

ELECTIVE HOME EDUCATION POLICY

Education Inclusion Service

**ELECTIVE HOME
EDUCATION POLICY**

**Revised September
2023**



Cyngor Bwrdeisdref Sirol

Blaenau Gwent

County Borough Council

Elective Home Education Policy

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Introduction

Elective home education is when parents decide to provide home-based education for their child rather than sending them to school. Home educated children are therefore not registered at mainstream or special schools.

The decision to home educate should never be taken lightly. Before parents decide to make such a commitment, they need to talk and listen to their child and also consider the time and energy they will need to invest. Parents should be aware that if they choose to home educate, they assume financial responsibility for their child's education, including the costs for equipment, visits, books and tutors, as well as the cost of any public examinations.

Parents should also be aware that children must continue to receive education until the end of compulsory education (i.e. the last Friday in June in the academic year the child reaches the age of 16).

It would not be in the child or parents' best interests if the parents chose to educate their child at home as a response to a disagreement with a teacher or the school. It would therefore be advisable to try and talk through any issues with the Head teacher or Governors if this is the case.

On no account should parents be encouraged to remove their child from the school register to avoid exclusion or prosecution for failing to ensure that their child has attended school or to improve school performance results.

Another aspect to take into consideration is the social side of school life, such as contact with other children, joint activities and the stimulus of seeing the work of other children. Parents will need to plan how the child's social development can be maintained or extended.

The rights of the child

Article 28 of the (UNCRC) declares the right of all children to receive an education.

Article 29 of the UNCRC declares that education should develop each child's personality and talents to the full and should encourage children to respect their own and other cultures.

Article 12 of the United Nations Conventions on the Rights of the Child (UNCRC) provides a right for children to express their views and for due weight to be given to those views, in accordance with the age and maturity of the child. This does not, however, give children authority over parents. Local authorities, through their services supporting the participation of children, should consider how the individual and collective voices of home educated children can be heard.

Article 3 of the UNCRC requires all adults to think about how their decisions will affect children and to do what is best for the child.

The rights and responsibilities of the parents

Section 7 of the Education Act 1996 sets out the duty placed on parents to secure a full time, suitable and efficient education for children of compulsory school age, either by sending the child to school or through other means.

Parents, therefore, have a right to educate their child at home providing they fulfil their duty to ensure that their child, of compulsory school age, receives full-time education that is efficient and suitable for their age, aptitude, ability, and any special educational needs they may have.

Education can be said to be **efficient** if it achieves what it sets out to achieve.

A **suitable** education is defined as one which prepares a child for life in modern civilised society and enables him or her to achieve his or her potential. It is suitable if it equips a child for life within the community to which he or she belongs, as long as this does not reduce the child's chance to adopt some other form of life in later years, should he or she wish to do so. This is important where a family have religious or cultural beliefs.

In *Harrison & Harrison V Stevenson*, the judge defined the outcomes of a suitable education as:

‘In our judgement education’ demands at least an element of supervision; merely to allow a child to follow its own devices in the hope that it will acquire knowledge by imitation, experiment or experience in its own way and in its own good time is neither systematic nor instructive ... such a course would not be education but, at best, child-minding. We should not, in the ordinary case, regard a system of education as

suitable for any child capable of learning such skills, if it failed to instil in the child the ability to read, write or cope with arithmetical problems, leaving it to time, chance, and the inclination of the child to determine whether – if ever – the child eventually achieved even elementary proficiency in those skills’.

(Harrison & Harrison v Stevenson [1982] (QB (DC) 729/81)

Parents do not need to ask the permission of the Local Authority (LA) to begin home educating. If their child has been attending school, the parents will however need to notify the governing body of the school, normally through the Head teacher, of their intention to home educate. This must be in writing. It is then the responsibility of the school to notify the LA within ten days.

The name of the pupil is only removed from the school register when the school has received the written notification from the parent that the pupil is receiving education other than at school.

If a child has not attended school then the parent should inform the LA directly although there is no legal requirement for them to do so.

Parents seeking to home educate a child registered at a special school must obtain the consent of the LA to withdraw their child from the school. These requests will be discussed at ALN panel to determine if the parent can provide evidence to demonstrate that they are able to meet the requirement of the statement of SEN or the Local Authority IDP.

The responsibilities of the Local Authority (LA)

Section 436A of the Education Act 1996, places a duty on local authorities to make arrangements to establish the identities of children in their area who are of compulsory school age who are not registered learners at a school and are not receiving suitable education otherwise than at a school. Local authorities must have regard to this statutory guidance in exercising their functions.

The LA needs to be satisfied that a child is receiving an effective and suitable education at home, appropriate for the child’s age, ability, aptitude, and any special educational needs. The evidence provided by parents should demonstrate that the education being provided is suitable and not simply a statement of intent.

Section 437(1) of the Education Act 1996 states: ‘If it appears to the local 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 to the parent requiring them within the period specified in the notice that the child is receiving such education.’

Section 437(1) goes on to state that if the parent fails to satisfy the LA within the period specified in the notice that the child is receiving suitable education, the LA should serve a school attendance order requiring the parent to register the child in the school named in the order.

For a local authority to satisfy itself of the suitability of education provided by the parents, the local authority should see and communicate with the child. In the absence of seeing and communicating with the child, it will be questionable whether the local authority can reasonably assess suitability of education and to know if evidence of the suitability of the education provided by the parent relates to that child. For example, whether the evidence provided can reasonably be said to have been produced by that child or be about that child. Seeing and communicating with the child will provide an opportunity for the local authority to better understand how the child learns and what areas of learning they are interested in. Parents and Gillick competent children are not, however, obliged to meet with the local authority and are free to decline a meeting if they so wish.

