

CONSULTATION DRAFT



ELECTIVE HOME EDUCATION

London Borough of Hillingdon Policy

London Borough of Hillingdon
ELECTIVE HOME EDUCATION

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London Borough of Hillingdon ELECTIVE HOME EDUCATION

Part 1

Introduction

1.1 Elective home education is where parents or guardians decide to provide education for their children at home instead of sending them to school. It is not home tuition provided by a local authority or where a local authority provides education otherwise than at a school.

1.2 Home-educated children are those who, for a range of reasons, are being educated at home and in the community by parents, guardians, carers or tutors, and are not registered full time at mainstream schools, special schools, Pupil Referral Units (PRUs), colleges, children's homes with education facilities or education facilities provided by independent fostering agencies.

1.3 The purpose of this policy is to encourage Hillingdon and home educating parents to work together to develop trust, mutual respect and a positive relationship that functions in the best educational interests of the child. The guidelines recognise that elective home education is a key aspect of parental choice and therefore aims to encourage good practice in relationships between Hillingdon and home educators by clearly setting out the legislative position, and by providing advice on the roles and responsibilities of Hillingdon and parents in relation to children who are educated at home.

Reasons for Elective Home Education

1.4 Parents may opt for home education for various reasons. The reasons should not, in themselves, have a bearing on Hillingdon's treatment of home-educating families since Hillingdon's primary interest lies in how well the parents are providing education for their children at home and not their reason for doing so. The following reasons for home-educating are common but by no means exhaustive:

- Distance or access to a local school
- Religious or cultural beliefs
- Philosophical or ideological views
- Dissatisfaction with the system
- As a short term intervention for a particular reason
- A child's unwillingness or inability to go to school

1.5 When a parent offers an account of their dissatisfaction with the public system of education provision, Hillingdon may wish to use this information as part of its ongoing supervision of specific problems in certain areas.

Part 2

The law relating to Elective Home Education

2.1 The responsibility for a child's education rests with their parents. In England, education is compulsory (for children aged 5 to 16), but schooling is not.

2.2 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.

This right is enshrined in English law. Section 7 of the Education Act 1996 provides 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.

And Section 9 of the Education Act 1996 provides that:

In exercising or performing all their respective powers and duties under the Education Acts the Secretary of State local education authorities and the funding authorities shall have regard to the general principle that pupils are to be educated in accordance with the wishes of their parents, so far as that is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure.

In conjunction with this, The Children Act 2004 places duties on the Local Authority to:

safeguard and promote the wellbeing of children in partnership with children and young people, parents and carers, and the wider community.

2.3 Thus, where a child is educated at home the parental responsibility for children's education, coupled with Hillingdon's responsibility to make sure that there is adequate provision for education in their areas, brings Hillingdon and parents into a relationship (as discussed in Part 4 of these guidelines).

Parental rights and responsibilities

2.4 Parents may decide to exercise their right to home-educate their child from birth and so the child does not therefore need to be enrolled at school. However, as noted above, this right requires the parents to provide an efficient education suitable to the age, ability and aptitude of the child and home educating may offer distinctive benefits for some children and young people. An “efficient” and “suitable” education is not defined in the Education Act 1996 but “efficient” has been broadly described as an education that “achieves that which it sets out to achieve”, and 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”¹. It is therefore recognised that there are many approaches to educational provision and what is suitable for one child may not be for another.

Hillingdon’s Responsibilities:

2.5 Where Hillingdon is aware of home-educated children within our area, we will provide information for the parents or guardians who have chosen to home-educate (see paragraphs 4.5-4.6). Hillingdon will also wish to make it clear to parents that if they choose to home-educate, they assume financial responsibility for their child’s education, including the cost of public examinations, and that the child must continue to receive suitable education until the end of ‘compulsory education’ (ie the last Friday in June in the academic year in which they reach age 16).

2.6 Under Section 437(1) of the Education Act 1996, LAs can intervene if they have good reason to believe that parents are not providing a suitable education. This section states that:

If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that the child is receiving such education.

Section 437(2) of the Act provides that the period shall not be less than 15 days beginning with the day on which the notice is served.

2.7 Section 437(3) of the 1996 Act refers to the serving of School Attendance Orders:

If –

(a) a parent on whom a notice has been served under subsection (1) fails to satisfy the local education authority, within

¹ Mr Justice Woolf in the case of R v Secretary of State for Education and Science, ex parte Talmud Torah Machzikei Hadass School Trust (12 April 1985)

the period specified in the notice, that the child is receiving suitable education, and

(b) in the opinion of the authority it is expedient that the child should attend school,

the authority shall serve on the parent an order (referred to in this Act as a "school attendance order"), in such form as may be prescribed, requiring him to cause the child to become a registered pupil at a school named in the order.

