

North Somerset Council **Elective Home Education** **a guide for parents**

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Introduction

As parents or carers, you may decide to provide home-based education for your child/children instead of sending them to school. This is called elective home education (EHE). North Somerset Council (NSC) recognises that home education is a key aspect of parental choice and is equal, in law, to education provided in school.

The Education Inclusion Service takes the lead role for the Council in working with home educators and the children and young people who are being electively home educated in North Somerset.

The law states that parents who choose to educate their children at home take on full responsibility, including financial responsibility, and the Local Authority has a duty to be satisfied that all children are receiving suitable education.

This document should be read alongside the **Department for Education's (DfE) guidance for parents and Local Authorities:**¹

¹ www.gov.uk/government/publications/elective-home-education

Why you may choose to home educate

Home Education is an option that you may consider for your child/children. The reasons for choosing it are many and varied, as are the styles of education provided. For some, the decision may be based on a philosophical, spiritual, or religious outlook; for

others it may be to meet what they consider to be the specific educational needs of their child.

Some children are never registered at school. Others are registered but are then home educated, either for a limited period or permanently.





Things to consider before starting elective home education

It might be useful to consider the following questions as you decide whether elective home education is the right course for you and your child/children:

- Can you provide efficient, full-time education suitable for your child's age, ability, and aptitude?
- Do you have the time and ability needed to educate your child at home?
- Can you take on the full financial responsibility including the cost of IT equipment and internet access, study materials, textbooks, exam fees and any professional tuition?
- Is your home suitable for teaching and learning? Is there enough space? Have you got spaces that are free from distractions?
- What does your child think about EHE?
- What would happen if you were not available to provide suitable full-time education for a short or long period of time?

- Have you considered the nature of the education you will provide every day and how you will do it?
- What is the long-term goal of the education, and will your child sit exams such as GCSEs?
- Is your child experiencing emotional difficulties related to school attendance? Please refer to the Education Psychology website, for guidance on **Emotionally Based School Avoidance**² for parents and young people

In addition to the questions, it may be useful to be aware of the following:

- If you change your mind and wish for your child/children to return to school, you can apply for any school of preference. However, please be aware that there may not be a place at the school(s) of your choice.
- If you want your child to have work experience; be aware that only a school or a local authority can arrange work experience for home educated children. Child employment regulations apply to all children including those who are electively home educated.
Visit our website³ for more information:

2 <https://www.supportservicesforeducation.co.uk/Page/20029>

3 <https://www.n-somerset.gov.uk/my-services/children-young-people-families/childrens-licences-permits/child-employment>

The role of North Somerset Council

North Somerset Council provides a website, telephone, and email contact service. When a family begins home educating, we send an introductory letter and information pack with the offer of an EHE visit. We register all EHE young people (where known) on a secure database.

Department for Education (DfE) 2019 guidance for local authorities requires North Somerset Council to find out about the education of all children in the area and recommends contact with home educated parents annually – some details are here: ‘The duty under s.436A [of the Education Act 1996] ... means that local authorities must make arrangements to find out as far as possible whether home educated children are receiving suitable education.’ [DfE Guidance for LA 5.1]

‘The current legal framework is not a system for regulating home education per se or for parents to educate their children in any particular way. Instead, it is a system for identifying and dealing with children who, for any reason and in any circumstances, are not receiving an **efficient, suitable full-time education**. If a child is not attending school full-time, the law does not assume that child is not being educated. It does require the local authority to enquire what education is being provided and local authorities have these responsibilities for all children of compulsory school age.’ [DfE Guidance for LAs 3.5]



4 <https://www.n-somerset.gov.uk/my-services/schools-learning/elective-home-education>

Contact and help from the Council

We will offer an appointment with an EHE Officer for each home educating family. This visit can be at your home or a suitable venue such as a local library or community centre. The visit is to offer advice and guidance on education, teaching, and learning. We will provide you with a written report of the visit.

