

Elective Home Education (EHE)

London Borough of Barking and Dagenham's policy
for professionals and parents

5th Edition
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1. Introduction

The purpose of this document is to help professionals and parents understand:

- what home education is.
- the laws and government guidance* that shape and define it.
- the borough's procedures for working with home educating families.

* Elective home education. Departmental guidance for local authorities (DfE guidance document April 2019):

<https://www.gov.uk/government/publications/elective-home-education>

- 1.1 Elective Home Education (EHE) is a term used when parents choose to educate their child without enrolling him or her at a school. EHE is also known as 'home education' or 'Education otherwise than at school' (EOTAS).

Please note that these terms are not to be confused with Home Tuition, which is a borough provision that provides home tutors for children prevented from attending school due to illness or unavoidable cause.

A good education, whether received at school or through EHE, is essential for preparing children and young people for adult life. It is the key to future success for our children and, consequently, our communities.

- 1.2 When parents decide to home educate, they are exercising their right, in law, to do so. This Local Authority recognises that right but does not advocate home education. Therefore, school and Local Authority staff should not suggest home education as an option to parents.
- 1.3 The process followed in this authority for working with home educating families is contained within a flowchart: [Appendix 1](#)

2. Deciding to home educate

Parents should choose home education only if they believe that this is in the best interest of their child. When parents home educate, they become entirely responsible for their child's education.

- 2.1 Sometimes, parents choose to home educate because they did not get the school they expressed a preference for. Whilst they have a right to home educate, they should be mindful that there may be a considerable period of time before a place becomes available at the preferred school (especially so for very over-subscribed schools). Therefore, parents should be encouraged to take up the first available school place.

- 2.2 Parents have also been known to choose home education in response to such things as a dispute with a school; the child being unhappy at school; to avoid an exclusion or to avoid prosecution for non-school attendance. Again, whilst they have the right to make this decision, parents need to be aware that this course of action means that their child will lose his/her school place and will no longer be part of the state education system. The parent will become fully responsible for providing education to the child.
- 2.3 The decision to home educate does not affect a parent's right to enrol their child at a school at a later date. However, home educating parents (or parents considering home education) should be aware that if they decide to cease home education it can be very difficult, from the summer term of year 10 onwards, to place a child in a school.
- 2.4 Year 11 is a very critical time as pupils in this year group will be preparing for exams. Deciding to home educate at this time is not recommended.

Extensive information on home education, along with learning materials and contact details of support groups, can be found on the internet.

3. Voice of the child

- 3.1 When parents are considering home education, it is recommended that they discuss it with their child.
- Whilst not going to school anymore may seem an attractive proposition to a child, they need to consider that they will miss out on what attending a school brings, such as:
- dedicated professionals teaching a wide range of subjects
 - the wide range of equipment that schools have at their disposal
 - preparation for exams
 - social interaction with a wide range of children and adults
 - involvement in school events
 - school trips and excursions (often free or cheaper than if arranged separately)
 - access to extra-curricular activities.
- 3.2 Where agreed with the parent, the Local Authority will view the child's work and discuss the home education provision with the child.

4. The home education provision

4.1 Home educating parents do not have to follow the national curriculum, the academic year or a school day. They are, however, required to provide a 'suitable and efficient' education. Here is what the government, and the law, say about these two requirements:

4.2 **Section 7, 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, aptitude and
- b) any special educational needs he may have either by regular attendance at school or otherwise

**Compulsory education (also known as statutory school age) is from the term following a child's 5th birthday until the last Friday before the last Monday in June of the academic year that the child attains the age of 16. This is different to the Raise in Participation age.*

4.3 The responsibility for a child's education rests with his or her parents. When parents decide to home educate, they must provide a suitable, efficient and full-time education:

4.4 A "suitable" education is not defined in law, but case law* provides that a suitable education is one that "primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so".

4.5 An "efficient" education has been broadly described in case law* as an education that "achieves that which it sets out to achieve",

4.6 A "full time education is not defined in education law but should occupy a significant proportion of a child's life. It would be sensible for home educating parents to have an understanding of how much time is given to education as this information, along with the efficiency and suitability of the provision will help show how the requirements of section 7 are being met.

**Harrison & Harrison v Stevenson (Appeal, 1981, Worcester Crown Court, unreported) and R v Secretary of State for Education and Science, ex parte Talmud Torah Machzikei Hadass School Trust (12 April 1985)*

Further information on what constitutes a suitable, efficient and full-time education can be found in the DfE guidance on EHE issued in April 2019 (see Introduction).

