an issue with a school relating to bullying, attendance, or behaviour ;
- if a home educated child wishes to return to school at some point, progress to post-16 education/training or take public exams, parents will need to think about how to make this an easy step for their child;
- the Local Authority employs a Lead Officer for Elective Home Education who is available to provide advice to parents considering home education, if requested, and is happy to talk through the home education process. Other home educators are also a useful source of information and support.

The type of educational activity provided can be varied and flexible. Home educating parents are **not required** to:

- teach the National Curriculum;
- provide a broad and balanced education;
- have a timetable;
- have premises equipped to any particular standard;
- set hours during which education will take place;
- have any specific qualifications;
- make detailed plans in advance;
- observe school hours, days or terms;
- give formal lessons;
- mark work done by their child;
- formally assess progress or set development objectives;
- reproduce school type peer group socialisation;
- match school-based, age-specific academic standards.

Parents should be aware however, that certain characteristics of education at home are expected² :

- that parents or other significant carers are consistently involved;
- the child's needs, attitudes and aspirations are recognised;
- there are opportunities for the child to be stimulated by their learning experiences;
- there are opportunities for appropriate interaction with other children and adults;
- there is access to resources and materials – such as paper and pens, books and libraries, arts and crafts materials, physical activity, and ICT.

² DFE : EHE Guidelines for Local Authorities 3.13-3.15):

Parents sometimes choose to hire private tutors as part of the home education provision for their children. It is the parent's responsibility to check that tutors have an up to date Disclosure and Barring Service (DBS) certificate and that children are safeguarded at all times.

5.0 ROLES AND RESPONSIBILITIES

Parental rights and responsibilities

Parents have a duty to secure an appropriate education for their children and some parents choose to do this by educating their child at home. They do so because they judge it to be the best way to carry out their duty. Parents may decide to home educate their child from an early age and need not enrol them at any school. They may also elect to home educate at any other stage up to the end of compulsory school age³. Parents are required to provide an efficient education suitable to the age, ability and aptitude of their child.

Parents are not required to register or seek approval from the Local Authority to educate their child at home. However where a child has been registered at a school, parents are required to notify the school in writing when withdrawing a child for EHE. This is to confirm that provision is being made for the child's education otherwise than at school and to request removal from the school's roll. In the case of a child who attends a special school parents must have the consent of the Local Authority before a child can be de-registered from the school and home educated.

Parents who choose to educate their child at home must be prepared to assume full financial responsibility, including bearing the cost of any public examinations. Further education colleges do have access to funding for home educated children to attend college between the ages of 14 and 16. Parents will need to contact the Isle of Wight College to discuss the opportunities available.

Parents have the right to apply for a school place for their child at any time. However, there is no automatic right to return to a school previously attended by a child. Places offered will be dependent on where there are vacancies and normal application and appeal procedures apply. For more information contact the Schools Admissions Team (see Appendix A for contact details).

The Local Authority

The Isle of Wight Local Authority recognises that there are many approaches to providing education. What is suitable for one child may not be for another, but all children should be involved in a learning process. The Local Authority also recognises the importance of building positive relationships to support parents in their aim of providing their children with an effective education.

The Local Authority has a specific responsibility to identify children missing education⁴. It is for this reason that, as well as those children who are withdrawn from school to be home educated, it is very helpful for parents to also inform the Local Authority of children who are being home educated who have never been registered at a school, as we will not then deem them as 'missing education'.

The Local Authority also has a duty to promote the welfare and well being⁵ of children for whom it has responsibility, including children who are home educated.

Local authorities do not receive funding to support home educating families but the Isle of Wight Local Authority will be as supportive as possible where there are no resource implications. The Local Authority employs a Lead Officer for EHE to support families. In our dealings with all parents we seek to be as respectful, timely and non-intrusive as possible.

When the Local Authority first becomes aware that parents have elected for home education initial contact will be made in order to establish that provision is being made. Although the local authority has no statutory duty to monitor the quality of home education on a routine basis, contact will be made with parents at least once a year to update our information on provision and to offer support. Whilst parents are under no duty to respond

³ Recent legislation means that since 2013, all young people in England are required to stay in some form of education or training until their 18th birthday.

⁴ Section 436A of the Education Act 1996

⁵ Section 175(1) of the Education Act 2002

to this request and a lack of response would not of itself trigger a concern, it is helpful if parents can keep us updated.