In addition, we have a [website](#)⁴ which offers advice, support, and information

Email the Education Welfare Service
EWSReferrals@n-somerset.gov.uk

or write to us at:

Education Welfare Service
North Somerset Council
Tickenham Road
Clevedon
BS21 6FW

Legal status of EHE

You may legally educate your child/children at home; North Somerset Council recognises education is compulsory, but school is not. As parents and carers, your duty is set out in section 7 of the Education Act 1996 as follows:

“The parent of every child of compulsory school age has a legal duty to ensure that he/she receives efficient full-time education suitable:

- to her/his age, ability, and aptitude, and
- to any special educational needs, he/she may have either by regular attendance at school or otherwise.”

Definition of 'full-time education'

DfE Guidance for parents' states 'There is no legal definition of "full-time" in terms of education at home, or at school. Children attending school normally have about five hours tuition a day for 190 days a year, spread over about 38 weeks. However, home education does not have to mirror this. In any case, in elective home education it is often almost continuous one-to-one contact and education may sometimes

take place outside normal "school hours".'

'Education which is clearly not occupying a significant proportion of a child's life (after making due allowance for holiday periods) will probably not meet the section 7 [Education Act] requirements.'

'Suitable' and 'efficient' are not defined either but the courts have given some legal guidance, they have said that education is efficient if it is "achieving that which it sets out to achieve" and it is suitable if it "prepares the child for life in a modern civilised society and enables the child to achieve his full potential".

It is important to note that you have a right to educate your child/children from your own philosophical, spiritual, or religious standpoint. The Human Rights Act 1998, Article 2 of the First Protocol states that, "No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions".

Justice Woolf's finding about suitable education (1985) states an education is suitable if it 'primarily equips the 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'.

Expectations of a suitable education

The home education provided must be age-appropriate, enable the child to make progress according to his or her level of ability, and must take account of any specific aptitudes.

There should be an appropriate minimum standard which is aimed at, and the education should aim at enabling the child, when grown-up, to function as an independent citizen in the UK.

As parents/carers, you should be able to demonstrate the amount of time for which a child is being educated and education which is not occupying a significant proportion of a child's life will probably not meet the s.7 (Education Act 1996) requirement.

You should be able to demonstrate progress and development and the Council may use minimum expectations for literacy and numeracy in assessing suitability, whilst bearing in mind the age, ability and aptitude of the child and any special educational needs he or she may have.

Article 29 of the United Nations Convention on the Rights of the Child states that Education must develop '...the child's personality, talents and mental and physical abilities to their fullest potential.' In addition, it states that education must develop the child's respect for human rights, as well as respect for their parents, their own cultural identity and that of other cultures or civilisations and the natural environment.

If your child has an Education, Health and Care Plan (EHCP), the home education provided should be appropriate for their special educational needs or disabilities. However, this does not mean that you must provide everything previously provided by the school. Your child may still be able to access physiotherapy, occupational therapy and speech and language therapy via the NHS.

If the Council has concerns

We may telephone you or write to you again offering a visit and asking you to provide us with details of how you are educating your child/children. We want to support you with this process and work together. If we are not satisfied you are providing a suitable education, then we may issue you with a School Attendance Order (SAO).

DfE EHE Departmental Guidance for Parents says:

'5.6 If your local authority feels that it has not had sufficient information about the home education being provided, or has had no information, and it appears to the authority that your child is not receiving a suitable education at home, it must serve a notice (known as a s.437(1) notice), requiring that you as parents satisfy the authority that the child is receiving a full-time and efficient education at home suitable to your child's needs. Again, it would be sensible to respond to such a notice if you

receive one; and you will have at least 15 days to respond so that you have time to gather suitable material that you may wish to supply.'

5.7 The local authority must consider the response, if any, which you make to the notice, in order to decide whether your child is receiving an education which meets your responsibilities under s.7, taking account of any evidence you have provided and any other information it has about the education your child is receiving. If parents make no response at all, then the local authority is entitled to conclude that the child is not receiving a suitable education.'

North Somerset Council will expect to see learning and development taking place from the beginning of any period of home education.



Planning for EHE

Removing your child from school

Before making a decision to remove a child from school for elective home education as parents/carers, you may request a meeting with the headteacher so that any issues can be discussed. When parents have notified the school of their EHE decision, North Somerset Council recommends schools offer parents a meeting to see if there is any support that can be offered.