4.7 The home education provision should be provided to the child from when the decision is made to home educate (either at the commencement of compulsory education, or when leaving a school). DfE guidance clearly states that parents should not expect an allowance of time to build their provision up to a suitable, efficient and full-time education.

5. Role of the Local Authority

- 5.1 Local authorities are required to ensure that all children of compulsory school age, living within their boundary, are receiving education (*Sect. 436a, Education Act 1996*). However, parents are not required to inform their Local Authority if they are home educating, although it is strongly encouraged because advice can be given on the home education provision and assistance given to accessing services.
- 5.2 Anyone who is concerned that a child may not be in education should contact the borough's EHE Officer, or the Children Missing Education (CME) Officer, on: 020 8227 2151 or email: accessattendance@lbbd.gov.uk
- 5.3 Professionals working with families should check the education provision of every child in the family and liaise with the EHE or CME Officer if any of those children are not on roll at a school.
- 5.4 Most local authorities employ staff dedicated to work with home educating families.
This authority has an EHE Officer who:
- coordinates all work with home educating families, including allocating cases to education advisers (who will make informal enquiries about the home education provision).
 - assists with children enrolling at a school when they cease home education.
 - maintains a database of children known to be home educated in this authority.
- 5.5 For children known to be EHE in this borough, the EHE database brings together a significant range of information on:
- the family.
 - the child.
 - the work of the EHE Officer.
 - involvement from other agencies
 - whether the child has Special Educational Needs or Education Health Care Plan.
 - when the family were last visited by an education adviser and when the next visit is due.
- 5.6 When this Local Authority first becomes aware that a child is being home educated, an information leaflet and 'Initial information form' Appendix 2 are sent to the parents by the EHE Officer.

Parents are asked to complete and return the form, with information about their child and what their education provision is or will be. This form is used to help prepare or assess for subsequent contact with the family by the allocated education adviser. [Appendix 2](#)

- 5.7 Education advisers make informal enquiries of the home education provision to determine if it is suitable and efficient. They may visit families or meet them at a neutral venue.
- 5.8 The adviser will create a report based on their findings. This report will describe the education provision, its strengths and perceived weaknesses. The report is shared with the parents. [Appendix 3](#)
- 5.9 If the provision is deemed suitable and efficient, then the adviser will visit on a yearly basis.
- 5.10 If the provision is deemed to be not suitable and efficient, the adviser may visit more frequently or refer the case back to the EHE Officer who will work to get the child back into a school or education provision.
- 5.11 If the parent continues not to provide a suitable and efficient home education provision, and does not enrol their child at a school, then the Local Authority will seek to institute a School Attendance Order, in the belief that the child's educational needs will be best met in a school. The Local Authority may also consider applying for an Education Supervision Order.
- 5.12 Please note that if a parent decides not to respond to informal enquiries or responds without providing any (or insufficient) information then this local authority is likely to conclude that the child is not being suitably educated.
- 5.13 This local authority will ensure that it meets the requirements conferred on it through section 13a of the 1996 Education Act of:
- a) Promoting high standards
 - b) Ensuring fair access to opportunities in education and training and,
 - c) Promoting the fulfilment of learning potential of every child and young person
- 5.14 **It is important to note that this Local Authority does not provide any financial support for home educating parents.**

6. Safeguarding and home educated children

- 6.1 Elective home education is not, by itself, a safeguarding issue. However, it must be recognised that home educated children are less likely to be seen on a regular basis by professionals and therefore the chances of spotting signs of a safeguarding issue are reduced.
- 6.2 Where failure to provide a suitable and efficient education is likely to cause significant harm to a child then this Local Authority will exercise its powers, in line with section 175 Education Act 2002, to the extent required to ensure that the child is safeguarded.
- 6.3 If a professional is concerned that a child is at risk of abuse or neglect, they must submit a Multi-Agency Referral Form (MARF) to Social Care.