2.8 Hillingdon sees the taking of the above measures as a last resort after all reasonable avenues have been explored to bring about a resolution of the situation. At any stage following the issue of the Order, parents may present evidence to Hillingdon (or the court) that they are now providing a suitable and appropriate education and apply to have the Order revoked.

2.9 Hillingdon also has a duty under Section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children. 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.

This will require a multi-agency approach by ensuring that all agencies working with children, young people and families are aware of Hillingdon's duty to ensure every child of compulsory school age is receiving a suitable education. However, Section 175(1) does not extend Hillingdon's functions themselves, only that in the course of the functions conferred upon us should consideration be given to safeguarding and promoting children's welfare. Section 175(1) does not, for example, give Hillingdon powers to enter the homes of, or otherwise see, children undertaking elective home education.

Part 3

Clear policies and procedures

3.1 All parties involved in home education should be aware of their roles, rights and responsibilities and be clear about the standards expected of them. Hillingdon policy aims to be clear, transparent and easily accessible.

3.2 Hillingdon has a named senior officer with responsibility for the provision of education for children and young people who are unable to attend school because of medical needs (see DfEE circular 0732/2001 *Access to Education for Children with Medical Needs*). Another officer has responsibility for "education otherwise than at school", she receives parental notification of home education intention and maintains a home education list. She is with the Education Welfare Service (EWS).

3.3 Hillingdon is able to provide guidance for parents and carers who request it. In addition, Hillingdon could organise training on the law and home education methods for all their Education Officers who have contact with home-educating families in their area should the need be identified.

De-registration from School

3.4 First contact between Hillingdon and home educators often occurs when parents decide to home educate and approach the school (at which the child is registered) and/or the authority to seek guidance about withdrawing their child from school. It is important that this initial contact is constructive and positive. However, while parents must inform the school in writing of their decision, they are not legally required to inform Hillingdon about their intention to home educate unless they wish to remove a child from a special school (see section 3.22 onwards). However, Hillingdon strongly requests that families inform the nominated officer (EWS). Schools in receipt of such information are required to notify the LA by sharing it with the nominated officer (EWS).

3.5 De-registration of a child from a school in order to Electively Home Educate is covered by section 8(1)(d) of the Education (Pupil Registration) Regulations 2006. Parents who wish to home-educate their child who is registered at a maintained school or an independent school must inform the school formally and in writing of their intention to de-register. The school shall delete the child's name from their register from the date indicated in the written notification from the parents, guardians or legal carer, and inform Hillingdon EWS (giving the child's name and address) as soon as possible or at least within 10 school days of removal. Although they are under no obligation to do so, parents are encouraged to inform Hillingdon directly, to enable Hillingdon to check that the child's name has actually been removed from the school register.

De-registering the child

3.8 Any procedures for dealing with home-educating parents and children must be fair, clear, consistent and timely, in order to provide a good foundation for the development of trusting relationships.

3.9 Where the child is enrolled at a school, parents have a responsibility to inform that school in writing that they are withdrawing their child in order to educate them at home. Although parents are not legally obliged to notify Hillingdon of their intentions, it is recommended that they do so as early as possible, to ensure that support and advice can be offered as required or as requested. However, Hillingdon will bear in mind that, in these early stages, parents' proposals may not be detailed and they may not yet be in a position to demonstrate all the characteristics of an "efficient and suitable" educational provision (see 3.12 onwards). If this is the case, a reasonable timescale will

be agreed for the parents/carers to submit their proposals.

3.10 Where parents have notified Hillingdon or Hillingdon is otherwise made aware of a child's de-registration from school with the intention of being home educated, Hillingdon will acknowledge the receipt of this notification and consider quickly whether there is any existing evidence, either in our own records or from other services or agencies, indicating whether there may be cause for concern over the deregistration. Previous irregular attendance at school is not of itself a sufficient cause for concern. In many cases, parents and their children have reached a crisis point, for example, with bullying, so advice should be sought from The Education Welfare Services where there is any doubt. Specific instances where they may be concerns include:

- where a child has been referred to social services or the police for child protection reasons, and the matter is being investigated
- where a child is subject to a Child Protection Plan
- where the child is the subject of a supervision order
- where, probably in a minority of cases, there is a history of condoned absence, unmanaged truancy or other on-going, low level concerns that may lead to child protection procedures.

Otherwise, Hillingdon will assume that efficient educational provision is taking place, which is suitable for the child, unless there is evidence to the contrary. Hillingdon will bear in mind that, in these early stages, parents' proposals may not be detailed and they may not yet be in a position to demonstrate all the characteristics of an "efficient and suitable" educational provision (see 3.12 onwards). If this is the case, a reasonable timescale will be agreed for the parents/carers to submit their proposals.