While parents are under no legal obligation to meet with a representative of the LA or engage in discussing their child’s education, Lord Donaldson has stated that:

‘...it would be sensible for them to do so. If parents give no information or adopt the course.... of merely stating that they are discharging their duty without giving any details of how they are doing so, the LA will have to consider and decide whether it ‘appears’ to it that the parents are in breach of Section 437(1) of the Education Act 1996’

Legal precedent has established that local authorities can make informal enquiries of parents for details of the educational provision for their child. *Goodred v Portsmouth City Council* states “There is nothing remotely problematic in the defendant approaching a home-schooling parent...to request evidence that, if satisfactory, would enable the defendant to discharge its duty under section 436A without the need to serve a [notice to satisfy under section 437(1) of the Education Act 1996] R. (on the application of *Goodred*) v Portsmouth City Council¹⁶ November 2021

Remember: If it appears that a child of compulsory school age is not receiving a suitable education, the LA is able to serve a notice in writing requiring the parent to provide evidence that the child is receiving a suitable education. If no response is received within 15 days the LA is able to issue a school attendance order (SAO) to ensure a suitable education.

Under section 447, Education Act 1996, if a parent fails to comply with an SAO a local authority must consider whether it would be appropriate (instead of or as well as instituting proceedings for the offence of failing to comply) to apply for an education supervision order (ESO) in respect of the child. Failure to comply with an SAO could lead to either a criminal conviction or the imposition of an ESO or both.

Initial contact

Once the LA has received notification of a parent's intent to withdraw their child and home educate, the LA will apply the following procedure within 10 working days:

- i. Update our records accordingly.
- ii. Contact the parent/carers to request an initial meeting and information about the education they are providing or are intending to provide and request they complete the Elective Home Education Parent Information form.
- iii. Contact the school to confirm that the child's name has been removed from the school's register and ensure the school completes the Elective Home Education School Information form.
- iv. Contact other agencies to seek clarification of any involvement with the child:
 - Education Welfare Service
 - Additional Learning Needs Team
 - Educational Psychology Service
 - Traveller Education Service
 - Children's Social Services
 - Youth Offending Team

Any information provided will be gathered by the LA Officer (LAO) who will contact the family and request an initial meeting within four weeks.

Initial meeting

At the initial meeting, parents are able to discuss any concerns or queries they may have. The LAO will explain that parents who home educate assume financial responsibility for their child's education, including the cost of public examinations, and that their child must continue to receive suitable education until the end of compulsory education. Also at the initial meeting, parents and the LAO should consider and agree what future contact there will be and the contact details of the LAO should be made available.

It is important that the child attends this meeting and any subsequent meeting so that they have an opportunity to provide their views. Seeing the child to discuss their education provision and access to resources accords with a number of articles in the UNCRC such as a child's right to an education and to fulfil their potential, including their rights to express their views and to receive appropriate information in order to make informed choices, to support and provision, to play and leisure activities and to be kept safe.

Following the meeting, a report will be prepared within 10 days by the LAO setting out any recommendations that were discussed and agreed, and the reasons for them, and a copy will be sent to the parents.

Alternatives to a meeting

Parents may wish to decline a meeting in their home or alternative venue. Where this is the case, it should be possible to discuss and evaluate the parents' educational provision by alternative means. Parents might prefer:

- to write a report;
- provide samples of work;
- have the provision endorsed by a recognised third party;
- provide evidence in some other appropriate form of the education being provided.

Where parents decline a meeting, the LA should provide the same information that would be communicated at a meeting in letter form.

Therefore, when the LA is made aware of a child's withdrawal from school, the LA will:

- acknowledge the withdrawal in writing;
- invite the parents to meet with an LAO, as a named contact within the LA, to discuss the suitability of their proposed education programme;
- provide information if requested;
- consider and decide whether it appears that a child is not receiving a suitable education if the parents do not engage with the LA.

Suitability

Where the LA is not satisfied that a child is receiving a suitable education, the LA will:

- contact the parents in writing, explaining the concerns and reasons for concluding that provision is unsuitable, and serving the parents a notice requiring them to provide evidence of suitable education within 15 days;
- if there is no reply or an unsatisfactory response, a further letter will be delivered. The letter will include a notice stating which school the LA will name in a school attendance order and giving the parents, within 7 days, the opportunity to choose an alternative school or provide evidence of a suitable education.
- If there is no response, a School Attendance Order naming the school where the child should be registered will be issued.

Remember: If a parent on whom a School Attendance Order has been served fails to comply with the requirements of the Order they are guilty of an offence under Section 443 of the Education Act 1996.

If at any stage the parents provide information which satisfies the LA that a suitable education is being provided then no further action would be taken.

To achieve the aim of ensuring that every compulsory school age pupil who is home educated receives an effective and suitable education we know that the LA and parents will need to work together and communicate on a reasonably regular basis. You may need some help and support and we need to give you the opportunity to present evidence of the learning experience which a child is receiving.

Ongoing monitoring

The LA will contact parents on an annual basis, or more frequently if needed. Contact will normally be made in writing with a request for a meeting or an updated report.

Where a meeting or updated report leads to concerns about the efficiency or suitability of the education being provided for the child, further clarification may be needed. If, after further investigation the LAO is not satisfied that the child is receiving a suitable education then a copy of the written report will be forwarded to the Education Welfare Service to apply for a School Attendance Order.

What about flexi-schooling?

'Flexi-schooling' is an arrangement between the parents and the school where the child is registered. The child would attend school on a part time basis and be home educated for the rest of the time.

