



City of London Corporation

Department of Community and Children's Services

Elective Home Education Policy v2.2

REVISION HISTORY

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| V1.2 | June 2014 | Draft | Review of Principles and Process in line with Safeguarding information as written in the <i>Electively Home Educated Children and Safeguarding Joint Protocol – revised May 2014</i> and the <i>Elective Home Education Policy, Barking and Dagenham</i> |
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DISTRIBUTION

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Contents

| | |
|---|----|
| Policy Statement..... | 4 |
| Safeguarding Children Being Home schooled | 5 |
| Action to be taken to safeguard children..... | 5 |
| Frequently Asked Questions..... | 6 |
| Why electively home educate? | 6 |
| Is it legal to educate my child at home?..... | 6 |
| Do I need to be a qualified teacher to educate my child at home? | 7 |
| Will I receive funding for home education? | 7 |
| My child wants to take examinations, is there any funding for this?..... | 8 |
| What should I do if I am thinking about educating my child at home? | 8 |
| What if my child has special educational needs?..... | 9 |
| What do I do if I want to return my child to school? | 10 |
| What further help is available after compulsory school age? | 10 |
| Appendix 1: Safeguarding Referral Process | 12 |
| Appendix 2: Elective Home Education notification form..... | 13 |
| Appendix 3: Educating your child at home form..... | 14 |
| Appendix 4: Useful addresses | 18 |

Policy Statement

Information and guidance for parents and carers

Parents or carers may decide to provide home-based education for their children instead of sending them to school - this is usually referred to as 'elective home education'. The City of London Corporation ("The City of London"), as the local authority (LA) with general responsibility for education in its area, recognises that home education is a key aspect of parental choice and is equal, in law, to education provided in school.

The Education and Early Years Service, within the Department of Community and Children's Services, takes the lead role in working with home educators and the young people who are being electively home educated in the City of London. We are able to advise and guide home educators, where requested, through signposting and referral to services.

No educational choice should ever be taken lightly. Before deciding to electively home educate you should consider the time, resources and energy you will need to put into this important area of your child's life and you may want to involve your child in making that decision. Current legislation makes it clear that parents who choose to educate their children at home assume full financial responsibility, including bearing the cost of any public examinations. However, local authorities are encouraged to provide support where resources permit.

Department for Education (DfE) guidelines for local authorities April 2019 states:

"Local authorities do not receive funding to support home educating families, and the level and type of support will therefore vary between one local authority and another."

Our role is set out in sections 437 to 443 of the Education Act 1996:

"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. (s 437(1))"

This is why it is helpful if you register your child as electively home educated. It denotes educated "otherwise" so removing potential confusion with a child "missing education".

Safeguarding Children Being Home schooled

Safeguarding and home education

A situation in which a child is not receiving a suitable full-time education requires action by a local authority under education law. But it is important to bear in mind that unsuitable or inadequate education can also impair a child's intellectual, social or behavioural development and may therefore bring child protection duties into play.

Sections 10 and 11 of the Children Act 2004 give local authorities general duties for promoting the well-being and (in relation to their non-education functions) safeguarding and promoting the welfare of children in their areas. This includes children educated at home as well as those attending school. Section 175 of the Education Act 2002 requires authorities to make arrangements for ensuring that their education functions are exercised with a view to safeguarding and promoting children's welfare.

The City of London will approach all cases where the suitability of home education is in doubt using our powers in the Education Act 1996, but we will also be prepared, if a lack of suitable education appears likely to impair a child's development, to fully exercise our safeguarding powers and duties to protect the child's well-being, which includes their suitable education.

Action to be taken to safeguard children

Local authority children's social care services have a duty, under s47 of the Children Act 1989, to investigate situations where it is suspected that a child is suffering, or likely to suffer, significant harm. Where this threshold is not met but there are concerns about a child's welfare, the City of London may seek parental consent to undertake an assessment of the child's needs. However, in these situations, if the parent does not wish to receive support from the Children's Social Care, Early Help and Short Breaks Service, the local authority has no legal rights to intervene.