The following procedure will be implemented:

- when the Local Authority is notified by the child's previous school or the School Admissions Team that the child is to be home educated, a copy of the Elective Home Education policy will be sent to parents, including a Contact Information Form which we ask to be returned to us;
- an initial visit will be offered within 3 months and review visits at least annually after that;
- the Local Authority acknowledges that for many parents, the time they start home educating can be a stressful period, especially where their child has had a negative experience at school. Whilst there is no expectation that home education will be fully up and running straight away, a discussion about their home education plans and the support available can be very helpful to parents in these first few weeks
- where a parent prefers to provide a report of the home education of their child, this will be requested within 3 months of starting home education and then at least annually after that (see Appendix D : Guidelines for presenting evidence of home education);
- if contact cannot be made after two letters home, a third letter will be sent notifying parents that a Child Missing Education referral will be completed and sent to the Education & Inclusion Service who will make further enquiries as to the location of the child;
- It would be very helpful if parents would contact the Lead Officer for EHE to provide any updates such as a change of name/address or if a home educated child starts at/returns to school so that any information or attempts to contact are not misdirected;
- the Lead Officer for EHE will provide advice by telephone, e-mail or additional visits, if requested by parents, before or during a period of home education, as availability allows;
- the Local Authority is keen to highlight the rich and varied nature of home education on the Isle of Wight and will ask parents to let us know the outcomes and progression routes for home educated children at the end of each academic year, although you do not need to provide this.

In the majority of cases, home education is positive and rewarding for both children and parents. However, occasionally concerns regarding the education of a home educated child emerge and these can come from a variety of agencies, including the general public. In line with Government EHE Guidelines, if it appears that a suitable education is not being provided, the Local Authority will make informal enquiries that will assist it to reach an informed judgement. This will include seeking further information from parents that explains how they are providing a suitable education for their child. Whilst parents are under no duty to respond to such a request, DfE guidelines comment that: **"it would be sensible for them to do so"** and refer to the legal case Phillips v Brown (1980).

If the Local Authority is still unable to satisfy itself that a child is receiving a suitable education, then a formal letter outlining concerns will be sent to the parents who will have the opportunity to address these. If, however, the issues raised remain unresolved and the Local Authority continues to have concerns that a suitable education is not being provided, this could lead to the Local Authority seeking to issue a School Attendance Order, enforceable by law.

The Local Safeguarding Children Board (LSCB)

The Local Safeguarding Children Board (LSCB) has the statutory responsibility for ensuring that all agencies within the Isle of Wight promote the safeguarding of children in **ALL** settings. The LSCB expects all agencies working with parents who elect to home educate their children, to promote the children's wellbeing, support children being adequately safeguarded in their educational setting and, where appropriate, to notify other agencies of any concerns.

6.0 FREQUENTLY ASKED QUESTIONS

What should I do if I am thinking about educating my child at home?

No educational choice should be taken lightly and before deciding to electively home educate, you should consider the time, resources and energy you will need to put into this very important part of your child's life. As well as the demands that providing for subjects that you may not be as interested in as your child, parents who home educate, take on the full financial responsibility. It is advisable to contact the Local Authority's Lead Officer for Elective Home Education who will be able to provide advice and signpost you to other organisations that might be able to help as well as explain the procedure for becoming a home educator.

If your child currently attends a school, you will need to inform the school, in writing, that you intend to home educate and for him/her to be de-registered. It would be helpful if you also informed the Lead Officer for EHE, although you do not have to do this.

If your child has never been registered at a school, you do not have to inform the Local Authority of your decision to home educate. However, it is helpful if you do, as the Local Authority has a duty to identify children 'missing from education' and if we know that your child is being home educated, then we will not deem them 'missing'.

What if my child has a special educational need or disability?

You are able to home educate a child with an Education, Health and Care Plan and should write to the school to inform them that you intend to home educate and for him/her to be de-registered. If your child is registered at a special school however, you will need the consent of the Local Authority before your child can be de-registered from the school.

The education you provide should be suitable to your child's age, ability, aptitude and any special needs but this does not mean that you have to provide everything previously provided by the school. Currently, on the Isle of Wight, your child may still be able to access physiotherapy, occupational therapy and speech and language therapy (this is not the same in all local authorities).

An interim review will be called in the first few weeks of home education so the Education Health Care Plan (EHCP) can be updated to reflect any necessary changes, including the place of education. For as long as the EHCP is in place, the Local Authority will continue to hold an annual review to consider whether the EHCP needs to remain in place. You will still have the right of appeal to the SEN Tribunal.