Instances where flexi-schooling would be beneficial to the child can include (but are not limited to):

- where the child is transitioning back into school
- where the child is transitioning into school for the first time
- the child has an autism spectrum condition (ASC) and finds school challenging
- the child is suffering from school phobia or anxiety
- the child has an illness.

This arrangement is only possible provided that:

- the school has given permission, authorised by its Governing Body;

- Evidence for the arrangements for education can be provided and are judged suitable.

It is important to note that a school does not have to agree to this arrangement or give reasons for not agreeing to such a request from parents.

Informing other Services

Schools have a very important role in monitoring the wellbeing of their pupils and sharing concerns with, or making referrals to, Social Services when a child is believed to be 'in need', or when abuse or neglect is suspected. When schools are no longer able to fulfil this responsibility because a child is receiving their education at home, the LA will inform Social Services of this if the LA has wellbeing concerns for the child or if the parent gives consent for information to be shared.

If there are child protection concerns when a child is removed from roll the school will follow existing child protection procedures. If, following a visit, the child is not seen and has not previously been seen, or there is no reasonable explanation for the child's absence, the LAO will assess whether to alert Children's Social Services.

If the Local Authority is notified that there have previously been child protection concerns regarding the child but there is no immediate cause for concern this should be communicated to Children's Social Services to check whether they have been involved and if so to enable them to update their file.

Where there are concerns about a vulnerable child or young person including bullying, the impact of anti-social behaviour, the impact of domestic violence, the impact of drugs and alcohol in the parental household or child protection concerns then the LAO should consider whether a common assessment application would assist the child/young person or whether a referral is required to Children's Social Services.

Returning to mainstream school

Following a period of elective home education, if a parent wishes their child to return to school then an application should be made through the Schools Admission Team. It should be noted that

re-admission is not automatic and is dependent on places being available in the specific year group.

Children with additional learning needs

Where it is brought to its attention or otherwise appears to a local authority that a home educated child (other than a looked after child) for whom it is responsible, may have ALN, the local authority must decide whether or not the child has ALN and, if it decides that the child has ALN, prepare and maintain an IDP and secure the additional learning provision (ALP) described in that plan (section 18.21 of the Additional Learning Needs Code (ALN Code)⁹).

Children with a Statement of Special Educational Needs (SEN) or an Individual Development Plan (IDP)

Current legislation allows for any parent of any child to educate their child at home if they wish to do so, regardless of any identified special educational needs. The only legal right the LA has to refuse a request from parents is if the child has a Statement of SEN or an IDP and is attending a special school.

When a child has a Statement of SEN or an IDP which names a special school in Part 4 of the Statement/Plan, parents must obtain the consent of the LA before removing their child to home educate, and the child's name may not be removed from the school register until the agreement of the LA has been given.

It remains the LA's duty to ensure that the education provided by the parents for their child with a Statement of SEN/IDP is efficient, suitable and that the child's additional learning needs are being met.

The LA will therefore continue to hold an Annual Review of the Statement of SEN/IDP and this will include assessing whether the Statement/IDP remains appropriate.

The Annual Review meeting should take place in the most appropriate location, usually either the home or LA offices and should normally be chaired by the LA.

If parents wish their child with a Statement of SEN/IDP to return to school, then an Annual Review should be held and consideration of school roll should be given. The LAO should then liaise with the ALN Team regarding placement.

Suggested characteristics of a suitable and efficient education

A suitable education would include provision in numeracy, literacy, and language skills, suitable to the child's age, ability, and aptitude and to any SEN/ALN the child may have. Suitable education is not simply a matter of academic learning but should also involve socialisation. These are essential in preparing the child to participate and function in society.

Literacy and language skills should correspond with the child's general ability.

(Including any SEN/ALN they have) and enable the child to:

- Acquire listening and speaking skills
- Acquire reading skills which include vocabulary and comprehension
- Acquire writing skills which include grammar, punctuation, and spelling.

Numeracy skills should correspond with the child's general ability (including any SEN/ALN they have) and reflect the stage of development the child is at.

In their consideration of parents' provision of home education, local authorities should reasonably expect it to include the following features:

- consistent involvement of parents or other significant carers
- respond to the needs and the best interest of the child, taking into account areas of learning that interest the child, and should enhance the child's potential
- ensure the child has opportunities to engage in a reasonably broad range of learning experiences
- provide opportunities to develop personal and social skills to help prepare them for later life and become engaged citizens
- ensure the child has opportunities to develop basic skills (taking into consideration any SEN/ALN they have)
- presence of a philosophy or ethos with parents showing commitment, enthusiasm, and recognition of the child's needs, attitudes, and aspirations
- opportunities for the child to be stimulated by their learning experiences

- involvement in a broad spectrum of learning opportunities and activities appropriate to the child's stage of development
- access to appropriate resources and materials
- the opportunity to develop digital literacy

EHE Referral Form

ELECTIVE HOME EDUCATION REFERRAL FORM (School de-registration form)

Please do not remove pupil from school role until the LA has undertaken further investigations.