All children identified as being home schooled living in the City of London will be known to the Education and Early Years Service, either through self-referral or notification from a school that a child is no longer on school roll.

Difficulty can arise in situations wherein engagement is limited, or non-existent. The Education and Early Years Service will seek to ensure the wellbeing of all electively home educated children as the most important aspect of engagement, closely followed by the quality of the educational provision. However, in a number of instances the lack of engagement from the family fuelled by current guidance mean that we cannot determine whether the children in question are safe and well, or even whether they are resident with the parent/carer and receiving appropriate care.

The City of London's Education and Early Years Service will continue to lead on Elective Home Education and engagement with families. However, in

situations where engagement is not effective and concerns exist about the safety and wellbeing of a child/young person (or our inability to effectively determine such) a referral process should be followed involving the Children's Social Care, Early Help and Short Breaks Service (**see Appendix 1**).

Frequently Asked Questions

Here are some of the questions most frequently asked by parents and carers who are considering home education. If you need further information, please use the contact details at the end of this information.

Why electively home educate?

Home Education is an option that parents or carers may consider for their children. The reasons for choosing it are many and varied, as are the styles of education provided. For some families their decision may be based on their philosophical, spiritual or religious outlook; for others it is to meet what they consider to be the specific educational needs of their child.

Some children are never registered at school. Others are registered but are then home educated, either for a limited period or permanently. Whatever your own circumstances, staff at the Children's Services department will be happy to offer support, advice and guidance.

Is it legal to educate my child at home?

Yes, parents may educate their children at home. Parents' legal duty is set out in section 7 of the Education Act 1996 as follows:

“The parent of every child of compulsory school age has a legal duty to ensure that he receives efficient full-time education suitable:

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

'Full time' is not defined in the Act and it does not mean home educators are bound by school hours and terms. For information, however, full time education for children in school is considered to be between 23 and 25 hours of school time per week.

'Suitable' and 'efficient' are not defined either but the courts have given some legal guidance. They have said that education is efficient if it is **“achieving that which it sets out to achieve”** and it is suitable if it **“prepares the child for life in a modern civilised society and enables the child to achieve his full potential”**.

It is also important to note that parents have a right to educate their children from their own philosophical, spiritual or religious standpoint. The Human Rights Act 1998, Article 2 of the First Protocol 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 in conformity with their own religious and philosophical convictions”. This means that your child can be educated at home by you or by private tutors or both. If you are employing private tutors you are strongly advised to ensure that they have had a Disclosure and Barring Service (DBS) check (formerly CRB check) and that references have been checked. The suitability of tutors that are employed by parents in terms of access to children is for the parents to ascertain.

Elective home education does not have to be identical to school education; no specific curriculum is laid down and you do not have to follow the National Curriculum. However, if you would like your child to go on to further education, or to take public examinations such as GCSEs, we would recommend that you follow the relevant curriculum. We have listed GCSE examination boards in the ‘Useful addresses’ section. We recommend that you contact them before you begin studies so that you can decide which examination board and syllabus you wish to follow. You will also need to arrange for your child to take exams at an examination centre.

Do I need to be a qualified teacher to educate my child at home?

No. You need no formal qualifications, nor do you have to employ a qualified teacher to educate your child. You do not have to teach any compulsory subjects. Consideration of what will enable a good quality of life in “modern society” may aid decision-making in relation to how you will educate your child but generally what, and how, your child learns is up to you, as long as you can show that the education is efficient, suitable and full-time. There is no one form of education; children learn in many different ways, at different times and speeds.

Will I receive funding for home education?