There is no express requirement in the 1996 Act for LAs to investigate actively whether parents are complying with their duties under Section 7. Routine annual Education visits by Hillingdon to Electively Home Educating families will cease from 1st September 2011 unless requested by Parents. An annual enquiry will be made by Hillingdon by telephone or letter as to whether families are continuing to Home Educate. Enquiry will also be made as to whether children educated at home are members of Community Groups (e.g Faith Groups, Sports Clubs, Uniformed Groups like the Cadets or the Scouts, Drama Groups etc.). Should a family choose to have no contact with the Local Authority whatsoever, or the child have no alternative Community links, the Local Authority may attempt to visit the family at home, by appointment or not, to carry out Hillingdon's Safeguarding duty. Also see 3.18. Ultimately, if there is no indication that the child has been seen by anyone outside the home for a period of time not less than three months, a Common Assessment Framework may be completed and guidance sought from Social Care Officers.

3.11 On the other hand, if information exists which may cast doubt on whether an "efficient and suitable education" can be provided, Hillingdon 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 the Hillingdon EHE teacher 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.

Providing an “efficient and suitable” full-time education

3.12 Parents are required to provide an efficient education suitable to the age, ability and aptitude of the child. An “efficient” and “suitable” education is not defined in the Education Act 1996 but “efficient” has been broadly described as an education that “achieves that which it sets out to achieve”, and 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”². This will require home educators to have some kind of philosophy, approach or framework for the education of their child(ren).

3.13 There is no legal definition of “full-time”. Children in school normally spend between 22 and 25 hours working at school each week. This measurement of ‘contact time’ is not relevant to home education where there is often almost continuous one-to-one contact and where education takes place outside ‘normal school hours’. Nevertheless, the type of educational activity can be varied and flexible. It should be borne in mind that home-educating parents are not required to:

- teach the National Curriculum
- have a timetable
- have premises equipped to any particular standard
- mark work done by their child
- set hours during which education will take place
- have premises equipped to any particular standard
- have any specific qualifications
- cover the same syllabus as any school
- make detailed plans in advance
- observe school hours, days or terms
- give formal lessons
- reproduce school type peer group socialisation
- match school, age-specific standards.

However, Hillingdon can offer advice and support to parents on these matters if requested.

² Mr Justice Woolf in the case of R v Secretary of State for Education and Science, ex parte Talmud Torah Machzikei Hadass School Trust (12 April 1985)

3.14 An important point to note is that there are many, equally valid, approaches to educational provision. Hillingdon considers a wide range of information from home educating parents. The way in which parents provide information is entirely up to them. The information may be in the form of a parental report, specific examples of learning e.g. pictures/paintings/models, diaries of work, projects, assessments, samples of work, books, educational visits etc. Some EOTAS advisers have been privileged to hear children read their own poetry, listen to musical instruments being played and even be an audience for a play.

3.15 Thus, in our consideration of parents' provision of education at home, Hillingdon may reasonably expect the provision to include the following characteristics:

- consistent involvement of parents or other significant carers – it is expected that parents or significant carers would play a substantial role, although not necessarily constantly or actively involved in providing education
- presence of a philosophy or ethos (not necessarily a recognised philosophy) – it is anticipated that the parents have thought through their reasons for home educating
- showing signs of commitment and enthusiasm, and recognition of the child's needs, attitudes and aspirations
- opportunities for the child to be stimulated by their learning experiences
- involvement in activities – a broad spectrum of activities to cater for wide varieties of interests appropriate to the child's stage of development
- access to resources/materials required to meet the objectives of the parents – such as paper and pens, books and libraries, arts and crafts materials, physical activity, ICT and the opportunity for appropriate interaction with other children and other adults.

3.16 If, on considering the educational provision, one or more of the above characteristics appear to be lacking, Hillingdon may choose to further investigate whether or not there is sufficient evidence that an efficient and suitable education is, in fact, being provided. A full written report on the findings will be made and copied to the parents promptly, specifying the reasons for concluding that there are grounds for concern that a suitable education is not taking place. If Hillingdon 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 will consider instituting formal attendance procedures in accordance with the provisions of Section 437 of the Education Act 1996.

Access to the home

3.17 Parents are not legally required to give Hillingdon EHE adviser access to their home. They may, for example, choose to meet a Hillingdon representative at a mutually convenient and neutral location instead, or may choose not to meet at all. If the Hillingdon EHE adviser chooses to approach

a family and ask for information, parents can provide evidence that a child is receiving an efficient and suitable education in a number of ways. It should be in any form sufficient enough to convince a reasonable person of its appropriateness for the child's age, aptitude and ability. Parents might, for example:

- write a report
- provide samples of work
- invite the Hillingdon EHE teacher to their home, with or without the child being present
- meet the Hillingdon EHE teacher elsewhere, with or without the child
- have the educational provision endorsed by a recognized third party
- provide evidence in any other appropriate form.