Pupil Details

Name	
Date of birth	
School	
Year group	
ALN	
FSM	
Exclusions	
PSP	
Attendance for 2021 / 22	
Attendance for 2022 / 23	

Parent / Carer Details

Name	
Address (Including postcode)	
Email address	
Telephone number	
Relationship to pupil	

Reason for Elective Home Education¹

	School	Parent / guardian	Child or Young Person
Attendance / prosecution			
School cannot provide appropriate language provision			
School / parent / child relationship breakdown			
School cannot provide appropriate SEN / ALN provision			
Awaiting a place in school of choice			
Preferred school place refused			
Religious beliefs			
Lifestyle / ideology / philosophy			

Anxious / phobic			
Racism			
Homophobia			
Bullying			
Child medical need			
Parent / carer medical need			
COVID-19			
Other (please specify)			

3. Please give details of any interventions, referrals or work carried out with pupil, parents', or guardian prior to the notification of decision to educate at home

4. Please give details of discussion with the parents / carers prior to the notification of the decision to educate at home

5. Please give details of the involvement of the Education Welfare Service

6. Please provide names and contact details of any outside agencies currently involved with the pupil. For example, Social Worker, CAHMS

7. Has the school or any other service spoken to the pupil regarding parent / guardian decision to home educate? Please record details

--

Please attach a copy of the written notification from the parents / carers informing you of the decision to home educate (if been issued) and email to educationwelfareservice@blaenau-gwent.gov.uk

The EWS will contact you with a decision within 5 working days of receipt of this referral form; please do not remove the pupil off role in line with WG guidance.

Headteacher Signature

Name	
Signature	
Date	

Annex 2a: Initial EHE letter

Name

Address

Date

Dear [name of parent or guardian]

Home education of [name of child/ren]

My name is **[insert name]** and I am writing to introduce myself as the home education contact in **[name of local authority]**.

Local authorities have a duty under section 436A of the Education Act 1996 to **make arrangements to enable them to establish the identities of children in their area who**

are of compulsory school age but who are not a registered pupil at a school and who are not receiving suitable education otherwise than at school.

I would like to arrange to meet you and **[name of child/ren]** on **[date]** at **[time]** to discuss the education you are providing and to explore whether the local authority can support you in providing that education, such as providing details about online resources and details about home educating groups in your area. I could arrange for the visit to take place at your home or, if you would prefer, at [LA venue] or another venue of your choice.

If the date/time is inconvenient, please contact me to arrange a mutually convenient time/date/place to meet.

It would be useful if you and **[name of child/ren]** could complete the attached forms **[Annex 3, Annex 4a/4b]** before our meeting as this will help inform the discussion.

If you have any questions before our meeting, please contact me on the email address/telephone number **[below]**.

I look forward to meeting you and **[name of child/ren]**

Yours sincerely

Home education officer

Email:

Telephone:

Annex 2b: Follow up letter to initial EHE letter

Name

Address

Date

Dear [name of parent or guardian],

Home education of [name of child/ren]

Further to my letter of **(Insert date)** in which I requested a meeting with you to discuss the education you are providing and to explore whether the local authority can support you in providing that education. The local authority must make arrangements to enable them to establish the identities of children in their area who are of compulsory school but are not a

registered pupil at a school and who are not receiving a suitable education otherwise than at school. This meeting is an opportunity for you to provide information about the education you are providing for your child(ren).

You have not responded to my letter or

We arranged to meet and discuss your child's education on (Insert date) but you **were not available / you informed me by text / email to say that you would not be available.**

I am now proposing that we meet on _____ at _____am/pm at [LA venue]. If this time and date is not convenient or if you would rather meet at an alternative place, please contact me by email address/ telephone number below.

It would be useful if you and **[name of child/ren]** could complete the attached forms **[Annex 3, Annex 4a/4b]** before our meeting as this will help inform the discussion.

I look forward to meeting you and **[name of child/ren]**

If you have any questions before our meeting, please contact me using the email address/telephone number **[below]**.

Yours sincerely,

Home Education Officer

Email:

Telephone:

Annex 2c: Second follow up letter to initial EHE letter

Name

Address

Date

Dear [name of parent or guardian]

Home education of [name of child/ren]

With reference to my letters of **(Insert date)** and **(Insert date)** in which I requested with you to discuss the education you are providing as you are now home educating your child. You have not responded to either my initial letter or my follow up letter **or**

We arranged to meet on (Insert date) and then rearranged to meet on (insert date) but you **were not available / you informed me by text / email to say that you would not be available.**

The local authority has a legal obligation to ensure that all learners are receiving a suitable and full-time education, which is why we request a meeting and information about the education you are providing.

To enable the local authority to fulfil its statutory duties, I am proposing that I now meet with you at your home/ County Hall or at a neutral place on _____ at _____ am/pm.

If this time and date is not convenient or if you would rather meet at an alternative place, please contact me using the email address/ telephone number below.

Without information about the education you are providing, the local authority may need to seek a School Attendance Order under the 1996 Education Act.

Yours sincerely,

Home Education Officer

Email:

Telephone:

Annex 3: Template for parents

The information you provide in this form will help us understand the reasons why you chose to educate [name of child here] and the type of education you have decided is suitable for [name of child here]. If you are unsure about how to answer any of the questions, please call [NAME] on [number] or via email [address]. **If you are home educating more than one child, a separate template will be required for each child.**

Your name	
How would you like to be contacted? Please provide details	
Name of your child	
Their date of birth	
Gender of learner	
Did [name of child] previously attend a school(s)? If yes, please provide the name(s) of the school and the location(s) of the school(s)	
Why did you decide to home educate [name of child]?	
How long have you been home educating [name of child]?	
What is [name of child] learning about or taking part in? Please list these– this could include: <ul style="list-style-type: none"> • activities such as being involved in sports, music or other activities • learning about things of interest • areas of learning experience being covered 	
Do you feel you need support in providing education for [name of child]? If yes, what type of help do you feel you need?	