The simple answer to this question is “No”. Please remember that **local authorities have no legal responsibility or obligation to fund parents or carers who choose to home educate**. You will need to look at the costs that may be involved (equipment, visits, books, tutors etc) and plan what you intend to do before home educating. In common with many local authorities, the City of London **does not** provide direct funding or resources (e.g. exercise or text books, pens, pencils or paper, home computers etc) to home educators. However, the City of London offers a visit from an Education Officer to each home educating family and can provide additional services such as access to an Educational Psychologist if required.

My child wants to take examinations, is there any funding for this?

No, there is currently no funding available for this, unless it has been recommended by health professionals that the child or young person is home educated for medical reasons and therefore is not affiliated with a school. Further information on exams is available from local Home Education support groups listed at the end of this document.

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

If your child is already registered at a school you must, by law, inform the headteacher in writing that you intend to de-register your child and educate him or her at home. If you simply remove your child from school without informing them in writing (verbally informing the school is not enough), you could be prosecuted for non-attendance. The school must inform their home local authority of your decision. You will need our consent to remove your child's name from the school roll if he or she attends a special school or is subject to a School Attendance Order. Consent from the local authority may not be unreasonably withheld.

If your child is registered at a school, then a decision to home educate may not be the best way to solve an issue with the school or to overcome difficulties with attendance. You may be able to resolve these issues with the headteacher or governors at the school, or through our Education Welfare Service. Our Education Welfare Consultant can provide advice if you feel that any pressure is being put on you to take your child out of school to home educate.

The City of London would wish to work collaboratively with you and would therefore encourage you to register your child as being electively home educated. All complaints or concerns received from members of the public must statutorily be investigated by the local authority.

If your child has never been registered at a school, there is no need to inform us of your decision to home educate, although it would help us if you did. Under new legislation in the Children Act 2004 we have a duty to identify 'children missing from education', so if we know that your child is being home educated then we will not deem them 'missing'.

What if I would like a flexi-schooling arrangement?

What is flexi-schooling?

Flexi-schooling is an arrangement where, following a formal request from parents or carers and with the approval of the school, a child spends some part of the week attending school and the rest of it being educated at home or at an off-school site. In such arrangements, however, the child will always continue to remain on the school roll.

What is the legal situation with regard to flexi-schooling?

Parents and carers are fully entitled to ask schools about possible arrangements for flexi-schooling. There is, however, no parental entitlement to flexi-schooling and **the decision to agree it, or not, rests entirely with the Headteacher**. If a school decides not to agree such an arrangement, there is no formal appeal process.

Another form of provision available to home educated children aged 14-16 is part-time attendance at further education colleges, sixth form colleges and 16-19 academies or free schools. When children who are educated at home attend such college settings part-time then provision made should be taken into account by the local authority in deciding whether the education provided is suitable.

What if my child has special educational needs?

The parents' right to educate their child at home applies equally where a child has SEN. This right is irrespective of whether the child has an Education, Health and Care (EHC) Plan or not.

Where children have SEND (special educational needs and disabilities), the City of London's SEND team should work in partnership with, and support parents to ensure that the SEN of these children are met. LA SEND services do not have a duty under section 22 of the Children and Families Act 2014 to assess every home educated child to see whether or not they have SEN. The high needs block of the Dedicated Schools Grant is intended to fund provision for all relevant children and young people in the authority's area, including home-educated children. LA SEND services should fund the SEN needs of home-educated children where it is appropriate to do so.

The SEND Code of Practice 2015 (sections 10.30 to 10.38) sets out the guidance and good practice in relation to home education. It sets out two different types of "home education." One where the local authority agrees that home education is the right provision for a child or young person with an EHC plan the other is where the EHC plan names a school or type of school, but the parent decides to home educate. Where the local authority agrees that home education is the right provision, the EHC plan should make clear that the child or young person will be educated at home. If it does then the City of London SEND team, under Section 42(2) of the Children and Families Act 2014, must arrange the special educational provision set out in the plan, working with the parents. Under Section 19 of the Act, the LA must have regard to the views, wishes and feelings of the child and his or her parents, or the young person.