3.18 The frequency with which Hillingdon will wish to contact parents to discuss their ongoing home education provision will vary depending on the individual circumstances of each family. It is for Hillingdon to decide how often to make contact with a family. However, Hillingdon will ordinarily make contact on an annual basis. Contact will normally be made by writing to the family to request an updated report or, if thought necessary, to seek a meeting. A written report will be made after such contact and copied to the family stating whether Hillingdon has any concerns about the education provision. Where there are concerns about the efficiency or suitability of the education being provided for the child, more frequent contact may be required. Where concerns merit frequent contact, Hillingdon will discuss these concerns with the child's parents, with a view to helping them improve their provision in the best interests of the child.

School Attendance Orders

3.19 Where there is conflicting evidence as to the home-educating characteristics noted in paragraph 3.15 above, the only way Hillingdon can reasonably clarify these contradictions may be to seek access to the home environment. However, Hillingdon must have demonstrable grounds for concern and must outline those grounds to the parents when requesting access to their home. If the parents refuse to allow access to their home (as is their right for purely educational reasons), Hillingdon will bring the matter to a multi-agency group to establish whether any other agency has had contact with the child. Community contact as detailed in 3.10 is sufficient. If remaining dissatisfied, Hillingdon might reasonably conclude in these circumstances that they have insufficient information to satisfy themselves as to the efficiency and suitability of the parents' education provision, and consequently serve a School Attendance Order (SAO) on the parents under Section 437(3) of the Education Act 1996.

3.20 A SAO continues to be in force for as long as the child is of compulsory school age. If there is a continued failure to register the child, Hillingdon EHE adviser & EWS has the option of referring to Social Care using a CAF for consideration of care proceedings. In exceptional circumstances, the case may be taken to the Family Proceedings Court instead of the Magistrates

Court where an application can be made for an Education Supervision Order (ESO - under Section 36(5)a of the Children Act 1989). Where an ESO is in force with respect to a child, the duties of the child's parents under section 7 and 444 of the Education Act 1996 (duties to secure education of children and to secure regular attendance of registered pupils) are superseded by their duty to comply with any directions in force under the ESO.

3.21 However, parents' wishes to educate their children at home will be respected and, wherever possible, efforts will be made to resolve issues about provision by a process of ongoing dialogue before Section 437(3) is invoked as a last resort. Only in extreme cases, where the education is clearly not efficient and suited to the age, ability and aptitude of the child, will a SAO be served (see paragraph 2.6 to 2.8 above). More information about School Attendance Orders is contained in *Ensuring Regular School Attendance* paragraphs 6 to 16 - (available at www.dfes.gov.uk/schoolattendance/prosecutions/index.cfm).

Children with Special Educational Needs

3.22 Parents' right to educate their child(ren) at home applies equally where a child has special educational needs (SEN) (see Section 319 of the Education Act 1996). Some children with special educational needs are statemented but others are not.

3.23 Where a child has a statement of special educational needs and is home-educated, it remains Hillingdon's duty to ensure that the child's needs are met. The statement must remain in force and Hillingdon will ensure that the child's SEN needs are met.

With this in mind all cases where children with a statement of special educational needs, who are to be educated at home, will require a referral to social care for an initial assessment to be carried out under section 17 of the Children Act 1989. This referral will be made using the common assessment framework and parents will be informed of this process.

3.24 If the parents' arrangements are suitable, Hillingdon is relieved of its duty to arrange the provision specified in the statement. If, however, the parents' attempt to educate the child at home results in provision that falls short of meeting the child's needs, then the parents are not making 'suitable arrangements' and Hillingdon cannot conclude that they are absolved of their responsibility to arrange the provision in the statement.

3.25 Even if Hillingdon is satisfied, we remain under a duty to maintain the statement and review it annually, following procedures set out in Chapter 9 of the SEN Code of Practice. Where Hillingdon is satisfied that the child's parents have made suitable arrangements it does not have to name a school in part 4 of the child's statement though it will state the type of school it considers appropriate and go on to state that "parents have made their own arrangements under section 7 of the Education Act 1996".

3.26 The statement can also specify any provision that Hillingdon has

agreed to make under section 319 to help parents to provide suitable education for their child at home. If the child to be de-registered is a pupil at a special school, the school must inform Hillingdon SEN team before the child's name can be deleted from the school roll and Hillingdon will need to consider whether everything is in place to make the home education suitable before amending part 4 of the child's statement.