<p>Additional Learning Needs</p> <p><i>Do you think your child has an additional learning need?</i></p> <p><i>If yes, why do you think this?</i></p> <p><i>Have you contacted [name of local authority] to request the local authority decides if [name of child] has an additional learning need?</i></p>	
<p><i>Has the local authority decided your child has additional learning needs?</i></p>	<p>(Yes/No)</p>
<p><i>Does your child have a local authority maintained individual development plan (IDP)?</i></p>	<p>(Yes/No)</p>
<p><i>If yes, what additional learning provision (ALP) is the local authority providing?</i></p>	
<p><i>Is the local authority preparing an IDP for your child?</i></p>	<p>(Yes/No)</p>
<p>How well do you think [name] is progressing with their learning?</p> <p><i>What do you think [name] is doing well?</i></p> <p><i>What are they able to do now that you feel they couldn't do before they were home educated?</i></p>	
<p>What are your child's hopes for the future?</p> <p><i>What are they aiming to learn next?</i></p> <p><i>Have they any areas of interest that they want to know more about?</i></p> <p><i>Do they know what they would like to do when they are older?</i></p>	
<p>Where does your child receive their education? Please tick all that apply</p> <p>At home</p> <p>Home educator groups</p> <p>In libraries</p> <p>Educational trips e.g., museums, castles, theatre etc.</p> <p>Other</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>Who provides the education/sessions for your child? Please tick all that apply</p>	

<p>Parent/Carer Other family member(s) Friends of the family Home education groups Privately employed tutor Online tutor(s) Other</p> <p>If you employ a tutor, have you enquired whether they have a Disclosure and Barring Service (D.B.S.) check?</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> (Yes/No)
<p>Experiences</p> <p><i>Please outline the opportunities for your child to:</i></p> <p><i>Learn from real-life experiences</i></p> <p><i>Discuss personal, social, wellbeing and health issues</i></p> <p><i>Experience a broad range of activities such as music and art</i></p>	
<p>Physical activity and play</p> <p><i>How do you ensure that your child has opportunities to participate in physical activity and play?</i></p>	
<p>Meeting with other children</p> <p><i>Please outline the opportunities for your child to socialise with other children and make friends.</i></p>	
<p>Resources</p> <p><i>Please list some of the resources or facilities you use to facilitate your child's learning e.g., online resources, educational workbooks, libraries or community facilities.</i></p> <p><i>Are there any additional resources you feel could benefit your child?</i></p>	

<p>Links with other organisations</p> <p><i>Does your child belong to any clubs, associations or organisations?</i></p>	

<p>Access to local services</p> <p><i>Are you aware of the local services available to home educated children? e.g., health nurse, careers advice, ALN advice, youth support service etc</i></p> <p><i>Would you like further information about any of these services?</i></p> <ul style="list-style-type: none"> • <i>Advice from local Health Nurse, access to health initiatives e.g., period dignity grant</i> • <i>Careers advice</i> • <i>ALN Advice</i> • <i>Youth Support Services</i> • <i>Counselling</i> <p><i>Would you like us to share your details with any of these services if you would like more information?</i></p>	<p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p> <p>Yes/No</p>
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This information, together with other evidence, such as any planning, records of visits/activities, examples of your child's work will enable the local authority to determine whether your child is receiving a full-time efficient and suitable education. Once we have taken into consideration the evidence you have provided, we will be contacting you:

- (i) If we have concerns about the suitability of education provided for your child or*
- (ii) To arrange the next year's discussion where you will again be required to provide evidence of how you are delivering a suitable and efficient education in line with your child's age and ability and how you are providing for any ALN that they may have.*

Annex 4(a): Template to secure child's view (aged 5-10)

Name:	
What do you enjoy learning about? <i>What do you enjoy doing?</i> <i>What kind of things are you interested in?</i> <i>Are you enjoying home learning?</i> <i>What do you enjoy about home learning?</i> <i>Are you learning well at home?</i> <i>What are you good at?</i> <i>What do you find difficult?</i> <i>Is there something you like to do but haven't been able to?</i>	
What are you proud of? <i>What work are proud of?</i> <i>Are there any things you have enjoyed learning that you would like to show me?</i> <i>Do you belong to any clubs?</i> <i>Do you have any talents? e.g., are you able to play any musical instruments?</i>	
What is the favourite thing you have learned recently? <i>Have you been learning about things that interest you?</i>	

<p><i>How have you been learning about this?</i></p>	
<p>What are you learning about next?</p> <p><i>Is there something you want to learn about next?</i></p> <p><i>How are you going to learn about this?</i></p>	
<p><u>Meeting other children?</u></p> <p><i>Do you play with other children?</i></p> <p><i>Where do you play with them?</i></p>	

Annex 4(b): Template to secure child's view (aged 11-16)

Name:	
What do you enjoy learning about? <i>What do you enjoy doing?</i> <i>What kind of things are you interested in?</i> <i>Are you enjoying home learning?</i> <i>What do you enjoy about home learning?</i> <i>Are you learning well at home?</i> <i>What are you good at?</i> <i>What do you find difficult?</i> <i>Is there something you like to do but haven't been able to?</i>	
What are you proud of? <i>Is there any work that you are really proud of?</i> <i>Is there any of your work you would like to share with me?</i> <i>Have you received any awards from clubs that you belong to?</i> <i>Do you have any talents? e.g., are you able to play any musical instruments?</i>	
What is your favourite thing you have learnt recently?	