We strongly advise you to write to the school confirming your intention to educate your child(ren) at home. If you simply remove your child from school without informing them in writing, you could be prosecuted for non-attendance. The school cannot remove a child from roll without receiving written notification about the parents' decision to provide education otherwise than at school (Pupil Registration Regulations 2006). The school must inform the Council of your decision and at that same time remove the child from the school roll. If your child attends a special school or is subject to a School Attendance Order you will need the Council to consent to remove your child's name from the school roll. Consent from the Council may not be unreasonably withheld. North Somerset Council keeps a register of children who are resident in North Somerset and have been removed from school for elective home education.

If your child has never been registered at a school, there is no requirement to inform us of your decision to home educate, although it would be helpful if you did; North Somerset Council wishes to work collaboratively with you and offer support.

If your child is registered at a school, a decision to home educate may not be the best way to solve an issue with the school or to overcome difficulties with attendance. You may be able to resolve these issues with the headteacher or governors at the school. Our Elective Home Education Officer can provide advice if you feel that any pressure is being put on you to take your child out of school to home educate.

Costs of elective home education

There is no funding available to help you with the costs of elective home education. Councils have no legal responsibility or obligation to fund parents who choose to home educate. You will need to look at the costs that elective home education could involve before you make your decision. These could include the cost of IT equipment and internet access, study materials, textbooks, exam fees and professional tuition.

Qualifications needed to educate your child

You do not need formal qualifications and you do not need to employ a qualified teacher to home educate your child/children. How your child learns is up to you, as long as the education is efficient, suitable, and full-time. There is no one form of education; children learn in different ways, at different times and speeds.

You do need to consider how you will enable your child '...to participate fully in life in the UK by including sufficient secular education. This means that even if the home education is primarily designed to equip a child for life within a smaller community within this country, it should not foreclose the child's options in later life to adopt some other mode of living, and to be capable of living on an autonomous basis so far as he or she chooses to do so'. DfE Departmental Guidance for LAs 9.4.

Elective home education does not need to be identical to school education: no specific curriculum is laid down and you do not have to follow the National Curriculum. However, if you would like your child to go on to further education, or to take public examinations such as GCSEs or IGCSEs, we recommend that you follow the relevant curriculum. We recommend that you research the curriculum and exams before you begin studies so that you can decide which examination board and syllabus you wish to follow. You will also need to arrange for your child to take exams at a registered examination centre.

Using private tuition

You may use a private tutor to educate your child however, as you remain responsible for the welfare and education of your child, you may wish to:

- check the tutor's identity.
- check their qualifications.
- ask for appropriate references.
- ensure they have a recent Disclosure and Barring Service (DBS) certificate.

If you do use a private tutor or other provider, we would advise you to monitor your child's teaching and learning as you retain responsibility for ensuring your child's education is suitable.

Return to school

Some home educators later decide that their child should attend school. You will need to apply for a place at your preferred school which you can do at any time. It may not always be possible to get a place at your child's previous school, even if it is your 'designated' catchment area school. By law, a school cannot 'hold' a place for you.

Information, advice, and guidance on applying for a school place, and on appeals⁵ is available as well as **contact details for North Somerset Special Educational Needs Services⁶**.



Help after compulsory school age

Children must receive full-time education until the end of June after they become 16 **details are available⁷**.

The law now requires all young people in England to continue in training or education until at least their 18th birthday, although in practice most young people continue until the end of the academic year in which they turn 18.

The raised participation age (RPA) does not mean young people must stay in school. They can choose one of the following post-16 options:

- full-time education, such as school, college, or home education
- an apprenticeship
- part-time education or training if they are employed, self-employed or volunteering full-time (which is defined as 20 hours or more per week)

Young people who have been educated at home may want to take further education college courses. It is important to know that many courses have specific entry requirements, such as GCSE passes. Your local further education college will be able to give you more information.

North Somerset Council has a Post 16 team who can offer support to any young people who do not have any plans and would like help and support, contact the Post 16 team

email: yes@n-somerset.gov.uk

Telephone: 01275 884 443

Or send us a message through Facebook
#NEETnorthsomerset

Further information about Careers⁸.