3.27 A parent who is educating their child at home may ask Hillingdon SEN team to carry out a statutory assessment of their child's special educational needs and Hillingdon must consider the request within the same statutory timescales and in the same way as for all other requests. The views of the designated medical officer for SEN should be sought by Hillingdon where a child with a statement is educated at home because of difficulties related to health needs or a disability.

Relevant references in the 1996 Education Act:

Section 324 (4) of the Education Act 1996

"the statement [of special educational needs] shall specify any provision for the child for which they make arrangements under section 319 and which they consider should be specified in the statement."

Section 324(4A) of the Education Act 1996

"does not require the name of a school or institution to be specified [in a child's statement] if the child's parent has made suitable arrangements"

Section 324(5)(a) of the Education Act 1996 "Where a local education authority maintain a statement then, unless the child's parent has made suitable arrangements, the authority (i) shall arrange that the special educational provision specified in the statement is made for the child, and (ii) may arrange that any non-educational provision specified in the statement is made for him in such a manner as they consider appropriate."

Part 4

Developing relationships

4.1 As noted in the Introduction, the central aim of this document is to assist Hillingdon and home educators to build effective relationships that function to safeguard the educational interests of children and young people; relationships that are rooted in mutual understanding, trust and respect.

4.2 Whilst there is no current legal obligation on Hillingdon or home educators to develop such relationships, doing so will often provide parents with access to support that is available (EHE adviser, web based provision and Education Welfare Officer) and allow Hillingdon to better understand parents' educational provision and preferences. A positive relationship will also provide a sound basis if Hillingdon is required to investigate assertions from any source that an efficient and suitable education is not being provided. This will be true whether or not parents are required to demonstrate that suitable home-education provision is being made available.

Acknowledging diversity

4.3 Parents' educational provision will reflect a diversity of approaches and interests. Some parents, especially those who have other children attending school, may wish to provide education in a formal and structured manner, following a traditional curriculum and using a fixed timetable that keeps to school hours and terms. Other parents may decide to make more informal provision that is responsive to the developing interests of their child. One approach is not necessarily any more efficient or effective than another. Although some parents may welcome general advice and suggestions about resources, methods and materials, Hillingdon will not specify a curriculum which parents must follow.

4.4 Children learn in different ways and at different times and speeds. It is appreciated that parents and their children might require a period of adjustment before finding their preferred mode/s of learning. Parents are not required to have any qualifications or training to provide their children with an appropriate education. Their commitment to providing an efficient education that is suitable for their child may be demonstrated by them providing some indication of their objectives and resources (see paragraphs 3.12 to 3.15).

Providing information for parents

4.5 The provision of clear information has an important role to play in the promotion of positive relationships. Hillingdon provides written information and website links for home-educating parents that is clear and accurate and which sets out the legal position, and roles and responsibilities, in an unambiguous way. Contact details for home education support organisations are also provided. A selection of these is included in Part 5. All written information is available to parents in community languages and alternative formats on request. Also see section 5.3

4.6 As noted at paragraph 3.2 Hillingdon will provide parents who are, or who are considering, home-educating with a named contact within Hillingdon who is familiar with home education policy and practice and has an understanding of a range of educational philosophies. Hillingdon may invite the parents to meet with our named EHE officer to discuss their provision. Any such meeting will take place at a mutually acceptable location and the child concerned should also be given the opportunity to attend that meeting, or otherwise to express his or her views. Either during such a meeting, or otherwise, the parents and Hillingdon will seek to consider and agree what future contact there will be between them.

Contact with parents and children

4.7 Hillingdon acknowledges that learning takes place in a wide variety of environments and not only in the home. Where the education is taking place in the home, it is desirable for Hillingdon officer to have the opportunity to see the child in that learning environment, to enable them to see the provision at first hand. Seeing the child responding to the educational provision of the parents will provide a strong indication that an efficient and suitable education

is indeed being provided. Hillingdon does not, however, have a legal right of access to the home and the matter should not be forced. Some parents may not feel comfortable in allowing an education officer access to their child or family home. Trusting relationships may need time to develop before a parent is happy to invite an officer to visit. It is only in the context of a supportive and trusting partnership that the opportunity to meet the child and visit the home will arise.

4.8 In any event, it should be remembered that, where a parent elects not to allow access to their home or their child, this does not of itself constitute a ground for concern about the education provision being made. Although it is recognised that the learning environment can have a bearing on the effectiveness of learning, Hillingdon will, in the vast majority of cases, be able to discuss and evaluate the parents' educational provision by alternative means. Parents might prefer, for example, to write a report, provide samples of work, have their educational provision endorsed by a third party (such as an independent home tutor) or provide evidence in some other appropriate form (see paragraph 3.14).