<p><i>Have you been learning about anything that interests you?</i></p> <p><i>How have you been learning about this?</i></p>	
<p>What are you learning about next?</p> <p><i>Is there something you want to learn about next?</i></p> <p><i>How are you going to learn about this?</i></p>	
<p>Meeting other children</p> <p><i>Do you meet with other children?</i></p> <p><i>Where do you meet with them?</i></p>	
<p>Is there anything that you feel you could benefit from?</p> <p><i>Do you have any questions for me?</i></p> <p><i>Is there anything you would like help with?</i></p>	

<p>Access to local services</p> <p><i>Are you aware of the local services who can support you?</i></p> <p><i>Do you feel that you need help from any of the following services: -</i></p> <ul style="list-style-type: none"> • <i>Advice from local Health Nurse, access to health initiatives e.g., period dignity grant</i> • <i>Careers advice</i> • <i>ALN Advice</i> 	<p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p>
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<ul style="list-style-type: none"> • <i>Youth Support Services</i> • <i>Counselling</i> 	<p>YES/NO YES/NO</p>
<p><i>Would you like us to share your details with them if you would like more information?</i></p>	<p>YES/NO</p>
<p><i>Are you going to be sitting examinations?</i></p>	<p>YES/NO</p>
<p><i>Would you like some advice on where you could sit your examinations?</i></p>	<p>YES/NO</p>

Annex 5: local authority report

Date of discussion/information provided by parent	
Parent/carer name*	
Preferred contact method and contact details	
Name of learner	
D.O.B. of learner	
Gender of learner	
School(s) and town(s) that child previously attended (if any)	
<p>Seeing the child</p> <p><i>Was/were the child/ren seen?</i></p> <p><i>Were they spoken with and asked about their views on home education?</i></p> <p><i>Is there any follow up required following discussion with the child?</i></p>	<p>YES/NO</p> <p>YES/NO</p> <p>YES/NO (If YES, what was this, who is following up and when?)</p>
Reasons given by parent for home educating their child	
Date that parent withdrew child from school and commenced home education	
What evidence of planning have parents shared to demonstrate how they are going to home educate their child?	
Child's Current Knowledge and Skills	

<p><i>What are they learning in relation to: -</i></p> <p><i>(i) Numeracy</i> <i>(ii) Literacy</i></p> <p><i>Have they any specific areas of interest, e.g., humanities, expressive arts, science and technology</i></p>	
<p>Additional Learning Needs</p> <p>(i) Does the child have an additional learning need?</p> <p>(ii) Have parents brought it to the attention of the local authority the child may have an additional learning need?</p> <p>(iii) Has the local authority decided the child has additional learning needs?</p> <p>(iv) Does the child have an IDP?</p> <p>(v) If yes, what ALP is the local authority providing?</p> <p>(vi) is the local authority preparing an IDP?</p>	<p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p>
<p>Child's development and progress</p> <p><i>What has the child done well in the past year?</i></p> <p><i>Is the parent able to articulate what their plans are for the next year and what they see as the next steps in their child's educational development and what next steps have they identified?</i></p>	<p>YES/NO</p>

<p>Does the child have clear hopes and aspirations for their future?</p> <p><i>What are they aiming to learn next?</i></p> <p><i>Have they any areas of interest that they want to know more about?</i></p> <p><i>Do they know what they would like to do when they are older?</i></p>	
<p>Where does the child receive their education?</p> <p>At home</p> <p>Home educator groups</p> <p>In libraries</p> <p>Educational trips e.g., museums, castles etc.</p> <p>On-line tuition</p> <p>Other</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<p>Who provides the education/lessons for the child?</p> <p>Parent/Carer</p> <p>Other family member(s)</p> <p>Friends of the family</p> <p>Home education groups</p> <p>Privately employed tutor</p> <p>Virtual tutor tuition</p> <p>Other</p> <p>If the parent employs a tutor, have they enquired whether the tutor has had a Disclosure and Barring Service (D.B.S.) check?</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <p>(YES/NO)</p>
<p>Experiences</p> <p><i>Is it possible to determine from the evidence provided that the child is benefiting from:</i></p> <ul style="list-style-type: none"> • <i>Learning from real-life experiences</i> • <i>Being supported with personal, social, wellbeing and health issues</i> • <i>A broad range of activities such as music and art.</i> 	<p>YES*/NO</p> <p>YES*/NO</p> <p>YES*/NO</p>

	*if Yes give brief example
<p>Physical activity and play</p> <p><i>Is it possible to determine from the evidence provided that the child is benefiting from participation in physical activity and play?</i></p>	<p>YES* / NO</p> <p>*if Yes give brief example</p>
<p>Meeting with other children</p> <p><i>Is it possible to determine from the evidence provided that the child is benefiting from:</i></p> <ul style="list-style-type: none"> <i>social experiences with other children</i> <i>having opportunities to make friends.</i> 	<p>YES* / NO</p> <p>YES* / NO</p> <p>*if Yes give brief example</p>
<p>Resources</p> <p><i>Is it possible to determine from the evidence provided what resources and facilities the parent is using to facilitate their child's learning e.g., online resources, educational workbooks, arts and craft materials, libraries or community facilities.</i></p> <p><i>Did the parents identify whether there were any additional resources that could benefit their child?</i></p>	<p>YES/NO</p> <p>YES* / NO</p> <p>*if Yes give brief example</p>
<p>Links with other organisations</p> <p><i>Does the child belong to any clubs, associations, organisations?</i></p>	<ul style="list-style-type: none"> <i>Careers advice</i>
Access to local services	

Date	Child's signature
Parental view of report	
Date	Parent's signature

Annex 6: annual EHE discussion contact letter

Name
Address
Date

Dear [name of parent/guardian]

Home education for [name of child/ren]

You will recall when we met on **[insert date]**, I explained the local authority has a duty to establish that children in their area who are of compulsory school age are receiving a suitable education.

Suitable education means full-time efficient education suitable to the child's age, ability, and aptitude and any additional learning needs the child may have.

