

Elective Home Education Policy



Sandwell Metropolitan Borough spans a densely populated area of the West Midlands. The borough comprises of six amalgamated towns of Oldbury, Rowley Regis, Smethwick, Tipton, Wednesbury, and West Bromwich.

Sandwell has a population of 328,450 and is a very diverse community with an ethnic make-up of 69.9% White, 19.2% Asian, 5.9% Black, 3.3% Mixed Race, 0.3% Arab, 1.3% Other

83.2% of people living in Sandwell were born in England, 4.9% in India, 1.7% in Pakistan, 1.2% in Jamaica, 0.9% in Bangladesh, 0.5% in Ireland, 0.4% in Wales, 0.3% in Scotland, 0.3% in Zimbabwe, 0.2% in Kenya.

Sandwell is home to 94 primary schools, 20 secondary schools, 7 special schools and 1 college. There are approximately 65,490 children of compulsory school age in Sandwell. In the academic year to July 2019, there were 61,071 children attending schools (including Pupil Referral Units and Independent Schools) in Sandwell.

Currently there are 561 children on the Elective Home Education (EHE) register in Sandwell.

Sandwell Metropolitan Borough Council Elective Home Education Policy

Purpose of the policy

The policy is to inform prospective, current and future home educating families of the implications of elective home education. It also serves to inform school staff, professionals and the Local Authority services who work alongside the Elective Home Education Service.

This policy is based on the guidance issued to Local Authorities by the Department of Education (DfE). It is written in accordance with *Section 7 Education Act 1996; DfE Guidance for Local Authorities April 2019* and *Department for Education Guidance for Parents April 2019*

The responsibility for supporting children who are electively home educated in Sandwell rests with a small team of workers based in Education Support Services at Sandwell MBC.

The EHE Team comprises of:

- Elective Home Education Lead Officer
- Two Elective Home Education Advisory Teachers
- Education Otherwise Than at School Officer

Parents' Rights and Responsibilities

Throughout this policy the word “parents” will be used to indicate anyone with parental responsibility as defined in Section 576 of the Education Act 1996:

- all natural parents, whether they are married or not
- any person who, although not a natural parent, has parental responsibility for a child or young person
- any person who, although not a natural parent, has care of a child or young person (having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law).

Sandwell MBC recognises parents' legal right to educate their children at home as set out in Section 7 of the Education Act 1996:

The parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable:

(a) to his age, ability and aptitude, and

(b) to any special educational needs he/she may have, either by regular attendance at school or otherwise.

The “otherwise” option includes EHE with parents taking responsibility to provide education without recourse to a school or Local Authority. In short education is compulsory, attending a school to be educated is not. An “efficient” and “suitable” education is not defined in the Education Act 1996 but in case law.

An “efficient” education is 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, so 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”. It is therefore recognised that there are many approaches to educational provision and what is suitable for one child may not be suitable for another.

Where parents are thinking of home educating because of a disagreement with school, they should ideally contact the EHE Service before taking the final step and we will be happy to talk through the issues with them. If at any point a parent would like their child to return to school they can contact the Admissions Service; details are on the Sandwell MBC website. We offer advice and support to parents regarding their choice to educate their child at home.

Parents do not have to ask permission to home educate and may choose to home educate for a variety of reasons. If the child is already on a school roll parents will need to write to the headteacher of the school requesting the child's name to be removed from the school roll because the child is now being home educated. Following the deregistering from school process, the headteacher is then required to notify the Local Authority and from this point the child will no longer be a pupil at the school.

The *Elective Home Education Guidelines for Local Authorities* have more information about parents' freedom to choose the form of education they believe is best for their child. Parents may employ others to educate their children, but they will continue to be responsible for the quality of the education provided. They will also be responsible for making sure that the people they employ are suitable by taking up appropriate references, including a Disclosures and Barring Service (DBS) check where appropriate.

Elective Home Education differs fundamentally from home tuition arranged by Sandwell Metropolitan Borough Council which is provided for children unable to attend school through illness or disability. EHE is also different from hospital education or Pupil Referral Units. Where a child is electively home educated, it is the parent's responsibility to ensure the provision of a suitable education.

Parents will have to pay for all educational materials plus any examination fees and associated costs. Any outlay incurred to support EHE will be the responsibility of the parents. Examples of such costs would include (but are not limited to) books and resources, employment of tutors, e-learning courses or any alternative provision. However, it is recognised that there is no obligation for parents to use any specific resources.