You can apply for an EHCP for your child whilst they are being home educated. You will need to collect evidence to demonstrate that your child has significantly greater difficulties than other children of the same age and would require much greater support than other children if he/she attended school.

More information can be found at:

<https://www.iow.gov.uk/Residents/Care-and-Support/SEND-Reforms/>

The Ed Yourself website has a very comprehensive section on SEND:

<http://ehe-sen.org.uk/statement.php>

Will I receive funding for home education?

The Local Authority does not receive money to fund parents/carers who home educate. Parents who choose to home educate will have to assume the full responsibility of any costs, including for any examination entries. There is a vast amount of educational information available for free: regular use of the library means that parents do not have to buy lots of books; information can be accessed by using the internet at home and at the library; colleges are now able to access funding for some home educated young people aged 14 to 16 to attend courses.

What will happen now that my child is being home educated?

Once your child is registered as home educated, you will be contacted by the Lead Officer for EHE who will provide information and offer you a visit to offer guidance on education and learning. The visit could be at

your home or somewhere else if you prefer. You do not have to accept a visit and may choose to provide a report outlining how you are planning to educate your child.

What do I do if I want to return my child to school?

Parents have the right to apply for a school place for their child at any time. However, there is no automatic right to return to a school previously attended by a child. Places offered will be dependent on where there are vacancies and normal application and appeal procedures apply. For more information, contact the Schools Admissions Team on 01983 821000 www.iwight.com/Residents/Schools-and-Learning/School-Admissions

What is the raising participation age and how does this affect a home educated child?

The Government has increased the participation age to which all young people in England must continue in education or training to 18.

This raising of the participation age means young people must choose one of the following options:

- full time education, such as school, college or home education (if previously home educated);
- an apprenticeship;
- part-time education or training if they are employed, self-employed or volunteering full time (defined as 20 hours or more per week).

Once a young person reaches Year 11 (age 16) we work with the Isle of Wight Council's Island Futures Team who support young people aged up to 19 (25 for those with a learning difficulty and/or disability) to access education, employment and training opportunities. We provide Island Futures with your name and contact details and any further information relevant to the Island Futures Team's role.

However, you can ask that no information beyond your name and address be passed to the Island Futures Team. Please inform Louise Tatton if you wish to opt out of this arrangement. For more information about the Island Futures Team, please contact them on 01983 823888 www.iwight.com/islandfutures

7.0 APPENDICES

Appendix A – Useful contacts and information

Local Authority:

- Isle of Wight Council: www.iwight.com/
- Lead Officer for Elective Home Education: Louise Tatton
Tel: 01983 821000 ext 6856 or 07581571832 louise.tatton@iow.gov.uk
- Inclusion manager: Karen Potheary karen.potheary@iow.gov.uk Tel: 01983 823151
- Special Educational Needs Team: Tel: 01983 823470 sen@iow.gov.uk
www.iwight.com/Council/OtherServices/Special-Education-Needs-SEN/About
- IoW Local Offer – a source of local information, help, support and advice regarding SEND for parents, carers, children and young people: www.iwight.com/localoffer
- School Admissions Team: Tel: 01983 821000
- www.iwight.com/Residents/Schools-and-Learning/School-Admissions
- Island Futures Team Tel: 01983 823888 www.iwight.com/islandfutures
- Family Information Zone (FIZ) / WightChYPS: Tel: 01983 823349
<https://www.iow.gov.uk/Council/OtherServices/Family-Information-Zone/WightChYPS-Family-Information-Directory>

Other organisations:

- SENDIASS (Special Educational Needs and Disability, Information, Advice and Support Service) provides advice and guidance for parents and carers whose children have special educational needs: 11 Orchard Street, Newport PO30 1JZ Tel: 01983 825548 <http://iowsendiass.co.uk/>
- Department for Education: www.gov.uk/government/organisations/department-for-education
- Learndirect: www.learndirect.com/
- National Association of Gifted Children: www.nagc.org/
- National Extension College: www.nec.ac.uk/
- BBC: www.bbc.co.uk/learning
- Disclosure and Barring Service: www.gov.uk/government/organisations/disclosure-and-barring-service/about
- Family Lives (formerly Parentline Plus): www.familylives.org.uk/

Home education:

- The Isle of Wight Learning Zone – an Island-based support group for home educating families: www.iwlearningzone.co.uk/
- Education Otherwise: www.educationotherwise.net
- Home Education Advisory Service: www.heas.org.uk
- Ed Yourself: www.edyourself.org
- Home education in the UK – SEN: www.he-special.org.uk/

There are many organisations, groups and websites which provide information and support for home educating families which can be easily accessed through a search on the internet or through the links pages of some of the above groups. Whilst these organisations, groups and websites may provide helpful advice, guidance and support relevant to home education, their inclusion in this document does not imply an endorsement of them by the Isle of Wight Local Authority. The views expressed within external websites are those of the site's owners and, unless specifically stated, are not those of the Local Authority.

Appendix B – E-safety advice to parents

(from <http://www.thinkuknow.co.uk/parents/internetsafety>)

- help your children to understand that they should never give out personal details to online friends they do not know offline;
- explain to your children what information about them is personal: i.e. email address, mobile number, school name, sports club, arrangements for meeting up with friends and any pictures or videos of themselves, their family or friends. Small pieces of information can easily be pieced together to form a comprehensive insight in to their lives and daily activities;
- make your children aware that they need to think carefully about the information and pictures they post on their profiles. Inform them that once published online, anyone can change or share these images of them;
- it can be easy to forget that the internet is not a private space, and as result sometimes young people engage in risky behaviour online. Advise your children not to post any pictures, videos or information on their profiles, or in chat rooms, that they would not want a parent or carer to see;
- if your child receives spam or junk email and texts, remind them never to believe their contents, reply to them or use them;
- it's not a good idea for your child to open files that are from people they don't know. They won't know what they contain – it could be a virus, or worse, an inappropriate image or film;
- help your child to understand that some people lie online and that therefore it's better to keep online mates online. They should never meet up with any strangers without an adult they trust;
- always keep communication open for a child to know that it's never too late to tell someone if something makes them feel uncomfortable.

For more information and answers to frequently asked questions visit:

<http://www.thinkuknow.co.uk/> on this website you will find advice for parents and children of different ages on a wide range of issues relating to e-safety;

<http://parentinfo.org/> this website offers advice to parents on internet safety and 'coded' online language. This has been devised by the Child Exploitation and Online Protection service (CEOP).

Appendix C – Privacy Notice (Data Protection Act 1998)

The Elective Home Education Service based at Thompson House, is a department of the Isle of Wight Council and, as such, the Isle of Wight Council is the Data Controller for the purposes of the Data Protection Act. We collect information from you, and may receive information about you from your previous school and other agencies. We hold this personal data and use it to:

- support our duties in line with the DfE Elective Home Education Guidelines for Local Authorities (2007) and any new government guidance we are obliged to follow.

This information includes your contact details, and may include national curriculum assessment results, attendance information ^A, characteristics such as ethnic group, special educational needs and any relevant medical and safeguarding information.

We will not give information about you to anyone outside Childrens Services without your consent unless the law and our rules permit it. Some information will be passed to the Department for Education, where we are required to do so by law.

If you want to see a copy of the information we hold and share about you then please contact Louise Tatton, Lead Officer for EHE, at Thompson House. Alternatively, please contact the Corporate Information Unit, Legal Services, County Hall, High Street, Newport, IW PO30 1UD.

^A Attendance information is not collected for pupils under 5 at Early Years Settings or Maintained Schools

Appendix D – Guidelines on presenting evidence of home education

The Local Authority seeks to understand that the education being provided is suitable for the age, ability, aptitude and any special educational needs that a home educated child may have. When visiting a family or looking at reports provided, evidence is looked at in this light.

If parents choose to provide a report, this could include:

- the reason why you have chosen to educate your child at home;
- any resources and activities you have used e.g. people with particular skills/interests, places, libraries, computer/internet, books, museums;
- activities which help to develop social skills, such as activities your child may attend which take into account their individual needs e.g. scouts, sporting activities, local choir, local EHE groups, friendship groups;
- plans for/outcomes of entering your child for qualifications.

Possible ways to provide evidence in your report include:

- original work (or photocopies of this);
- photographs;
- art work;
- scrapbooks;
- musical and sporting achievements (certificates);
- diary of events and activities;
- recordings;
- on-line blogs.

There are as many ways of demonstrating examples of education provision as there are home educators. The Local Authority will always be happy to listen, add to the above list as new ideas are suggested and share good practice.