⁵ <https://www.n-somerset.gov.uk/my-services/schools-learning/school-admissions>

⁶ <https://nsod.nsomerset.gov.uk/kb5/northsomerset/directory/localoffer.page?localofferchannel=0>

⁷ <https://www.gov.uk/know-when-you-can-leave-school>

⁸ <https://www.n-somerset.gov.uk/my-services/children-young-people-families/youth-services>

Concerns about education or welfare of a child

Complaints or concerns from members of the public about children's education or welfare will be considered by the Council. If you have concerns about a child's safety or welfare, contact **North Somerset Children's Services**⁹.

Telephone: 01934 888 808

Looked-after children and EHE

DfE Statutory Guidance makes clear that the Virtual School Headteacher is the educational advocate for looked-after children just as parents are to other children.

Looked-after children cannot be electively home educated without the agreement of the Council (via the Virtual School Headteacher) as corporate parent for that child.

EHE for a child with an Education, Health and Care Plan

You can home educate your child if they have special educational needs (SEN), an Education Health and Care Plan (EHCP) or no identified special needs. If your child attends a special school, you must get permission from the Council before you can remove them from the school. If the Council refuses consent, you can ask the Secretary of State to settle the dispute.

If you home educate a child who has an EHCP, North Somerset SEN services will contact you about arranging an Annual Review within one school term of your child being removed from school. Annual Reviews will continue for children who are electively home educated whilst the EHCP is maintained. If you later decide your child should return to school this should be raised via an Annual Review process and you can contact the SEN team to enquire about this process.



'When a child has an EHC plan, it is the local authority's duty to ensure that the educational provision specified in the plan is made available to the child but only if

the child's parents have not arranged for the child to receive a suitable education in some other way. Therefore, if the home education is suitable, the local authority has no duty to arrange any special educational provision for the child; the plan should simply set out the type of special educational provision that the authority thinks the child requires but it should state in a suitable place that parents have made their own arrangements under s.7 of the Education Act 1996.' [Referring to DfE guide for LA s8.4]

The DfE Guidance states 'As with other children educated at home, local authorities do not have a right of entry to the family home to check that the provision being made by the parents for a child with special educational needs is appropriate and may only enter the home at the invitation of the parents. However, parents should be encouraged to see a process of engagement with the child as part of the authority's overall approach to home education of pupils with SEN, including the provision of appropriate support, rather than an attempt to undermine the parents' right to home educate. Local authorities should not assume that because the provision being made by parents is different from that which was being made or would have been made in school, the provision is necessarily unsuitable.' [DfE guidance for LA s.8.7]

This information is explained in more detail in the **Department for Education Guidance for Local Authorities**¹⁰ and the **SEN Code of Practice**¹¹.

⁹ <https://www.n-somerset.gov.uk/my-services/children-young-people-families>

¹⁰ <https://www.gov.uk/government/publications/elective-home-education>

¹¹ <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

Flexi-schooling

Flexi-schooling is where a child spends a part of the week attending school and time educated at home or at an off-school site. This arrangement needs a formal request from parents and must have approval from the school. In such arrangements the child will always remain on the school roll.

Parents are allowed to ask schools about possible arrangements for flexi-schooling. However, there is no entitlement to flexi-schooling. The decision to agree it, or not, rests entirely with the headteacher. If a school decides not to agree a flexi-schooling request, there is no formal appeal process.

Funding for taking exams

Currently there is no funding available through North Somerset Council.



Examination boards

The Joint Council for Qualifications is a membership organisation comprising the eight largest providers of qualifications in the UK. Links to all exam boards can be found through [their website](#)¹²

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¹² <https://www.jcq.org.uk/about-us/>

¹³ https://he-exams.wikia.org/wiki/HE_Exams_Wiki

¹⁴ www.bristol.ac.uk

¹⁵ www.btc.ac.uk

¹⁶ www.sgscol.ac.uk

¹⁷ www.bathcollege.ac.uk

Further support and help

[Home-Ed Exams Wiki](#)¹³ is one of many websites about qualifications for home-educated students. Internet searches will find other groups and organisations run by and for home educators.