To enable the local authority to determine whether your child is receiving suitable education, the local authority would like to discuss the education that you are providing.

We would like to discuss **[name of child's]** education and progress, any plans and aspirations that you or your child may have. We propose that we meet with you and **[name of child]** at your home/ the County Hall or a neutral place on **(Date)** at **(Time)** and anything else that you would like to discuss, such as support that may be available to you from the local authority or from other local home educating groups.

If this time and date is not convenient or if you would rather meet at an alternative place, please contact me using the email address/ telephone number below.

If you have any queries prior to our discussion, please contact me on the number [below].

I look forward to seeing you and **[name of child]**.

Yours sincerely

Home Education Officer
Email:
Telephone:

Annex 7: initial school attendance order notice template

Dear [parents' name]

Re: home education for [child's name]

It appears to [name of the local authority] that you are the parent* of [name & DOB of child] (the child) of compulsory school age living at [address of child] within the local authority area.

[Name of local authority] recognises and respects the rights of parents to educate their children at home and is committed to working with those parents.

[Section 7 of the Education Act 1996](#) states that: 'The parent of every child of compulsory school age shall cause him to receive an efficient full-time education suitable

a) to his age, ability and aptitude, and

b) to any special educational needs [(in the case of a child who is in the area of a local authority in England) or additional learning needs (in the case of a child who is in the area of a local authority in Wales)] he may have, either by regular attendance at school or otherwise.

A suitable education would include provision in numeracy, literacy and language skills, appropriate to the child's age, ability and aptitude and any additional learning needs/special educational needs they may have. These are essential in preparing the child to participate in, and function in, society.

I refer to letters issued to you recently offering to meet with you to discuss the education you are providing and to share advice and support for your provision of home education for your son/daughter. As I received **[no response/ a refusal to attend a meeting]**, the local authority cannot be satisfied that your child/ren are receiving an efficient full-time education suitable to his/her age, ability and aptitude and to any additional learning needs which he or she may have.

OR (delete as appropriate)

I refer to letters issued to you recently expressing concern about the provision of home education for your son/daughter. The local authority is not satisfied that your child/ren are receiving an efficient full-time education suitable to his/her age, ability and aptitude and to any additional learning needs which he or she may have.

In accordance with section [437\(1\) of the Education Act 1996](#), the authority requires you, within 15 days from the service of this notice, to satisfy **[name of local authority]** that your child is receiving a suitable education.

I look forward to hearing from you in relation to my request within the above-mentioned timescale.

Yours sincerely

Home education officer

Email:

Telephone:

Annex 8: School attendance order notice template (child without an IDP which names a school)

Dear **[name of parent]**,

I wrote to you on **[date]** requiring you to satisfy the local authority that within 15 days that **[name of child]** is receiving suitable education. More than 15 days have now elapsed. On behalf of the local authority, I consider that **[name of child/ren]** should attend school and I intend to serve on you a school attendance order.

In the school attendance order, the authority intends to name **[name of school]** in the order and to name the following school(s) which they regard as (a) suitable alternative(s)

-
-
-

If you select one of the schools named above within 15 days from the date of service of this notice on you, the authority will name that school in the order.

Alternatively, if one of the following occurs within 15 days from the date of service of notice on you, the relevant school will be named in the Order accordingly:

1 You apply for admission to a maintained school, and inform me if the school is in another local authority's area, and *[name of child]* is offered a place at the school as a result of the application

2 You ask this authority to provide a place for *[name of child]* at a school which is not maintained by a local authority, and *[name of child]* is offered a place at such a school under arrangements made by this authority for us to pay the fees under section 517 Education Act 1996.

3 You apply for a place for *[name of child]* at a school which is not maintained by a local authority and notify us of your application without asking us to pay the fees; and *[name of child]* is offered a place; and the school is suitable to *[name of child]*'s age, ability and aptitude and to any additional learning needs *[name of child]* may have.

OR (delete as appropriate)

Having considered **[name of child]** needs, I do **not** consider there are suitable alternative schools in [name of local authority]. Unless you provide a suitable alternative school, the local authority will name **[name of school]** in the order.

Unless you provide information that confirms that you are delivering a suitable efficient full-time education suitable to the age(s), ability(abilities) and aptitude(s) of your child(ren) and any additional learning needs your child(ren) may have the local authority will issue the school attendance order after a further 15 days from the date of this letter.

Yours sincerely,

Home education officer
Email / Telephone:

Annex 9: School attendance order template

Dear **[parents' name]**

[name of local authority] ("the Authority")

As you, **[name of parent]**, of **[address of parent]**, being the parent* of a child of compulsory school age in the area of the Authority, have failed to satisfy the Authority in accordance with the requirements of the notice served on you under section 437(1) of the Education Act 1996 by the Authority on **[date of notice]** that [name of child] is receiving suitable education, either by regular attendance at school or otherwise.

And as, in the opinion of the Authority, **[name of child]** should attend school.

You are required to cause **[name of child]** to become a registered pupil at the following school:

[Insert full name and address of the school and omit the whole or part of the following words as the case requires]

being the school [specified by the Authority] [selected by you] [determined by a direction of the Welsh Ministers] [as the school to be named in this Order] [specified in the statement for the child under section 324 of the Education Act 1996] [specified in the individual development plan for the child under Part 2 of the [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#)].

Failure to comply with the requirements of this order is an offence unless you can prove that **[name of child]** is receiving suitable education otherwise than at school.

