

The Legal Stuff

Section 7 of the Education Act 1996 states:

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**

Child of compulsory school age means from the beginning of the school term after his/her fifth birthday, until the last Friday in June in the academic year he/she turns 16.

Note: the introduction of 'Raising Participation Age' (RPA) means that young people born after 31/08/97 must continue in education or training until their 18th birthday.

Parent means anyone who has parental responsibility and anyone who has the actual day to day care of the child. If there is a Care Order, an Education Supervision Order or if the Child is a Ward of Court, special rules apply and you should ask for particular advice.

An "efficient" and "suitable" education is not defined in the Education Act 1996 but "efficient" has been broadly 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 foreclose the child's options in later years to adopt some other form of life if he wishes to do so".

Does my child have to go to school?

No. Education is compulsory, school is not. The Local Authority recognises that there are many approaches to educational provision. What is suitable for one child may not be for another, but all children should be involved in a learning process.

Children Missing Education

If at any stage the EHE advisers are unable to confirm that your child is being home educated then they will complete a Child Missing Education referral. This will instigate a linking with other relevant professionals to trace the family, to find out whether education arrangements are in place and if not, support a return to full time education.

CONTACT DETAILS

EHE@bcpcouncil.gov.uk

Admissions Team: 01202 456200

Further information available at:

www.bcp.gov.uk

If you have any concerns or would like any advice regarding any area of your child/rens wellbeing outside of their education please contact Children First on 01202 458101



ELECTIVE HOME EDUCATION

Information leaflet for parents and carers



Choosing to home educate your child can be a very exciting and rewarding experience for you and your child.

Whilst this is a huge commitment to make, you are not alone and there is a range of advice and support available to you from a variety of organisations.

Before you decide if this is the right course of action for you, we recommend you take a look at the information provided by the following websites:

www.edyourself.org

www.heas.org.uk

www.education-otherwise.org

www.ahomeeducation.co.uk

Also have a look at the information for home educating parents on our website:

www.bcp.gov.uk

Parent/Carer Role & Responsibilities

It may be useful to talk to local or national Elective Home Education organisations prior to proceeding.

In choosing to home educate you are taking responsibility for providing a programme of learning that is suitable to the age and ability of your child. You may choose to share this responsibility with others but ultimately **the responsibility for a child's education rests with his or her parents.**

Before you commit to home education there are some aspects that need to be thought about carefully. These include:

Costs

Parents who choose to educate their child at home must be prepared to assume full financial responsibility, including the costs of any public examinations.

Choosing the right approach to home education

The Local Authority (LA) recognises that there are many different styles of teaching and learning and does not endorse any particular method. You do not have to follow The National Curriculum as this only applies in maintained schools.

You need no formal qualifications to home educate your child. Do not worry if you are not an "educational expert", you are an expert concerning your child and that is the first step.

Exams & Qualifications

Should you decide to enter your child for GCSE examinations, you will be responsible for finding an exam centre, contacting the relevant examination boards, booking and paying for your child's exams.

If you intend for your child to enter for any exams, it may be useful to be aware of the National Curriculum for that subject.

www.education.gov.uk/schools/teachingandlearning/curriculum/nationalcurriculum2014

It is also important to know the syllabus for the exam board for each subject/ exam that you wish your child to take. Not all centres will use the same examination board. It might also differ for each subject. Please contact your chosen exam test centre to explore this with them.

Do I have to tell the Local Authority that I'm home educating?

Where a child is enrolled at a school, the parent must inform the school in writing that they wish to withdraw their child for the purpose of home education and request their name be removed from the school roll.

Special Educational Needs -Parents' right to educate their child at home applies equally where a child has Special Educational Needs. This is irrespective of whether the child has a Statement of SEN/Education, Health & Care Plan (EHCP) or not.

Where a child has a statement/EHCP and is home educated, it remains the local authority's duty to ensure the child's needs are met. However, if your child is currently at a special school you will need the consent of the LA for them to be removed from the school roll.

If your child is not on a school roll you do not need to tell anyone you plan to home educate. However, if you do decide to home educate, the LA would find it very helpful if you gave some basic information about your child and your plans. We have devised a simple form for this. If you do not have one, please ring the Admissions Team on 01202 456200 for a copy.

Once we know about your intention to home educate your details will be passed to the EHE Team who will contact you.

Local Authority Role & Responsibilities

The Local Authority's responsibility is to the child. It has a duty to make sure that all children in the Borough are receiving a suitable education.

The LA does not have preconceptions about what that means or how it should be provided. Instead, it looks at each child individually, taking into account the circumstances, age, abilities, talents and skills to establish what education is taking place.

It is the parents who plan and provide their children's education. While Advisors may advise parents on books or equipment, the LA cannot provide resources of this kind.

We hope to establish a good working relationship with you, and will seek to establish regular annual contact, to ensure that the details we hold are accurate and up-to-date.

There are different ways in which a parent may choose to provide information, these could include meeting with an EHE Advisor (with or without the child being present), providing a parental report or samples of work.

Samples of work could include examples of writing, problem solving, experiments, educational visits, the books used, paintings or models made and/or a diary of what has been done, as this helps to see the progress your child is making over time.

After any meeting the EHE Adviser will write a Note of Meeting and send a copy to the parents. Parents are invited to make any comment or correction they wish which will then be added to the file.

If any doubts are expressed at any stage, further contact will be undertaken as appropriate.

What if the Local Authority has concerns?

Almost all the families that have chosen EHE educate their children successfully. Occasionally the LA has concerns about the level of provision. Where there are concerns we offer advice and give a time frame within which to address the concerns. In these rare cases, parents are informed in writing and requested to provide further information.

The LA wants to work co-operatively with parents who choose EHE. However, it does have a legal responsibility to act in what it believes to be the interest of the child.

If the LA has continued reason to believe that a suitable home education is not being provided it may issue a School Attendance Order (Education Act 1996, Section 437) requiring the child to become a pupil at a named school. Failure to comply with an Order would be an offence. Issuing School Attendance Orders is very rare indeed.

Government Guidelines state that "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".