

# ELECTIVE HOME EDUCATION

## CHOOSING TO EDUCATE YOUR CHILD AT HOME INFORMATION FOR PARENTS/CARERS

### **INTRODUCTION**

The legal duty and responsibility for a child's education rests with their parents. While most parents choose to send their children to school, others choose to educate their children at home. In these circumstances, the parent is Electively Home Educating (EHE).

This document is designed to offer information to any parent considering Elective Home Education and to help you make an informed decision.

**The decision to EHE your child at home is an important one as you alone will be responsible for ensuring that your child receives an effective, suitable, and full-time education.**

**Home educating is a challenging task: it is important to consider the time commitment, motivation and energy required to fulfil your legal duty and ensure your child reaches their full educational potential.**

You are advised to think very carefully before making a decision - it is a good idea to talk to other home educating parents and a member of the West Sussex County Council EHE team:

Phone: **0330 222 3300**  
Email: [eh@westsussex.gov.uk](mailto:eh@westsussex.gov.uk)

**Additionally, you may wish to consider the following:**

- You are solely responsible for any costs associated with educating your child;
- The likely costs involved – including resources, books, equipment, possible exam fees, online learning platform subscriptions, tutors, potential loss of parental income;
- Whether EHE is in the best interest of your child's emotional health, wellbeing and social interaction opportunities, such as meeting and mixing with friends and peers;
- How you will provide opportunities to allow your child to discuss with others and develop their understanding and thinking around important issues and topics;
- How you will provide access to special facilities and equipment for science, sport, trips and visits, etc;
- Many parents choose to home educate for positive educational reasons. However, if you are considering EHE because of a disagreement with the school that your child attends, we advise you to work with the school to try to resolve the problems before making a final decision;
- Some parents consider home educating their child due to not being allocated their preferred school and choose EHE whilst they wait for a school place. It is worth considering that children can be on a waiting list for a significant length of time.

EHE does not have to be a permanent decision: if you have removed your child from a school roll to EHE, your child is able to return to school at any time. However, their original school may now be full.

- If your child is below statutory school age or has never been registered at a school in West Sussex and you intend to home educate them, you are asked to contact the EHE team on **0330 222 3300** or [ehes@westsussex.gov.uk](mailto:ehes@westsussex.gov.uk)
- If your child is on roll at a school, you must inform the school in writing that you intend to take responsibility for their education and are electing to home educate. The school can only legally remove their name from its roll once it has received written confirmation from you. They then have a legal duty to inform the EHE team.
- Parents should note that a child attending a special school may not be removed from the school roll without the prior agreement of the Special Educational Needs Team.

We recommend looking at the EHE section of the DfE's online Education Hub for further information – click [HERE](#) or scan the QR code with your phone camera



## **WHAT THE LAW SAYS**

### **Do children have to attend school?**

The simple answer is "NO". However, the Education Act 1996 states that parents do have legal duties regarding the education of their children.

### **What is the Duty of Parents?**

Under Section 7 of the Education Act 1996 it states:

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

- *Their age, ability and aptitude; and*
- *Any special educational needs they may have either by regular attendance at school or otherwise.*

Parents or carers who decide on Elective Home Education (EHE) must be prepared to take on fully the "duty to educate". This commits them to meeting the legal requirements, as laid down by the Education Act 1996.

Parents or carers should be able to demonstrate that the education their child is receiving meets the requirements of "efficient and suitable" and that the child is developing according to their age, ability and aptitude, and any special education needs they may have.

### **What is the duty of the County Council?**

West Sussex County Council (WSCC) has a legal duty to ensure all children in West Sussex are receiving a suitable, efficient and full-time education.

We are committed to working with home educating parents in a spirit of partnership and cooperation so that together we can effectively meet our respective duties.

To ensure an appropriate balance between the rights of parents and the responsibilities of the Council, we will always endeavour to build open, fair, consistent and non-intrusive relationships with home educating parents.

## **THE ELECTIVE HOME EDUCATION TEAM**

### **The EHE team has three core roles:**

- They must ensure children who are EHE are receiving the education they are entitled to;
- They offer advice and guidance to parents on how to EHE effectively to meet the educational needs of the child;
- They can signpost families to other appropriate teams for support and guidance if necessary.

### **Working with the Elective Home Education team**

The EHE team recognises that home educating parents are under no legal duty to respond to enquiries about the educational provision in place at home.

However, doing so enables us to be assured that all children in West Sussex are receiving the education they are entitled to, and the education being provided is suitable.