Yours sincerely,

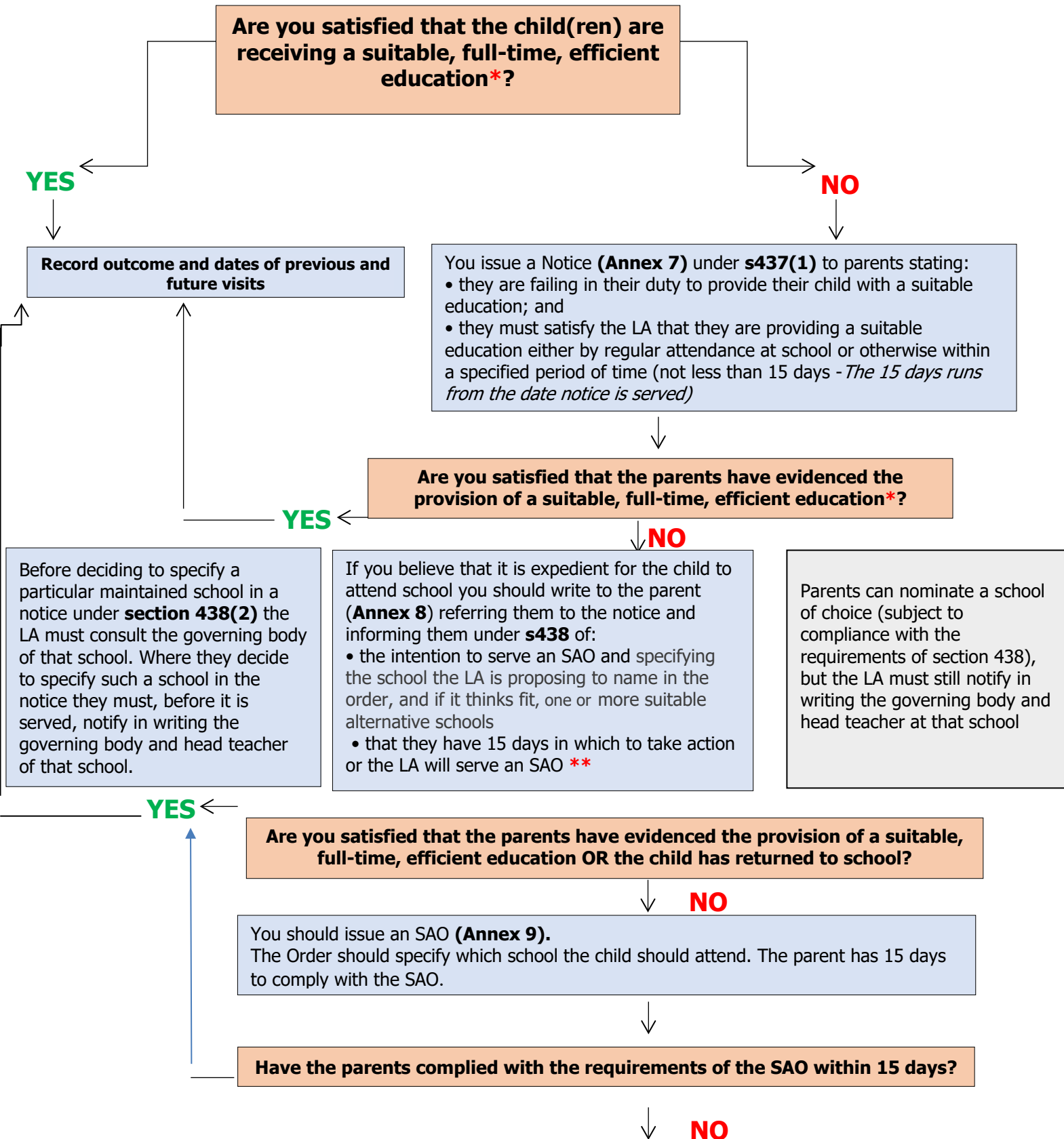
[Name of local authority officer] of [name of local authority]

Email:

Telephone:

**The expression 'parent' in relation to a child or young person, includes any person who is not a parent of the child but has parental responsibility for him or her, or who care of the child.*

Annex 10: school attendance order and education supervision order flowchart



Continue to next page

If you do decide not to apply for an ESO, then you should record reasons that it was felt not to be appropriate.

You can:

- Prosecute parents for failure to comply with an SAO; and/or
- Apply for an Education Supervision Order (ESO)

You **must** consider applying for an ESO under **s36(9) Children Act 1989** before a decision to prosecute parents for failure to comply with an SAO is made

LA prosecutes parents

AND/OR

LA applies for an ESO

Court decides education is suitable and, therefore, does not convict

Court decides education is not suitable and convicts parents.

Parents do not send child to school despite conviction

Court decides education is suitable and refuses ESO.

Court makes ESO and you implement it.

You can:

- Restart the s437 process again.
- Apply for an Education Supervision Order (ESO).

Parents do not comply with ESO

You can prosecute for breach of an ESO and/or consider using safeguarding powers under the Children Act 1989 if local authority believes relevant threshold is met.

*In the absence of seeing the child, has the parent provided evidence they are providing an efficient full-time education which is suitable to the age, ability and aptitude of the child and any additional learning needs the child may have.

**Where a local authority indicates that an SAO will be issued, and the family is working with the local authority to re-engage child with an agreed school, the expectation is that the child attends their new school within 20 days.

Welsh Government [Elective home education guidance](#) (7.15) states that local authorities should approach all cases where the suitability of home education is in doubt using their powers in the Education Act 1996 but they should also be prepared, if a lack of suitable education appears likely to impair a child's development, to fully exercise their safeguarding powers and duties to protect the child's well-being, which includes their suitable education.