Child protection

- 4.10 The welfare and protection of all children, both those who attend school and those who are educated by other means, are of paramount concern and the responsibility of the whole community. As with school-educated children, child protection issues may arise in relation to home-educated children. If any child protection concerns come to light in the course of engagement with children and families, or otherwise, these concerns should immediately be referred to Social Care Hillingdon and/or Police, using the telephone & followed up with a CAF (Common Assessment Framework).
- 4.11 In terms of safeguarding the welfare of children who are educated at home by parents, all agencies will work together. Hillingdon will take a lead on these issues because of our legal Safeguarding duty to Hillingdon children. Thus, when a practitioner or professional becomes aware that a child is being educated at home, local information sharing arrangements will help them inform Hillingdon EHE adviser, so that we can fulfil our duty to ensure the quality of that education.
- 4.12 Concerns may arise where a child has been referred to Children's Social Care or the police for child protection reasons and the matter is under investigation, or where a child has been assessed as in need, or where the child is the subject of a supervision order. Hillingdon will also apply to the Court for a child assessment under the [Children Act 1989](#), if we have reasonable cause to do so.
- 4.13 Parents may choose to employ other people to educate their child, though they themselves will continue to be responsible for the education provided. They will also be responsible for ensuring that those whom they engage are suitable persons to have access to children. Parents will therefore wish to satisfy themselves by taking up appropriate references.

Reviewing policies and procedures

- 4.15 Hillingdon wishes to review all of these procedures and practices in relation to home education on a regular basis to see if improvements can be made to further develop relationships and meet the needs of children and parents. Home education organisations and home-educating parents will be involved in this process of review. Effective reviews, together with the sensitive handling of any complaints, will help to secure effective partnership.

Part 5

Support and resources

5.1 When parents elect to home-educate their children they assume financial responsibility for their children's education. There are a number of sources of advice and practical assistance available to such parents. The Department for Education provides an information sheet for parents on elective home education, available from the Department's website at: www.parentcentre.gov.uk.

5.2 Hillingdon does not receive funding to support home educated families. As a minimum, Hillingdon will provide written information (which is also available through the internet) on home education that is clear and accurate and which sets out the legal position (see previous paragraphs 4.5-4.6).

5.3 Additionally available in Hillingdon;

- Provision of reading or lending libraries with resources for use with the children, on home schooling and related topics
- Admission into community programmes (including local authority owned community and sports facilities)
- Access to resource centres (including local school resources where feasible)
- National Curriculum materials and curricula offered by other educational institutions
- Information about educational visits and work experience

The National Curriculum

5.3 Although home-educated children are not legally required to follow the National Curriculum it is thought that a number do, especially if the home-educated child has siblings attending school.

5.4 In addition, the DfE website at www.dfe.gov.uk will allow access to the National Curriculum and associated schemes of work, aimed at setting standards across all schools. Some documents are also distributed via Departmental publications which can be accessed through links on The Stationery Office site at www.the-stationery-office.co.uk or by telephoning Prolog on 0845 602 2260.

Flexi-schooling

5.6 "Flexi-schooling" or "flexible school attendance" is an arrangement between the parent and the school where the child is registered at school in the normal way but where the child attends the school only part time; the rest of the time the child is marked as Code B in the school register i.e. present at approved education but off-site. This is sometimes done as a short term measure for a particular reason. "Flexi-schooling" is a legal option provided that the head teacher at the school concerned and, in many cases, the EWS as well, agree to the arrangement. Some of the advantages and disadvantages of "flexi-schooling" are referred to on the Home Education UK's

website at www.home-education.org.uk/articles-flexi-school.htm.

Hillingdon's role in supporting work experience

5.7 Work experience is not a statutory requirement. However, usually all Key Stage 4 pupils undertake work experience in the last two years of compulsory schooling. Over 95% of Key Stage 4 pupils go on placements each year. The law relating to the employment of children generally places statutory restrictions and prohibitions on employers in this regard. But where the employment is in accordance with arrangements made by Hillingdon EBP or a governing body these restrictions will generally not apply³ where the work experience is arranged only with a view to providing pupils with work experience as part of their education in their last two years of compulsory schooling.

5.8 Children educated at home have no entitlement to participate in work experience under arrangements made by Hillingdon but we wish to encourage the parents of such children to explore this path. Where home-educated children do participate in such schemes, consideration should be given to the extent to which such children are covered by, for example, insurance provision.

5.9 Schools and Hillingdon have a prime responsibility for ensuring pupils are placed in a safe environment for their work experience. Employers are responsible for carrying out risk assessments in respect of young people on work experience placements as if they were members of their staff.

Other Issues

Education Maintenance Allowance

5.10 Education Maintenance Allowance is a means-tested grant available to learners over the age of 16, if they stay on in education at school or college after GCSEs. It is not available to learners whose parents elect to educate them at home.