If anyone has a concern that a child may be at risk of abuse or neglect, they must report it to the police, or the Local Authority's 'Multi-Agency Safeguarding Hub' (MASH) Assessment Team:

Email: Childrensservices2@lbbd.gov.uk
Phone: 020 8227 381

7. Children leaving a school to be home educated

- 7.1 If a child is on roll at a school, the parent should inform the school in writing (email is acceptable) if they decide to home educate. Upon receipt of this written confirmation, the school can remove the child's name from the school roll.
- 7.2 In Barking and Dagenham, prior to a pupil being removed from the school roll, a 'grace period' of 10 days has been agreed with schools so that the Local Authority can confirm that the parent is happy to home educate their child.
- 7.3 Should the child wish to return to school within 3 months of becoming home educated they may, depending on the circumstances, be allocated to the last school where they were on roll.
- 7.4 When removing a child from their roll, schools must follow the procedures set out in the borough guidance document "**Adding or removing a child's name from the roll of a school**".
- 7.5 **Parents must not feel pressurised into home education. Neither should they use home education to resolve a problem with their child's school.** If a parent is uncertain about home education, then they can contact the borough's EHE Officer.

8. Home educated children with special educational needs

- 8.1 Children with special educational needs can be home educated. The parent is still required to provide a suitable, efficient and full-time education, which includes meeting the special educational needs. Where arranged, a suitably qualified and experienced Education Adviser can make informal enquiries about the home education provision.
- 8.2 Children with an Education Health Care Plan (EHCP) can also be home educated.
- 8.3 If a child has an EHCP and the parents subsequently decide to home educate, the Local Authority will maintain the plan. The plan will set out what the Local Authority thinks the child needs, but will note on the plan that the parents have made other arrangements. So long as those arrangements constitute a suitable and efficient education, the Local Authority will continue to make suitable enquiries in line with this policy.
- 8.4 Please see the section above on “Children leaving a school to be home educated”. However, please note that **if a child has an EHCP and has been placed in a special school by this Local Authority, then consent is required by this Local Authority before the child can be removed from roll to be home educated.** If the Local Authority refuses to give consent, then the parent has recourse to the Secretary of State for Education (*Pupil Registration Regulations 2006*)
- 8.5 When carrying out its functions, this Local Authority will have regard to the statutory guidance in the Special Educational Needs Code of Practice. The Code provides information about SEN in relation to home education in paragraphs 10.30 to 10.38:

<https://www.gov.uk/topic/schools-colleges-childrens-services/special-educational-needs-disabilities>

9. EHE and College

- 9.1 In Years 10 and 11 (key stage 4) home educating parents can apply for their child to attend a 14-19 college. Barking and Dagenham College provide a GCSE, or a Functional Skills, Pathway.

Each Pathway commences in the September and is delivered across 3 days per week, 5 hours per day over a 30-week period. Children can enrol onto to a Pathway at any time of year.

10. Child Employment

- 10.1 From the age of 13 until the end of compulsory education, children may undertake paid employment. This also applies to home educated children.
- 10.2 The employment must comply with the borough’s byelaws and a work permit must be obtained from the Local Authority.

- 10.3 The only exception is that home educated children do not have to comply with the rule relating to a school day. However, children are not allowed “in any work that may be harmful to their health, well-being or education”
For further information on child employment in Barking and Dagenham, please contact the EHE Officer.

11. Taking Exams

In this authority, parents are responsible for arranging and paying for their child to sit exams. Exams can be sat at the borough’s Erkenwald Centre:
Address: Marlborough Road, Dagenham RM8 2HU.
Telephone: 020 8724 1244
Email: office@mayesbrookparkschool.org.uk

12. Flexi-Schooling

This is where a home educated child attends a registered school for part of the week to receive education. Flexi-schooling is entirely dependent on the school agreeing to this arrangement. The child will be enrolled at the school and will receive a present mark for the sessions attended. For the time that the child is home educated, an authorised absence mark should be entered in the school’s attendance register.

13. Supplementary settings and unregistered schools

- 13.1 Some home educated children attend supplementary settings as part of their home education provision. Whilst there is currently no regulation of supplementary settings, parents must ensure their children are safeguarded whilst attending such establishments.
- 13.2 It is illegal to operate an unregistered school.
- 13.3 Further information on Supplementary settings and unregistered schools is held in [Appendix 4](#)

Please note that attending a supplementary setting does not automatically mean that a child is being suitably educated.

14. Careers Interview

1.0

Parents who are home educating children that are in their final year of compulsory education (referred to in schools as Yr. 11) we be contacted in March/April to see if their child would like to have a careers interview. If yes, this will be arranged with the borough’s Career Adviser.

At this time, these parents will also be asked if their child will continue to be home educated when they cease to be of compulsory school age (the end of June in the academic year that the child attains the age of 16).

