

## **Elective Home Education (EHE)**

### **What do we mean by “Elective Home Education”?**

Elective home education is the term used by the Department for Education to describe parents’ decisions to provide education for their children at home instead of sending them to school. In view of the Raising of the Participation Age, this includes children 5 to 18. Please note that this is different to an Education Programme (previously known as ‘Home Tuition’ provided by the local authority or education provided by the local authority other than at a school.

### **What are the reasons for Elective Home Education?**

Parents may choose home education for a variety of reasons. The local authority’s main interest is in the suitability of parents’ education provision to ensure children have their rights to education met.

A large number of parents choose to home educate and have the time, resource and capability to do this very well. This group are not a concern to the LA and we would support families in making this choice if they believe it to be in the best interest of the child.

Sadly, often the decision has been made as a result of a dispute with the school, we would encourage the school/parent to contact the local authority for advice on resolving the issues in order that the child can remain, or return to school with support where this is the case. The following reasons for home educating are common, but this is by no means an exhaustive list:

- Distance or access to a local school
- Religious or cultural beliefs
- Philosophical or ideological views
- Dissatisfaction with the system
- Bullying
- Short term intervention for a particular reason
- Parents’ desire for a closer relationship with their children
- Avoidance of Penalty Notice or exclusion

If a parent is choosing to home educate for a negative reason, parents should be encouraged to contact the Elective Home Education Team.

### **What does the law say?**

The responsibility for a child’s education rests with their parents. In England, education is compulsory, but school is not.

Parents have a right to educate their children at home. Section 7 of the Education Act 1996 states that:

“ The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable –

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

An 'efficient' and 'suitable' education is not defined in the Education Act 1996 but 'efficient' has been described in case law, as an education that 'achieves that which it sets out to achieve' and a 'suitable' education is one that 'primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not limit the child's options in later years to adopt some other form of life if he wishes to do so'.

### **What is the responsibility of the Local Authority?**

Local authorities have no statutory duty to monitor the quality of home education on a routine basis. However, under Section 437(1) of the Education Act 1996, the local authority will intervene if it appears that parents are not providing a suitable education. This will mean serving a notice in writing on the parent which will require them to satisfy the Local Authority within a specified time that the child is receiving a suitable education. Prior to serving the notice the authority will seek to address the situation informally.

A school attendance order will only be served after all reasonable steps have been taken to resolve the situation. At any stage following the issue of the Order, parents may present evidence to the local authority that they are now providing an appropriate education and apply to have the Order revoked. Detailed information about school attendance orders can be found in 'Ensuring Regular School Attendance' paragraphs 6 to 16.

The local authority also has a duty under section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children. Working Together to Safeguard Children 2006 states that all agencies and individuals should aim proactively to safeguard and promote the welfare of children. As with school educated children, child protection issues may arise in relation to home educated children. If any child protection concerns come to light in the course of engagement with children and their families, these concerns should immediately be referred to the appropriate authorities using established protocols.

### **The role of schools**

First contact between local authority and home educators often occurs when parents decide to home educate and approach the school. It is important that this initial contact is constructive and positive.

Schools must remove a child's name from their admissions register upon receipt of written notification from the parents that the pupil is receiving education other than at school. However, schools should not wait for parents to give written notification that they are withdrawing their children from school before advising their local authority. Schools must return the parent's letter and EH1 Form to: Elective Home Education Team, Room 2.24, Sessions House, County Hall, Maidstone ME14 1XQ as soon as the grounds for removing the child from the school register is met, and no later than deleting the pupil's name from the register. Schools must inform the local authority of any child protection concerns. Schools must also copy parents into the notice to the local authority.

The exception to this is if a child is registered at a school as a result of a school attendance order the parents must get the order revoked by the local authority before the child can be deleted from the school's register and educated at home.

Schools must not seek to persuade parents to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record. In the case of exclusion, they must

follow the statutory guidance. If the pupil has poor attendance, the school and local authority must address the issues behind the absenteeism and use other forms of support. It is important to note that the results or lack of results for KS4 pupils will remain with the school's attainment tables.

**Is there financial support for home educated children?**

When parents choose to electively home educate their children they assume all financial responsibility for their children's education.

Local authorities do not receive funding to support home educating families.

**For all enquiries please contact:**

**Elective Home Education Team**

**Tel: 03000 416969**

**Email: [Educationathome@kent.gov.uk](mailto:Educationathome@kent.gov.uk)**