



## **Elective Home Education Policy**

### Introduction

The legal responsibility for ensuring children receive an education rests with their parents. The majority meet this duty by sending their children to school, but some parents choose to exercise their parental right and elect to educate their children at home. This policy sets out parents' rights to educate their children at home, together with the legal duties and responsibilities of parents, headteachers and Norfolk County Council (NCC). Elective Home Education (EHE) is the term used by the Department for Education (DfE) to describe this.

NCC desires that parents who choose EHE for their children will work together with NCC, recognising each other's rights and responsibilities. SHE officers work to establish and maintain a positive dialogue with parents and professionals working with home educating families and work in children's best interests, to ensure that a suitable education is received, children's views are considered (where possible), and children are safe. SHE officers understand and are supportive of many differing approaches or 'ways of home educating' which are feasible and legally valid.

NCC also strives to work co-operatively with schools, ensuring they fully understand what it means for a family when a child is removed from roll to EHE. We fully support the parent's right to educate their child and we work hard to ensure parents are able to make an informed choice, and that schools/parents engage with our Service if there are concerns.

### **NCC's role and duties**

NCC has a duty to establish the identities of compulsory school aged children in their area who are not registered pupils at a school and are not receiving a suitable education for his or her age, ability, aptitude, and any special needs they may have. Therefore, the SHE team will respond to concerns that a child understood to be receiving EHE is not being provided with a suitable education. Those children identified as not receiving suitable education should be returned to full time education. Supporting families in the early days of EHE is crucial to establish a strong working relationship so any decisions relating to provision can be made promptly and with support, and in ensuring that children are safe and receiving suitable education.

NCC has general duties to safeguard and promote the welfare of children. SHE officers, along with all employees of NCC, have a responsibility to ensure all children are safeguarded and their welfare promoted throughout their work. SHE Officers strive to develop purposeful relationships so when families need support, they approach us. Alternatively, we have direct links to Pathway Advisers who can offer welfare support and guidance to families who request or we feel may benefit from, some support. We also have an EHE Officer which sole oversight of our most vulnerable children and young people who links directly with social care colleagues. This includes fortnightly oversight for children currently being supported by a social worker. Linking up the Services in NCC to ensure children are safe and families supported is a key driver for the work we do.

NCC has a duty to ensure young people post 16 remain in some form of education or training. The SHE Service are committed to this through their close links with the Post 16 team and the support that is provided to families of Year 11's. We offer advice and guidance on apprenticeships in the



form of webinars and link up with 'Help You Choose' campaigns to signpost different forms of post 16 provision. We have an EHE Officer who focuses on KS4 and post 16 support for families in recognition of the importance of this cohort.

The role of the SHE Service is also to provide support and information for parents currently providing or considering starting EHE for their child. We publicise this aspect of our work through regular newsletters, training to schools and other educational establishments and through NCC social media. We also have strong links with EHE social media providers.

NCC will monitor and track the number of EHE cases from individual educational settings and use this information to inform appropriate support and challenge to school leaders. We will question schools when we are informed that practice is not in the best interest of young people. NCC Partnership Advisers have annual conversations with Multi-Academy Trusts, our information feeds into these discussions. Where there is substantial evidence of known or perceived cases of 'off rolling' NCC will, if appropriate, share these concerns with the relevant bodies, such as Ofsted and the Regional Director (RD), as per DfE Guidance April 2019.

## **Parents' duties**

The parents of every child of compulsory school age are responsible for ensuring that the child receives efficient full-time education, whether this be by regular attendance at school or otherwise. The law says that this educational provision must be suited to the age, ability and aptitude of the child and any special educational needs they may have. In England, education is compulsory but school is not, and so the parent may lawfully choose to educate their child by EHE.

Parents must also comply with notices and orders served by NCC, if it appears that they are not providing a suitable education.

## **Schools and Elective Home Education**

EHE Officers provide support and guidance to schools and families. We share the vision that EHE should be an informed choice for families and not a result of dissatisfaction of an aspect of school. Parents and schools are both encouraged to contact the SHE Service prior to any decision making.

Schools must not seek to persuade parents to educate their child at home, nor would it be recommended for parents to elect to educate their children at home as a way of solving a perceived or ongoing problem at school without seeking a resolution.

The practice of removing a pupil from the school roll by encouraging a parent to remove their child from the school, when the removal is primarily in the interests of the school rather than in the best interests of the pupil would be considered 'off-rolling'.

When a school receives written notification from a parent of their intention to remove the child from the school and home educate their child the school must acknowledge (in writing) receipt of the parents' written notification of their decision and delete the child's name from their admissions register. The school must inform NCC immediately of the removal of the child's name from the admissions register via CME and EHE procedures.



## Children with an Education, Health and Care Plan

The NCC SHE Service has an officer specifically focused on children and young people with an EHCP who has oversight of this cohort.

A parent's right to educate their child at home applies equally where a child has special educational needs (SEN) and disabilities. It is recommended that parents of any child subject to the statutory provisions of an Educational Health and Care Plan (EHCP) who are considering whether to make their own arrangements should discuss this with the EHCP Caseworker to ensure that they are fully aware of alternatives (amended provision and/or change of placement) and their statutory rights of appeal. Therefore, it is recommended that an early annual review is called to discuss and plan for the possible amended provision and/or change of placement.

There is a difference between home tuition arranged by NCC and EHE. Where the EHCP lists SEN provision that is specified to be provided at the child's home, then this is Education Other Than At School (EOTAS). Such home tuition is not considered EHE and NCC is under a duty to arrange the provision specified. Where the NCC names in the EHCP a school or type of school as the place where the child should receive his or her education, but the parent chooses to home educate their child, then this is EHE. However, before NCC is relieved of its duty to provide the specific SEN provision, the LA must be satisfied that the parent has put in place a suitable alternative. Where a child is being educated by EHE and has an EHCP, NCC must review their EHCP annually to assure itself that the provision set out in it continues to be appropriate and that the child's special educational needs continue to be met.

Where a child or young person is a registered pupil at a special school and the parent wishes to home educate, before the child's name can be removed from the school's admissions register NCC must give consent for the child's name to be removed. The DfE guidance notes this should not be a lengthy or complex process, but this does not remove the need for NCC to be satisfied that the parent's proposed EHE is suitable for the child's special educational needs.

In the event of parental non-engagement in the EHCP process, or if the EHE team has any concerns about whether provision in place is meeting a child's needs, an EHE Officer will call a meeting with the EHCP caseworker will to consider what actions need to be taken. Each case will be considered on its own merit.

## Procedural Guidance

More detailed guidance can be found in the Norfolk County Council Elective Home Education Protocols document. It is strongly recommended that the policy and procedures documents should be read alongside each other. [Elective Home Education policy and procedures](#)

## Review

NCC will review this policy and practice in relation to EHE annually.



# Norfolk County Council

## Contact details

For enquiries relating to this policy, please contact the EHE team at [ehe@norfolk.gov.uk](mailto:ehe@norfolk.gov.uk) or 01603 307733

Further information can be found on the Elective Home Education page of Norfolk County Council's website [Norfolk County Council's website](#)