15. Raise in participation age (RPA)

- 15.1 After ceasing to be of compulsory school age, young people are required by law to be in further education, in employment or training until at least their 18th birthday.
- 15.2 'For young people who are being home educated, no hourly requirement of education applies. The amount and content of the home education is at the discretion of the home educator.....On-going monitoring of the education itself is not required. If the authority has evidence to suggest that a young person who claims to be home educated is not, then they would be expected to clarify the position with the young person'.
Participation of young people in education, employment or training. Statutory guidance for Local Authorities (DfE September 2016).
- 15.3 In this authority, Community Solutions are responsible for ensuring young people do not become NEET (**N**ot in **E**ducation **E**mployment or **T**raining). When home educated children are in the final months of compulsory education, this team will contact them in preparation for RPA. The National Careers Service is a free careers service for adults and young people aged 13 and over in England. Advice and guidance can be accessed via the telephone and online. The National Careers Service provides confidential advice and guidance to help children make decisions on learning, training and work opportunities: <https://nationalcareersservice.direct.gov.uk/>

16. Health Visits

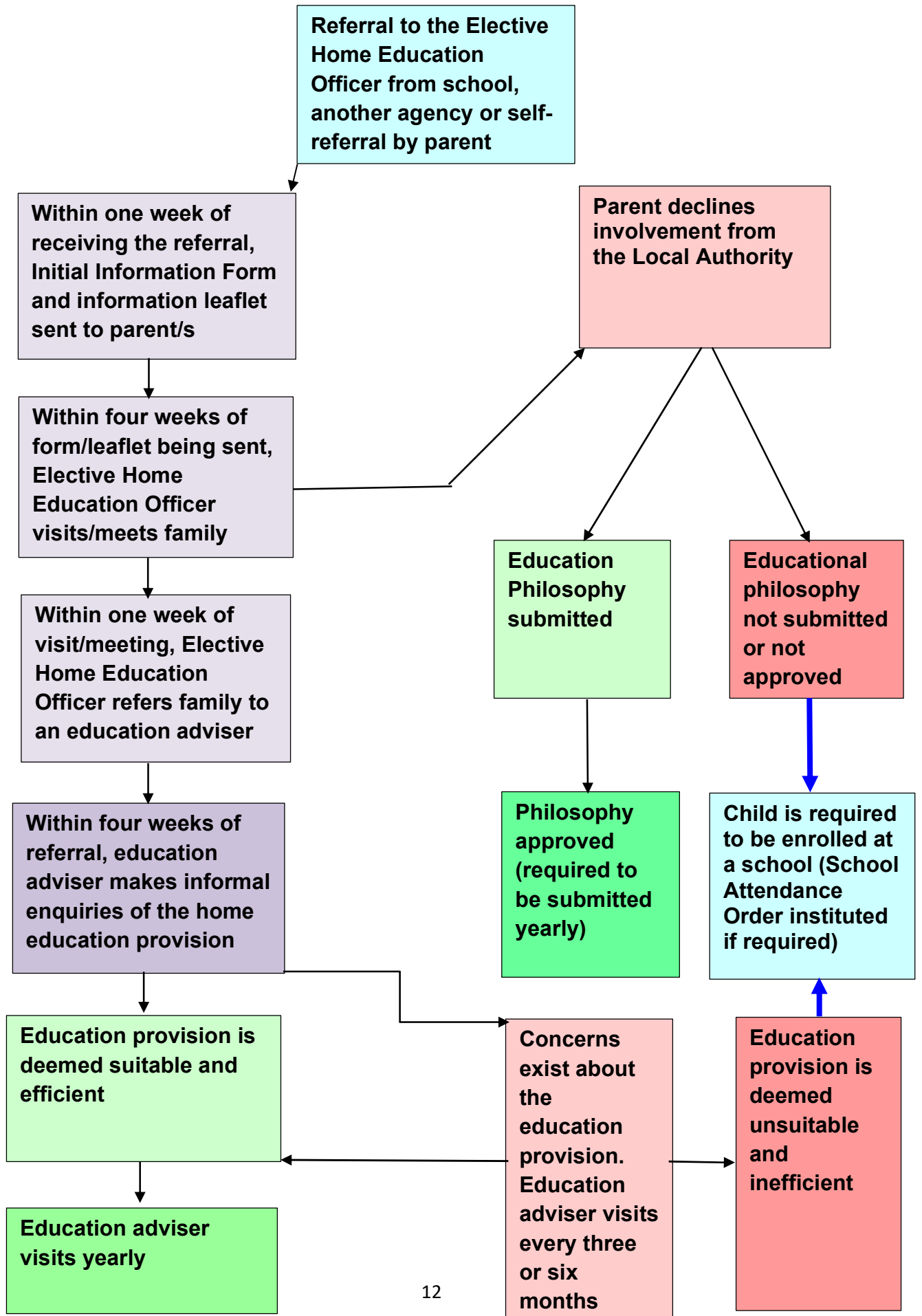
The Barking & Dagenham School Nursing Service has a Clinical Lead Role for Children who are Educated otherwise than at School (EOTAS). This dedicated service is for targeted groups of pupils who have temporarily or permanently left mainstream schools or are home educated. The objective of this EOTAS service is to provide individual pupils and their families with the high quality and personalise health service that meets their health needs. This will enable them to achieve their full potential in term of their health and wellbeing. Contact the Specialist Community Public Health Nurse on 0300 300 1727 9am to 5pm.