Home education groups

There are many home education groups who support home educating families. These offer educational activities, resources and provide social interaction with a network of likeminded families. They can be found on social media platforms such as Facebook. Please note that North Somerset Council does not take any responsibility for the information or services they offer.

Further education colleges

Weston College is the FE provider in North Somerset. Colleges can reclaim funding from the government via the Education and Skills Funding Agency. If your child attends a college placement you must ensure your child receives a suitable full-time education. You will need to contact Weston College directly to enquire about courses they are able to offer.

They can be contacted on 01934 411 411

Website: www.weston.ac.uk

Other FE colleges in the West of England area:

[City of Bristol College](#)¹⁴

[Bridgwater College](#)¹⁵

[South Gloucestershire and Stroud College](#)¹⁶

[Bath College](#)¹⁷



Health and well-being for children and young people

Support is available covering a range of problems such as bullying, family problems, anxiety, and other mental health needs. The [CAMHS website](#) may help

Kooth Counselling can also offer [online help and support](#)¹⁸.

[Off The Record](#)¹⁹ provide a mix of online and in person services for children and young people.

[Chat health](#)²⁰

A confidential NHS text chat service for health and wellbeing



Immunisations

Access to school nursing and school age immunisations is available for electively home educated children. This service is delivered by Sirona Care and Health. The school nurses will be able to support and offer advice on health information and the school age immunisation schedule.

For more information and to contact [your local school nurse](#)²¹.

Booking Covid-19 vaccinations for 12–15-year-olds

The [NHS Covid-19 vaccinations website](#)²² has been updated with information about booking vaccinations and some walk-in clinics options.

¹⁸ <https://nsod.nsomerset.gov.uk/kb5/northsomerset/directory/service.page?id=RY8cGmyAvcY&localofferchannel=9>

¹⁹ <https://otr.northsomerset.org.uk/>

²⁰ <https://chathealth.nhs.uk>

²¹ <https://cchp.nhs.uk/cchp/explore-cchp/school-health-nursing/north-somerset>

²² <https://www.nhs.uk/conditions/coronavirus-covid-19/coronavirus-vaccination/coronavirus-vaccine/>

Appendix 1

Useful contacts

Education Welfare Service

EWSReferrals@n-somerset.gov.uk

SENDIASS

SENDIASS²³ is an impartial Special Educational Needs and Disability Information, Advice and Support Service in North Somerset. This is an independent agency and not part of North Somerset Council.

Complaints

If you have a concern or complaint about the service, in the first instance you should try to resolve this with the EHE Officer, otherwise please follow **the Council's complaints procedure²⁴**.

23 <https://cyp.iassnetwork.org.uk/service/north-somerset-sendias/>

24 <https://www.n-somerset.gov.uk/contact-u>

Appendix 2

EHE information and support options

North Somerset Council provides [EHE information](#)²⁵

There are many local and national groups, providers, and websites which offer, for example:

- resources and worksheets.
- interactive learning.
- 'Online schools.
- mutual support, social and learning groups.
- tuition providers.

Some sites and providers charge fees and some are free of charge.

This is a selection of local and national EHE support and information options which may provide helpful advice, guidance, and support. North Somerset Council does not take any responsibility for the information or services they offer. Internet searches will provide many others:

- <https://homeeducated.org.uk>
- <https://www.heet.org.uk/>
- <https://www.heas.org.uk/>
- <http://edyourself.org/>
- <https://www.educationotherwise.org/>

Award schemes

- <https://www.gov.uk/government/get-involved/take-part/national-citizen-service>
- <https://www.dofe.org/>

Disclosure and barring service

- <https://www.gov.uk/government/organisations/disclosure-and-barring-service>

Privacy notice

- <https://www.n-somerset.gov.uk/council-democracy/privacy-cookies/privacy-notice-people-communities/privacy-notice-education-inclusion-service>

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²⁵ <https://www.n-somerset.gov.uk/my-services/schools-learning/elective-home-education>



For more details contact:

Education Welfare Service

EWSReferrals@n-somerset.gov.uk