Children with Special Educational Needs

The right to home educate applies equally to children with an Education Health and Care Plan (EHCP). In these circumstances however, the child’s name should only be removed from the school roll (special school or mainstream) following consultation between the school and the Sandwell MBC SEND Team. Consent may not unreasonably be withheld and removal from roll should not be unnecessarily delayed.

When a child who has an EHCP is educated at home, it remains the duty of Sandwell MBC to ensure that the child’s needs are met. The EHCP must remain in place and Sandwell MBC’s

SEND team is responsible for organising annual reviews for home educated children with Education, Health and Care plans and for confirming the suitability of education provided. This includes assessing whether the EHCP is still appropriate, requires amendment or might cease to be maintained.

Where the parent's arrangements are suitable then Sandwell MBC may be relieved of its duty to arrange the provision specified in the EHCP. If parents are concerned that their child may have special educational needs and disabilities (SEND) or is experiencing some learning difficulties, they can contact these support groups run by parents for parents:

<http://groups.yahoo.com/group/homeeducationandspecialneeds/>

<http://he-special.org.uk/content/joinhere.php>

They can contact the Parent Partnership Service for independent advice and support:

<http://www.parentpartnership.org.uk/>

Or go to the SEND Gateway developed by the charity Nasen, which has an online portal offering free, easy access to high quality information, resources and training for meeting the needs of children with special educational needs and disabilities.

<http://www.sendgateway.org.uk/>

The Duty of Head Teachers and Principals

On receipt of written notification to home educate, schools must inform the pupil's Local Authority that the pupil is to be deleted from the admission register. The school is responsible for raising any safeguarding concerns and should transfer the child's school file (preferably in an electronic format) to the EHE Service. Schools and academies must not seek to persuade parents to educate their child at home as a way of avoiding excluding the pupil or because the pupil has a poor attendance record or behavioural difficulties.

If at any point it becomes apparent that a decision to home educate is based on the child's name being removed from the school register otherwise than in accordance with The Education (Pupil Registration) (England) Regulations 2006 (and the statutory guidance on applying the said regulations), the child's name should be returned to the school roll with immediate effect if that is the wish of the parents. The head teacher must inform the parents of the full implications of EHE and advise them to contact the EHE team for further support and information.

Schools and Local Authorities should not seek to prevent parents from educating their children outside the school system. There is no requirement for parents to obtain the school or local authority's agreement to educate their child at home. Parents have a duty to ensure their child of compulsory school age receives suitable full-time education, but this does not have to be at a school. Sandwell MBC's EHE Service encourages all schools and academies to complete an 'Off Register' form (removal from roll checklist) that should be kept by the school and a copy forwarded to the local authority (EHE team).

The Duties and Role of Sandwell MBC

Your Duties, Our Expectations states: Local Authorities usually become aware of a child who is electively home educated once their name has been removed from the school roll. We expect schools and other professionals to engage with LAs where a parent is considering

withdrawing their child from school for EHE before the child's name is removed from the roll. This will enable the LA to coordinate a meeting ahead of the child being withdrawn from school and the parent confirming in writing that they are being electively home educated instead. If a child attends a special school and this was arranged by a Local Authority, the Local Authority (SEND team) must consent for the child's name to be removed from the roll.

During these meetings, Local Authorities, schools and other relevant professionals such as social workers where appropriate, should work to help parents and carers understand exactly what EHE means, ensure it is a positive choice taken without pressure from their school and signpost parents to the appropriate guidance. All Sandwell MBC officers will seek to establish positive and supportive working relationships with existing and potential members of the Sandwell EHE community. An initial consultation is offered and an information pack provided. An EHE Advisory Teacher is available to advise parents and offer guidance on the delivery of a suitable home education.

Sandwell MBC will keep an up to date record of all children known to be home educated and will ask parents for basic information about the provision they are making for their child's education. We support, as far as possible, in all children in Sandwell MBC's area to be effectively safeguarded and that appropriate details are gathered and retained as required. From time to time the Local Authority will contact parents and ask them to confirm that the details are still current. If it appears that a child is not being provided with a suitable education the EHE Advisory Teacher will try to gather information to help reach a properly informed judgement. Parents will always be informed in writing of any specific concerns.

However, if it still appears that a child is not receiving suitable education, local authorities can use other duties and powers to support their work on Children Missing Education (CME) and Sandwell MBC will serve a formal notice in writing on the parent as set out in section 437 (1) of the Education Act 1996, which could be the first stage in serving a School Attendance Order (SAO). A School Attendance Order will only be served after all reasonable steps have been taken to try to resolve the situation and even after an order has been issued parents may still present evidence to Sandwell MBC that they are subsequently providing suitable education and apply to have the SAO revoked.