17. Association of Elective Home Education Professionals

- 16.1 The Association of Elective Home Education Professionals (AEHEP) is an organisation which intends to bring uniformity to EHE working practices across the country through the sharing of good practice.
- 16.2 The AEHEP is divided into regions. The EHE Officer represents Barking and Dagenham at the regular meetings of the London and South East Elective Home Education Officers group. At these meetings, knowledge and experience is shared amongst colleagues in similar roles from across London boroughs and the counties of the south-east.

18. The DfE 'Elective Home Education Departmental guidance for parents' can be accessed here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791528/EHE_guidance_for_parentsafterconsultationv2.2.pdf



Appendix 2 Initial Information on a child to be educated at home

For children being educated otherwise than at school, we politely ask that you fill this form in as best you can. It will help us understand the education provision you are intending to provide and assist in future contact we may have with you.

Please send your completed form to: accessattendance@lbbd.gov.uk

If you are not able to send by email, please telephone the Education Statutory Services Team on 020 8227 2151.

Name of child _____			DOB _____			Age _____		
Names of parents/carers _____								
Address of family home _____								

Email: _____								
Phone _____								
(Home) _____			(Work) _____			(Mobile) _____		
Child's last school _____						Year group _____		
If there are any other children in the family who are of school age, please provide the following details:								
Name/s:			Date/s of birth:			Where being educated:		
Your reason for deciding to home educate (please tick the box); ✓								
Philosophical								<input type="checkbox"/>
Religious or Cultural								<input type="checkbox"/>
Bullying								<input type="checkbox"/>
Health								<input type="checkbox"/>
Specifically, because of concerns that your child may contract Covid-19 at school								<input type="checkbox"/>
Disagreement with school								<input type="checkbox"/>
Temporary decision due to a house move								<input type="checkbox"/>
Distance from home to school too far								<input type="checkbox"/>
Waiting for a place at a preferred school								<input type="checkbox"/>
Other (please explain):								<input type="checkbox"/>

Is your child on a waiting list for a school(s) YES/NO?

If YES, which school(s) _____

Regarding your home education provision

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?

Do you ensure that most of your child's work is kept and clearly indicates the date when it was completed?

How many hours per week is your child doing educational activities?

Do you follow a timetable for educational activities?

Do you keep a diary, or a record of the work completed by your child?

How is your child's progress to be assessed and monitored?

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 interests and aptitudes?

Please indicate if your child has special educational needs at the following level:

School Action: YES / NO
School Action Plus: YES / NO
Statement of SEN: YES / NO

Do you think your child has any other special needs, for instance, in terms of learning, or social development?

If so, what are they?

How do you plan to meet these needs?

<p>What do you think your child has achieved since you began home educating? (What has he /she learned?)</p>	
<p>What work have you been doing with your child since you started home educating?</p>	
<p>How well do you think the work is going? Is there anything you need advice on?</p>	
<p>Please provide us with the name and address of any private tutors for your child.</p> <p>Also, please provide information on any out-of-school settings (OOSS) that your child attends e.g. after school clubs; tuition or learning centres; supplementary schools; sports activities; religious settings offering education (e.g. Yeshivas, Madrassahs, Sunday Schools, Hindu and Sikh OOSS).</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 end of compulsory education? - 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? 	

Is your child being prepared for a national qualification? YES / NO

If 'Yes' please give details of the subject and the qualification s/he is working towards e.g. GCSE, GNVQ etc.

What arrangements have been made for an examination entry?