### **Where we are not assured that a suitable education is being provided, we have a duty to make further enquiries.**

The following is taken from the government document 'Elective home education: Departmental guidance for parents', which is available online and can be found [HERE](#):



*'...you are under no legal obligation from education law to produce specific evidence but you should consider carefully the reasons for not doing so, what is in the best interests of your child, and what is the most sensible approach. If you do not do enough to satisfy the local authority about the education being provided at home it may have no option but to conclude that the education does not meet the s.7 requirement...'*

### **Types of contact from the EHE team**

#### **Initial contact**

- When a young person becomes EHE, the parents/carers will be contacted by the EHE team. They will offer either a home visit, a phone call discussion, or request that a Parent Self-Completion Form (PSC) be completed and returned to us.
- The aim of this contact is to gather information about your child as an individual, your reasons and motivation for choosing EHE, and an outline of the education and learning experiences you are planning to provide.
- The information gathered is reviewed by an Advisory Teacher. If you have requested advice or guidance, an Advisory Teacher will contact you.

### **How the EHE team will work with you to review the education provision**

EHE reviews occur on a regular basis. They enable us to be assured that a suitable education continues to be provided.

The EHE team will offer parents a home visit, phone call, or to complete a PSC at these reviews. If you do not wish to meet with a member of the EHE team in your home, a mutually acceptable location can be arranged.

The aim of the contact is to gather information on how the home education is going, celebrate successes, and offer the opportunity to request any advice and guidance from the Advisory Teachers.

The EHE team can also put you in touch with a multitude of children and family support services.

After each home visit or phone call, the team member will provide a written report reflecting the discussion and provide advice and guidance if needed.

### **The role of the Advisory Teachers**

- To review information gathered about the home education to determine whether it is a suitable, efficient, full-time education
- To offer further contact and support to families.
- To determine when an EHE review should take place
- To offer support and advice on learning content, teaching aids and materials, educational and local resources, as well as how to evidence your child's learning and progress
- If requested, they can also write a confirmation of EHE letter that families can use to access local amenities or secure discounts on resources

The Advisory Teachers may request home visits. Sometimes this will be because of concerns about the education being provided. The subsequent written report will provide a full explanation of these concerns and will offer advice and support to help improve the situation. A suitable period of time will be given for the improvements to be made.

On occasions, the Advisory Teacher may request further information from families. This request will be to gain a better understanding of the educational journey and the progress your child is making. These clarifications will help the Advisory teacher to be assured the educational approach taking place is effective.

If the Advisory Teacher continues to feel the educational provision is a concern, they will discuss with you the alternative options available.

If the Advisory Teacher cannot be assured the education provision is effective, they will pass the case onto the Children Missing Education (CME) team.

The CME team will work with you to start the process of your child going on roll of a school.

As a last resort, the CME team would consider instigating a School Attendance Order requiring your child to attend a named school.

## **What can you do if you are dissatisfied with West Sussex County Council's assessment of your educational provision?**

- Firstly, you should discuss your concerns with an Advisory Teacher.
- Should you remain dissatisfied, you may contact the manager of the Elective Home Education team, Kay Jones – [kay.jones@westsussex.gov.uk](mailto:kay.jones@westsussex.gov.uk)

## **EDUCATIONAL PROVISION**

### **What is a suitable, efficient, full-time education?**

The terms "suitable", "efficient" and "full-time" are not defined in the legislation but case law in the Courts have indicated that education is deemed to be:

- "Efficient" if it achieves what it sets out to achieve;
- "Suitable" if it "equips a child for life within the community of which he is a member, rather than the way of life of the country as a whole, so 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."
- In terms of EHE, 'full-time' education should occupy a significant proportion of a child's life to meet the s.7 requirement. The EHE team is aware that children who attend school do so for between 22 and 25 hours a week, for 38 weeks a year. This is a good measure, though we acknowledge the nature of some EHE activities may affect this.

Children must continue to receive a suitable education until the last Friday in June, in the academic year in which they reach the age of 16.

### **What does and does not need to be included in the education provision?**

Children educated at home are not required to follow the National Curriculum but should receive an effective, balanced education appropriate to their individual needs and aspirations.

It is important for your child to develop a wide range of knowledge, understanding and skills: developing numeracy and literacy skills, having opportunities for physical exercise, and social interaction with others. It is key that your children have access to appropriate resources to help them to learn.

Below are some general observations, ideas, and approaches which home educating parents may wish to consider:

- An effective education ensures that a child acquires attitudes, skills and knowledge to prepare them for the challenges and demands of a rapidly changing world;
- A broad education introduces a child to a range of material that will stimulate them and help develop an open rather than closed mind;
- A balanced education ensures no single subject area takes up so much time that there is insufficient room for others or for the creative use of leisure.

## **Approaches to Home Education**

The EHE team recognises there are many diverse and varied, but equally valid, approaches to home education. We also recognise that children learn in different ways and at different rates.

Home education can reflect a wide range of approaches and philosophies, from formal, more structured time-tabled provisions to more informal, child-led approaches.

The EHE team aims to understand and respect home educating parents' individual educational preferences and philosophies and promote mutual understanding and trust.