If a home educated child moves to another Local Authority area, the relevant Officer will inform that Local Authority by sending a written referral. Sandwell MBC maintains a register of pupils being educated at home. As there is no statutory duty for parents to inform Sandwell MBC about children who have not been previously educated in schools or academies, it is acknowledged that the EHE register will be incomplete. The register is used by Sandwell MBC to offer support and guidance in partnership with home educating parents.

Sandwell MBC will share information and good practice with home educating parents as appropriate. This includes signposting services and agencies that may be considered in assisting or enhancing elective home education.

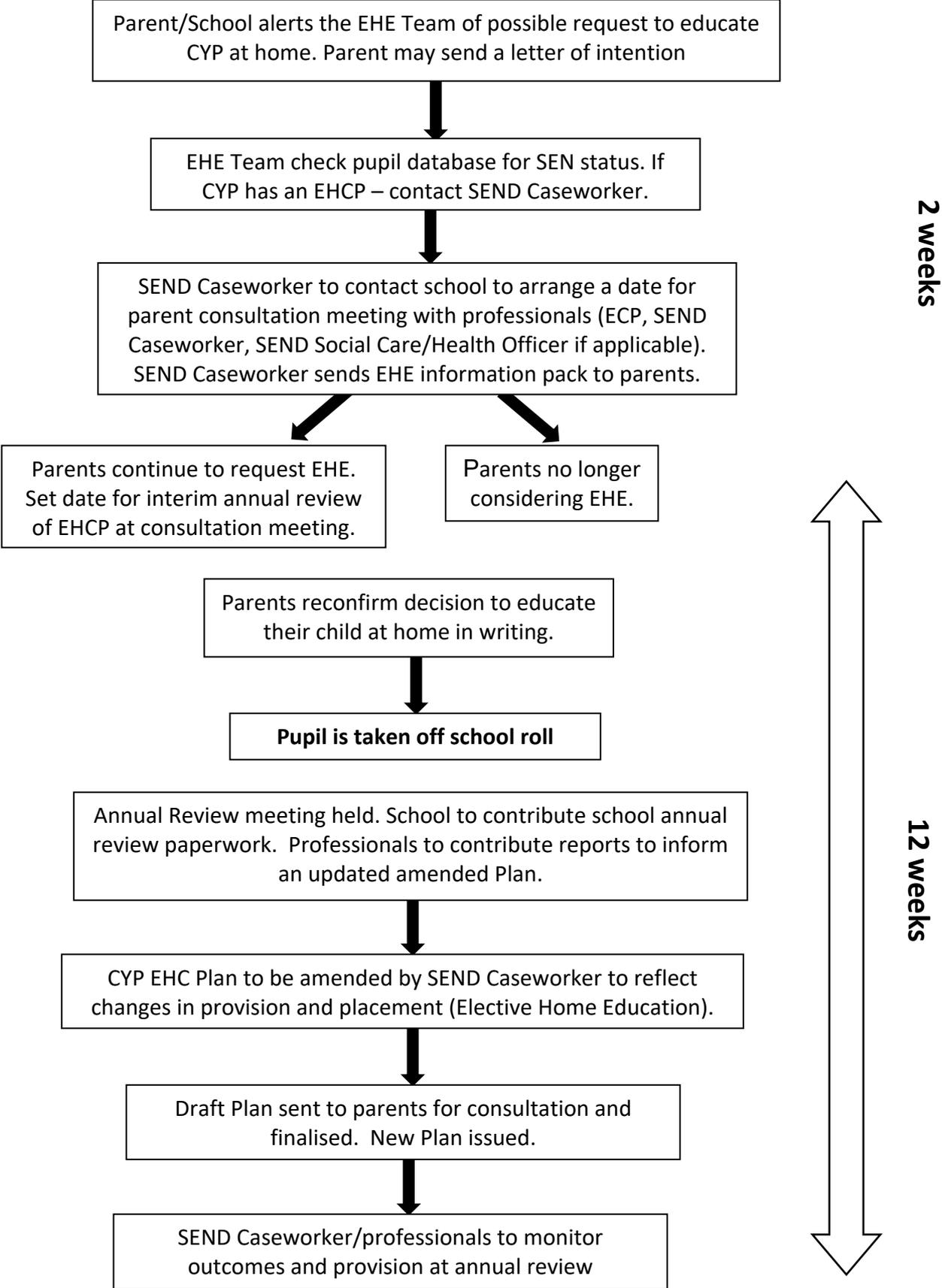
Complaints Procedures

Any concerns or complaints can be directed to the EHE Service who can be contacted at: home_education@sandwell.gov.uk or on 0121 569 8147.