Ethnic Background – please tick as appropriate:

White – British	
Any other White background	
Indian	
Any other Asian background	
Any other Black background	
White and Black African	
White and Black Caribbean	
Any other Mixed background	
Traveller, or Irish Heritage	
Prefer not to state	

White Irish	
Bangladeshi	
Pakistani	
Black African	
Black Caribbean	
White and Asian	
Chinese	
Gypsy/Roma	
Any other ethnic group	

General Data Protection Regulation (GDPR):

Personal Data in this form may be used only in accordance with the London Borough of Barking & Dagenham GDPR and in compliance with the Freedom of information Act 2000.

To comply with statutory and government requirements, data may be disclosed to external agencies such as (but not exclusively): local Health Services; Police; Her Majesty’s Courts; other Local Authorities.

The London Borough of Barking and Dagenham will not disclose any personal information to any other third parties, except where required by Law, without the express consent of the Data subject. From January 2005 personal data may, in exceptional circumstances where the public interest outweighs the individual’s right to privacy, be released under the auspices of the Freedom of Information Act 2000.

I understand that the information that is recorded on this form will be stored electronically as well as hard copy and used solely for the purpose of providing services to me and my child/children.

Signature of parent / guardian	
Name	
Date	

Version – March 2021

Appendix 3 Notes on a discussion with Local Authority adviser

Name of child:		Date of birth:		Current age:	
Names of parents/guardians:					
Address of family home:					
Telephone (home):		Telephone (work):		Mobile:	
Child's last school:			Year group the child would be in if at school:		
Date of this meeting, or visit:					
<i>On what information (evidence) is this informal enquiry based?</i>					
<i>Where did the meeting take place?</i>					
<i>Was the child seen? (Yes/No)</i>					
<i>Visit number since the child commenced elective home education:</i>					
<i>Date of the previous visit:</i>					
<i>What has the parent been setting out to achieve (brief details only, based on previous information)?</i>					
<i>Based on the available information:</i>					
<ul style="list-style-type: none"> • <i>how successful has the parent been in achieving what he/she set out to achieve?</i> • <i>has the child learned efficiently? Has satisfactory progress been made?</i> 					
<i>How suitable is the education?</i>					
<ul style="list-style-type: none"> • <i>To what degree does the work covered match the age, aptitudes and any special needs the child has?</i> • <i>To what degree does it promise to enable the child to take his/her place in a civilised, modern society?</i> 					
<i>Comments from parent (to be added, or described once the draft notes have been seen)</i>					
If the child is in Y10, or 11 would the parents agree to a Careers interview? Yes/No					

Overall evaluation (Tick appropriate box and complete additional information)	
The provision is suitable and efficient. Visit again within 12 months.	
The provision is generally suitable and efficient but needs the following improvements: Visit again within 6 months.	
The provision is currently not suitable and efficient. The following improvements are required: Visit again within 3 months.	
The provision is not currently suitable because:	

Date of this set of notes:	
Signature:	
Name and job title:	

Appendix 4 Private tutors and unregistered schools

Private tutors

Parents may choose to employ other people to educate their child (usually referred to as a private tutor) though they themselves will continue to be responsible for the education provided. They will also be responsible for ensuring that those whom they engage are suitable to have access to children. Parents will therefore wish to satisfy themselves by taking up appropriate references, including a Criminal Records Bureau (CRB) check.

Unregistered schools

Home educating parents may decide to send their child/ren to an education establishment. Parents who choose to do this must ensure that the establishment is registered with the Department for Education (DfE). If you are uncertain about a school's status, the DfE have a website that will provide information on all schools registered with them: <https://get-information-schools.service.gov.uk/>

The Office for Standards in Education (Ofsted) are very concerned that unregistered schools, and education establishments, can place children at risk of harm, denying them a suitable education, and limiting their life chances.

Please note that it is illegal to operate an unregistered school.

If you are concerned that a school or education provision in may not be registered, it is important that you report this to us via email: accessattendance@lbbd.gov.uk or phone 020 8227 2151.

Further information can be obtained from Barking and Dagenham's website: <https://www.lbbd.gov.uk/home-education>

If you are thinking of starting an independent school, then please visit the DfE webpage for advice on how to register: <https://www.gov.uk/independent-school-registration>

An explanation of different types of schools can be found here: <https://www.gov.uk/types-of-school>

The DfE has published guidance on Unregistered independent schools and out of school settings:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690495/La_Guidance_March_2018.pdf