In cases where the EHC plan gives the name of a school or type of school where the child will be educated and the parents decide to educate at home, the LA is not under a duty to make the special educational provision set out in the plan provided it is satisfied that the arrangements made by the parents are suitable. The City of London SEND team must review the plan annually to ensure that the provision continues to be appropriate and the child's SEN continue to be met. Where the LA has decided that the provision is appropriate, it should amend the plan to name the type of school that would be suitable but state that parents have made their own arrangements under Section 7 of the Education Act 1996.

Where a child or young person is a registered pupil at a special school, the local authority must give consent for the child's name to be removed, but this should not be a lengthy or complex process. In some cases, a local authority will conclude that, even after considering its power to provide support to home-educating parents, the provision that is or could be made for a child or young person with an EHC plan does not meet the child or young person's

needs. The local authority is required to intervene through the school attendance order framework 'if it appears ... that a child of compulsory school age is not receiving suitable education'. The serving of a school attendance order is a last resort if all attempts to improve provision are unsuccessful. 'Suitable education' means efficient full-time education suitable to the child or young person's age, ability and aptitude and to any SEN he or she may have.

Parents may also home educate children who have SEN but do not have EHC plans. As with children and young people with EHC plans, the City of London SEND team should work with parents and consider whether to provide support in the home to help the parents make suitable provision. Information about the right to request an EHC needs assessment, and the right to appeal should be available to all parents including those who are electively home educating. Parents considering elective home education because they feel that the special educational needs support being provided by the school is insufficient to meet the child or young person's needs have the same rights.

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

Once registered, by completing the notification form (**Appendix 2**) we will contact you to provide information (by using the form marked as **Appendix 3**) and the opportunity to request a visit from our education officer. This can be at your home, but you may prefer to meet at our offices or somewhere else. The purpose of the visit is to offer advice and guidance on education, teaching and learning.

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

For various reasons some home educators later decide that their child should return to school. If you decide on this you will need to apply for a place at your preferred school. Please note: it may not always be possible to get a place at your child's previous school, even if it is your 'designated' school, if all places have been filled. By law, a school cannot 'hold' a place for you if another family wants it. Our School Admissions Team (see the 'Useful addresses' section in **Appendix 4**) will provide you with detailed information, advice and guidance on applying for a place, and on the appeals process should admission be refused.

What further help is available after compulsory school age?

The law now requires all young people in England to continue in education or training until at least their 18th birthday, although in practice the vast majority of young people continue until the end of the academic year in which they turn 18.

The raised participation age (RPA) does not mean young people must stay in school; they can choose one of the following post-16 options:

- full-time education, such as school, college or home education
- an apprenticeship
- part-time education or training if they are employed, self-employed or

volunteering full-time (which is defined as 20 hours or more per week).

Young people who have been educated at home may want to take further education college courses. It is important to know that many courses have specific entry requirements, such as GCSE passes.

The City of London has information on our Family and Young People's Information Service website for young people with information and advice, along with details of youth groups and other activities for young people: www.fyi.cityoflondon.gov.uk search for information, advice and guidance for young people – Careers Advice Plus

For electively home educated families, there is access to the City of London's IAG (Information, Advice and Guidance) worker, from year nine onwards. Further details can be found on the FYI directory and in the useful addresses section below.

The Department for Education website has further information:

www.education.gov.uk/childrenandyoungpeople/youngpeople/participation/rpa

Appendix 1: Safeguarding Referral Process

When should I make a referral?

1. Where a family presents as needing support, a referral to Early Help (EH) can be made, with consent. The family could also be signposted to universal services without a referral if more applicable
2. Where a family, child or young person is under pressure and you think they would benefit from having additional support from other agencies then a referral to EH can be made but consent must be given
3. If you're not sure you can always call the Children's social care, Early Help and Short Breaks Service for advice.
4. If there is an immediate safeguarding concern, and you are worried about a child who lives in the City of London call 020 7732 3621 – Monday to Friday, 9am-5pm only. 020 8356 2710 – for all other times, including weekends and bank holidays



What do I need to do to make a referral?