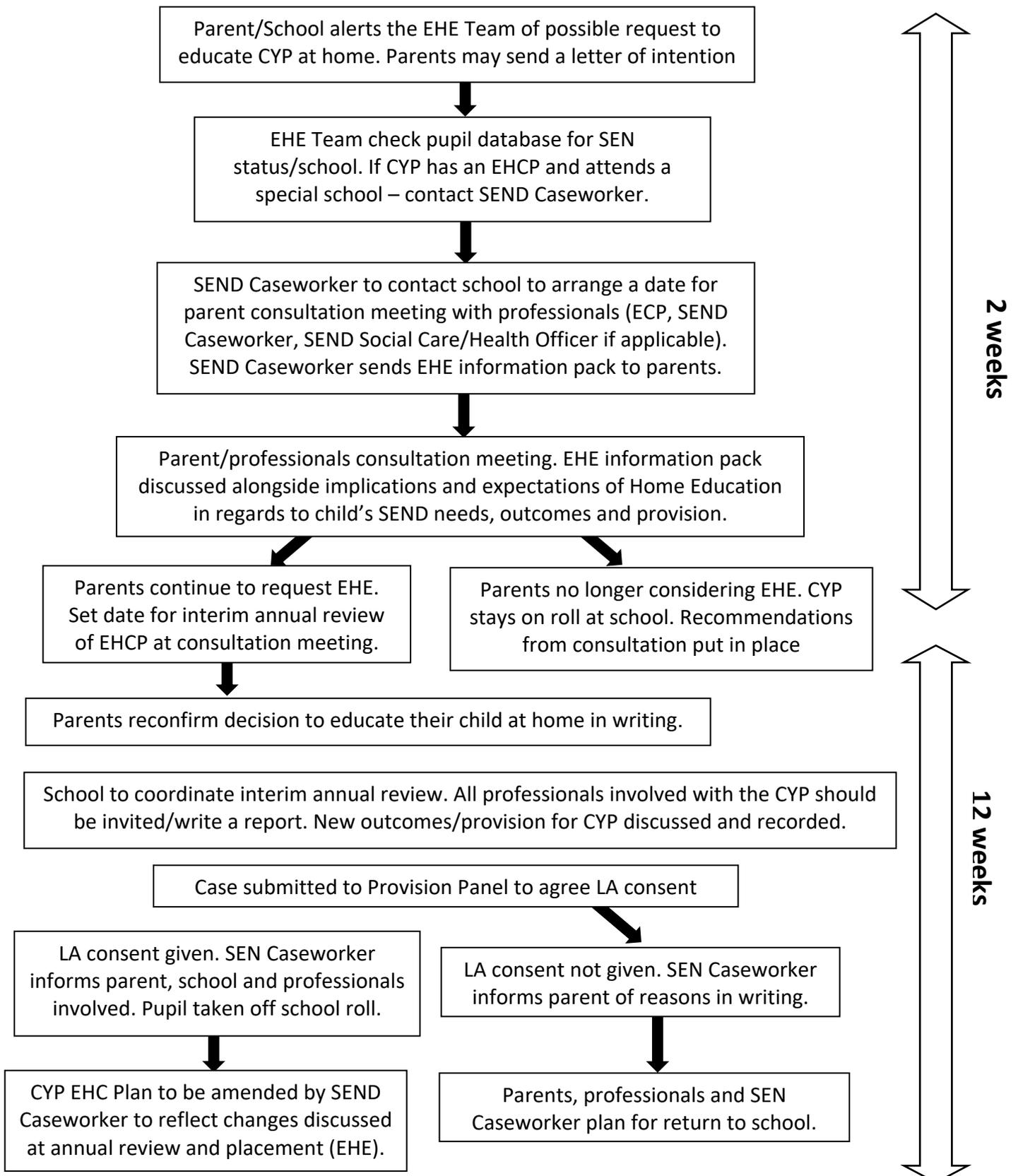
Monitoring of Policy

The policy is reviewed annually or as new legislation and statutory guidance are issued.

Appendix A EHE Process when CYP has an EHCP (Attending a Mainstream School)



Appendix B EHE Process when CYP has an EHCP (Attending a Special School)



Draft Plan sent to parent for consultation and finalisation. New Plan issued.

SEND Caseworker/professionals to monitor outcomes and provision at annual review



SEND Caseworker/professionals to monitor outcomes and provision at annual