Truancy Sweeps

5.11 When planning and running truancy sweeps, Hillingdon EWS will refer to the DfE "Guidance for Truancy Sweeps" and the Home Office guidance "Police Power to Remove Truants" both of which are available at www.dfes.gov.uk/schoolattendance/truancysweeps.

5.12 Those taking part in the sweeps, including police officers, should be fully familiar with this guidance. They should be aware that there is a range of valid reasons why school-age children may be out of school. In particular, they may encounter children who are educated at home and that these

³ see section 560 of the Education Act 1996, as amended by section 112 of the School Standards and Framework Act 1998

children can have legitimate reasons to be out and about. By the same token, home-educating parents need to be aware that professionals involved in truancy sweeps will seek to verify any information given to them. To make sure this is a fast and efficient process, Hillingdon maintains a list of all school-age children known to them who are home-educated. This list is then checked by Hillingdon staff as part of a truancy sweep.

Traveller Children

5.13 Hillingdon is sensitive to the distinct ethos and needs of Traveller communities. Hillingdon's duty to ensure that children residing in this area are provided with suitable education (described elsewhere in these guidelines) applies equally to Traveller children residing with their families on temporary or unauthorised sites. Although Travelling children of school age have the same legal right to a school place as anyone else, it is obviously practically difficult to claim or seek these rights without a permanent or legal place to stop. Therefore, when a Traveller family with children of school age move into the area they are strongly encouraged to contact Traveller Education support online through Hillingdon libraries.

5.14 Traveller children can be educated at home in the same way as other home-educated children. Therefore should it be necessary, before deciding to prosecute parents for failing to provide a "suitable and efficient" education for their children, Hillingdon may consider whether it would be appropriate to take the alternative route of making an application in the family proceedings court for an education supervision order (ESO) which would last one year and would enable a EWO to advise, assist and befriend both the child and the parents. Where an ESO is in force with respect to a child, the duties of the child's parents under section 7 and 444 of the Education Act 1996 (duties to secure education of children and to secure regular attendance of registered pupils) are superseded by their duty to comply with any directions in force under the ESO.

5.15 Further guidance can be obtained from the DfE Guide to Good Practice on the education of Traveller children – "Aiming High: Raising the Achievement of Gypsy Traveller Pupils" which can be obtained from DCSF Publications (reference DfES/0443/2003). Another (external) source of information is www.gypsy-traveller.org/education/.

March 2011

Qualifications options

The following information sets out some of the options available to home-educating families who wish to provide opportunities for their children to study for recognised qualifications. This is not an exhaustive list, but sets out the main options available and provides contact details for relevant organisations. Please note that the following information is also liable to change from time to time.

Enrolment at a Further Education College

Some colleges may, at the discretion of the Principal, be willing to accept children of school age for full and part-time courses. This approach has the advantage that all the work and entry for qualifications is organised by the college, but it does require at least some attendance at classes which will not appeal to all home-educating families. If a student enrolls at a FE college, their parents will normally be liable to pay all of the course fees themselves. Colleges also have the discretion to waive fees, which they may do for low income families.

Self-Study

Many home educating families prefer not to enrol for attendance at a further education college but choose instead to work independently towards recognised qualifications. Because of compulsory internal controlled assessment components, there are many subjects and qualifications which are not available to external candidates unless an appropriate arrangement can be made with an approved centre which meets with the examining board's requirements. Some centres and examining boards may be willing to accept coursework which has been marked and authenticated by a private tutor. Thus, families who study for qualifications from home will need to:

- contact the relevant examination board to find out about their requirements;
- register with an approved centre for their child to be presented for the qualification; and
- pay a registration fee for each subject their child will take.

It may also be possible for a group of home educators to consider seeking approved status in their own right.

Correspondence Courses

Correspondence courses can be an option for students who prefer to work

independently, though they will be required in most cases to follow a structured curriculum and programme of work. Correspondence courses offer a wide range of qualifications at different levels and the organisations offering these courses will advise about arrangements which need to be made for registering with an examination centre and for marking and authenticating coursework. The cost of this option varies depending on the organisation and the qualification chosen, but can prove expensive.