1. Explain to the family what the Children's Social Care, Early Help and Short Breaks Service may be able to do to support them and gain their permission and involvement in completing the Multi-agency Referral Form (MARF).
2. If you are not sure what information is required you can always talk to the Service on, Tel: 020 7332 3621
3. Complete the MARF and send to the duty email address: children.duty@cityoflondon.gov.uk



What will happen once the referral has been made?

1. You will be contacted within 24 hours of your referral and further information may be required at this stage to determine how best to proceed or advise of what action will be taken.
2. If further support is required or if there is a concern, someone from the Children's Social Care, Early Help and Short Breaks Service will be in touch to complete a children and families assessment. – the Service will meet with the family and assess what support may be required



What happens next?

1. If no further assessment is required, then advice and support will be given to the family on where to access universal resources.
2. If a children and families assessment is required, then the outcome of this assessment will determine what level of support is offered or intervention required – either early help or social care.
3. Cases will be reviewed on a regular basis by children and young people, parents and a multi-agency group.

Appendix 2: Elective Home Education notification form

Please note: Whilst you do not have to complete this form it would help us if you did. If your child has never been registered at a school, please enter "Not registered". If your child is registered at a school then please remember that **you must inform the school, in writing**, that you intend to educate him/her at home and request that his/her name is removed from the school roll.

1. Parents/carers:

Name:

Address:

Contact telephone number/e-mail address:

2. Child

Name:

Date of birth:

3. Name and address of school last attended (if any):

4. Reason for deciding to home educate: (if you wish to state these)

Please send the form to the address below:

Education and Early Years Service
Department of Community and Children's
Services
PO Box 270
Guildhall
London
EC2P 2EJ

Appendix 3: Educating your child at home form



City of London Corporation

Department of Community and Children's Services

EDUCATING YOUR CHILD AT HOME

It is expected that you as the parent(s) and we, the City of London Corporation (formerly the Local Education Authority), both aim to ensure that your child has the best possible opportunity for learning during their period of home education. To achieve this aim we need to work together from time to time and to be able to communicate on a reasonably regular basis. It would therefore be helpful if you would fill in the contact details and information requested below for each child and return this sheet in confidence to:

**Education and Early Years Service
Community and Children's Services
City of London
PO Box 270
Guildhall
London
EC2P 2EJ**

Should anything on this form need further clarification, please contact the City of London Education and Early Years Service on 020 7332 1002.

(Please complete a separate sheet for each child being home educated)

Name of Child _____

Child's Dob _____ / _____ / _____ Age _____ Gender _____

Previous School _____

Borough/County _____

Name of parent/Guardian _____

Home Address _____

_____ Post Code _____

Telephone Home/Work _____ Mobile _____

Email address _____ Fax _____

Reasons for Electively Home Educating_____

The information requested will be kept strictly confidential and used for monitoring and statistical purposes only.

Child Ethnicity: white black Caribbean black African white black British Irish

Indian Pakistani Bangladeshi Chinese Other: please specify_____

What are you setting out to achieve through your home education? What do you hope your child will learn over the next year or more?

What do you see as your child's special interests or aptitudes? (What is he/she interested in or good at?)

What do you plan to do to address your child's special interest and aptitudes?

Do you think your child has any special needs, for instance in terms of learning or social development? If so, what are they?

| | |
|--|--|
| <p>If you said yes to the last question, what do you plan to do to address these needs?</p> | |
| <p>What do you think your child has achieved since you began home education? What has he/she learned?</p> | |
| <p>What work have you been doing with your child since you started home education?</p> | |
| <p>How well do you think the work is going? Is there anything you need advice on?</p> | |
| <p>How do you see your child's educational future? For instance:</p> <ul style="list-style-type: none"> • Do you plan to keep home educating up to the age of 16? • Do you plan reintegration into school at any point? • What do you plan to do about public examinations or other qualifications? | |

Details of Home Education

Books, Timetable of subjects covered, names of private tutors etc.