## **SAFEGUARDING**

### **The welfare and protection of all children are of paramount concern and the responsibility of the whole community.**

As with children educated in schools, child welfare issues may arise in relation to home educated children. If any child welfare concerns come to light, these concerns will immediately be referred to the appropriate agencies.

Local authorities have a duty under Section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children. This section states:

*"A local education authority shall make arrangements for ensuring that the functions conferred upon them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children."*

Parents may choose to use other people or settings, such as private tutors or learning providers to educate their child for part of their learning. However, parents will continue to be responsible for the education.

Parents are also responsible for ensuring that those adults involved in the education of their child are suitable to have access to children. Parents are therefore encouraged to take up appropriate references or undertake Disclosure and Barring Service (DBS) checks.

## **OTHER CONSIDERATIONS**

### **Children with an Education, Health and Care Plan (EHCP)**

Parents' right to educate their child at home applies equally where a child has special educational needs (SEN). Some children with special educational needs have Education, Health and Care Plans (EHCPs) but others do not.

If your child has an EHCP and is home educated, it remains the duty of WSCC to ensure that the child's educational needs are met. We would encourage parents to continue to engage with the SENAT team and participate in Annual Reviews of the plan. The EHE team will contribute to this process.

If your child is on roll at a Special School and you wish to home educate, you will need to consult with SENAT before a final decision is made. This allows WSCC to ensure that you will be making suitable provision for your child's SEN.

If you make a request to withdraw your child from a Special School, the SENAT team will write to you to explain the legal responsibilities of the Local Authority and outline the process to be followed.

A Special Educational Needs Officer (SNO) and an Advisory Teacher from the EHE team will meet with you to discuss the plans you have for the educational provision of your child and to ensure all the right people are involved in supporting the child. They will also help you prepare for an Annual Review where the suitability of EHE will be discussed.

The Annual Review offers an opportunity to talk about the plans you have for the home learning and to hear from other professionals involved. These discussions will allow the SEN panel to make the decision about the suitability of the provision and to decide whether the plan can be amended to show EHE as the child's provision.

There are parent advisors available through **SENDIAS** (Special Educational Needs and Disabilities Information and Advice Service) whom you may wish to contact for advice and guidance. Their helpline number is: **0330 222 8555**.

### **Education for children who cannot attend school because of health needs**

If you have made the decision to Electively Home Educate your child due to the impact of ongoing medical needs on school attendance. You may wish to consult with the Fair Access team to discuss whether alternative provision would be appropriate.

Information on the Fair Access Team can be found [HERE](#)



### **Work Experience, Child Employment & Children in Entertainment**

If you choose to seek a work experience placement for your child, it is important that you ensure they are covered by insurance and that the placement is suitable.

Regulations regarding Child Employment apply to all children of compulsory school age whether they attend a school or are home educated.

Children may not work (paid or unpaid) until they attain the age of 13 years. There are restrictions on the nature of the work and the hours that can be worked dependent on age. Children cannot work during normal school hours.

Before a child can commence any form of employment, they must be in possession of a Work Permit. An explanatory leaflet and an application form for a Work Permit may be obtained by contacting the Child Employment Team on the details below.

Regulations regarding children in entertainment apply to all children of compulsory school age whether they attend a school or are home educated.

An Entertainment Licence is required if a child is engaged in a theatre performance, in a film or television production, in modelling or sport, or if the engagement is during normal school hours. Occasionally children can be exempt from licensing - please seek clarification from the Child Employment Team:

Phone: **0330 222 8384**

Email: [Childemployment.entertainmentteam@westsussex.gov.uk](mailto:Childemployment.entertainmentteam@westsussex.gov.uk)

Contact the EHE team on: [Ehe@westsussex.gov.uk](mailto:Ehe@westsussex.gov.uk) 0330 222 3300

## **AND FINALLY**

### **DO**

- Think carefully when making your decision
- Consider financial implications: learning and teaching materials can be costly, especially with the increasing use of technology and the expenses involved for educational visits and recreational activities.
- Remember that learning is a long-term process and will require a heavy commitment if it is to be done effectively.
- Consider discussing your options with an Advisory Teacher before making a decision.
- Consider how you will ensure your child has the opportunity to develop effective social skills and friendship groups.

### **DON'T**

- Withdraw your child because of a disagreement with a school. Always discuss a problem with the Headteacher.
- Withdraw your child over issues such as poor attendance, lateness, or suspected bullying, which may be resolved through discussion.
- Underestimate the time, energy and financial implications required to educate your child.

We would encourage you to have a discussion with the EHE team before you make the final decision.

Telephone: **0330 222 3300**  
Email: [ehe@westsussex.gov.uk](mailto:ehe@westsussex.gov.uk)

If you intend to go ahead with Elective Home Education, we wish you well. Remember the Elective Home Education Team is here to help you.