There are an increasing number of organisations offering open and distance learning courses. The following contacts provide a useful start in finding a suitable course and organisation:

- The *Open and Distance Learning Quality Council* (ODLQC) is an independent body which accredits open and distance learning courses. The ODLQC produces a free information leaflet which lists all approved organisations and their courses. Contact:

16 Park Crescent, London, W1B 1AH
Tel: 020 7612 7090 Fax: 020 7612 7092.
Website: www.odlqc.org.uk
E-mail: info@odlqc.org.uk

- The *Association of British Correspondence Colleges* (ABCC) is a voluntary association of colleges which comply with a code of ethics. Contact:

PO Box 17926, London SW19 3WB
Tel: 020 8544 9559 Fax: 020 8540 7657.
Website: www.nationline.co.uk/abcc
Email: abcc@msn.com

- The *British Association for Open Learning* (BAOL) promotes quality and best practice in open, flexible and distance forms of learning. BAOL members work to a code of practice for open learning and are listed on the BAOL website. Contact:

Suite 12, Pixmore House, Pixmore Avenue, Letchworth, Hertfordshire, SG6 1JG
Tel: 01462 485 588 Fax: 01462 485 633
Website: www.british-learning.com
Email: info@british-learning.com

Alternative qualifications

The internal assessment component of many UK qualification courses such as Standard Grades, National Qualifications and GCSEs can restrict the choice available to home educated students. The following qualifications have, however, been identified as particularly suited to home study students as they are not dependent on internal assessment and moderation.

National Christian Schools Certificate (NCSC)

The National Christian Schools' Certificate (NCSC) provides a graduated series of certificates, ranging from Level 1, which is equivalent to 5 GCSEs (grades A*-C), through Level 2, which equivalent to 2 AS/A2 passes, and culminating with Level 3, which is equivalent to 3 AS/A2 passes (grades A-C). There is also an Honours Certificate, which is awarded to pupils who show exceptional performance.

Examinations are conducted at home under the supervision of parents, but the NCSC Board has strict moderation procedures to ensure the validity of results. The course is highly structured and requires a minimum pass mark of 80 per cent for each module test. During the course of 2004, the NCSC is to be superseded by the International Certificate of Christian Education, which will have very similar content and standards to the NCSC Certificate programme.

Contact: The European Academy for Christian Homeschooling (TEACH)
Marantha House, Unit 5, Northford Close, Shrivenham, Swindon,
Wiltshire, SN6 8HL

Tel: 01793 783783 Fax: 01793 783775

Website: www.christian-education.org

Email: admin@ncscboard.org.uk or cee@christian-education.org

Examining boards

The Assessment and Qualifications Alliance (AQA)

The AQA is one of three unitary examining bodies in England incorporating the now merged Associated Examining Board and the Northern Examinations and Assessment Board. The AQA also has responsibility for the City and Guilds' GNVQ qualification.

Contact: AQA, Devas Street, Manchester, M15 6EX

Tel: 0161 953 1180 Fax: 0161 273 7572

Website: www.aqa.org.uk

Email: mailbox@aqa.org.uk

Oxford Cambridge & RSA (OCR)

OCR is one of three unitary examining bodies in England incorporating the RSA (Royal Society of Arts), UCLES (University of Cambridge Local Examinations Syndicate), and MEG (Midland Examining Group).

Contact: OCR Information Bureau, General Qualifications:

1 Hills Road, Cambridge, CB1 2EU

Website: www.ocr.org.uk

CONSULTATION DRAFT

Tel: 01223 553998 Fax: 01223 552627

Email: helpdesk@ocr.org.uk

OCR Information Bureau, Vocational Qualifications:
Progress House, Westwood Way, Coventry, CV4 8JQ

Tel: 024 7647 0033

Fax: 024 7646 8080

Email: cib@ocr.org.uk

Edexcel

Edexcel was formed in 1996 by the merger of BTEC and the University of London Examinations and Assessment Council (ULEAC). Edexcel is one of the main examination boards for England and Wales.

Contact: Edexcel, Stewart House, 32 Russell Square, London, WC1B 5DN

Tel: 0870 240 9800 Fax: 020 7758 6920

Website: www.edexcel.org.uk

Email: enquiries@edexcel.org.uk

Useful contacts

Education Otherwise Association Limited

Nationwide charity for home education information and support. Subscription of £20 also entitles members to receive a handbook, UK and overseas contact list and bi-monthly newsletter, access to further resources, special interest and local groups and national gatherings

Address: PO Box 7420
London
N9 9SG

Website: www.education-otherwise.org
Email: enquiries@education-otherwise.org
Helpline: 0870 7300 074

Home Education Advisory Service

HEAS produces a range of publications and leaflets on different aspects of home education. Annual subscription [currently £12] gives access to the Advice-line, quarterly magazine, card for educational discounts, resources for loan and a regional list of other subscribers.

Address: P.O. Box 98
Welwyn Garden City
Hertfordshire
AL8 6AN

Website: www.heas.org.uk
E-mail: admin@heas.org.uk
Helpline: 01707 371854

Home Education UK

Website: www.home-education.org.uk

Home Education Resources

Website: www.home-education-resources.co.uk

The Home Service – a national Christian home education group

Website: www.home-service.org

Christian Home School

Website: www.homeschool.co.uk

Muddle Puddle – an independent site focusing on learning for 0-8 year olds

Website: www.muddlepuddle.co.uk