Has an Education, Health and Care Plan (EHC Plan) been issued for your child?

Yes/No*

If Yes, please give the date when the EHC Plan was issued

Legal responsibilities of parents:

You should be aware of your duties under Section 7 of the Education Act 1996:

“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.”

I/we* wish to declare my/our* intention to home educate the above named child

Signed:

Date:

Signed:

Date:

*please delete as appropriate

I give full permission for the City of London Education Service to be involved and for information to be stored on the City of London Management Information System and shared with other agencies, as appropriate.

The City of London Corporation is a data controller, and processes personal data in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. For full details of how and why the City of London Corporation processes personal data, please refer to the full privacy notice at www.cityoflondon.gov.uk/privacy. Alternatively, you can request a hard copy. Please direct all data protection queries to the information compliance team at information.officer@cityoflondon.gov.uk

Appendix 4: Useful addresses

Local Authority

Education and Early Years Service

**Lead Advisor – Universal
Education Services**
Kirstie Hilton
Community and Children’s Services

Tel: 020 7332 3274
Email: kirstie.hilton@cityoflondon.gov.uk

Lead Advisor – SEND
Sharon Cushnie
Community and Children’s Services

Tel: 020 7332 1537
Email: sharon.cushnie@cityoflondon.gov.uk

**Head of Education and Early Years
Theresa Shortland**
Community and Children’s Services
Department

Tel: 020 7332 1648
Email:
theresa.shortland@cityoflondon.gov.uk

School Admissions Team
Community and Children’s Services

Tel: 020 7332 1002

Children and Families Team

Children and Families Team
Community and Children’s Services
Department
Guildhall
London
EC2V 7HH

Email: children.duty@cityoflondon.gov.uk
Tel: 020 7332 3621

Information, Advice and Guidance (IAG) – Prospects Careers

Kim Watson
IAG Advisor
Community and Children’s Services

Email: kim.watson@cityoflondon.gov.uk
Tel: 07730 803668

Home education support groups

Whilst these groups may provide helpful advice, guidance and support, the City of London Corporation does not take any responsibility for the advice, guidance and support issued.

Home Education Advisory Service

PO Box 98
Welwyn Garden City
Hertfordshire, AL8 6AN
Tel: 01707 371854
E-mail: enquiries@heas.org.uk
www.heas.org.uk

Education Otherwise

PO Box 325
Kings Lynn, PE34 3XW
www.educationotherwise.org/
Helpline – Tel: 0845 478 6345

GCSE examination boards and information about exams

OCR

1 Hills Road
Cambridge, CB1 2EU
14-19 Tel: 01223 553 998
www.general.qualifications@ocr.org.uk

EdExcel

Stewart House
32 Russell Square
London, WC1B 5DN
Tel: 0844 576 0027
www.edexcel.com

AQA

Devas Street
Manchester, M15 6EX
Tel: 0161 953 1180
www.aqa.org.uk

For iGCSEs - Cambridge Assessment (International Education)

www.cambridgeinternational.org

Joint Council for General Qualifications

Veritas Street
125 Finsbury Pavement
London, EC2A 1NQ
Tel: 020 7638 4132
www.jcq.org.uk

Correspondence courses

Oxford Home schooling - Learn at Home with Professionally Produced KS3, GCSE, and A Level Courses

www.oxfordhomeschooling.co.uk

National Extension College

Michael Young Centre

Purbeck Road

Cambridge, CB2 8HN

Tel: 01223 400 200 (main switchboard)

www.nec.ac.uk

(offers a range of GCSE and A-level correspondence courses)

Disclosure and Barring Service

www.gov.uk/government/organisations/disclosure-and-barring-service

