



Elective Home Education

Information for parents and families in Bromley

www.bromley.gov.uk



May 2021

Dear parent/guardian

We recognise your primary responsibility for your children's education and respect your right to undertake the fulfilment of this responsibility yourselves. The main requirement is that your child has an *"efficient full-time education suitable to his age, ability, aptitude and to any special educational needs he may have..."* (Education Act 1996).

However, we also have a duty under Section 444 of the Education Act 1996 to ensure that parents are fulfilling their legal obligations and to intervene if we have reason to believe that they are failing to do so.

One of our Education Advisors will aim to make an offer to visit you within 8 to 10 weeks after your meeting with the Elective Home Education Officer. The Education Advisor will ask you for information on how you are intending to deliver your child's education and request examples of work undertaken. This will help us to ensure we fulfil our legal duty to your child or children. Parents also have the option to provide suitable information in written form or via a third party. Follow up visits will be offered on an agreed basis.

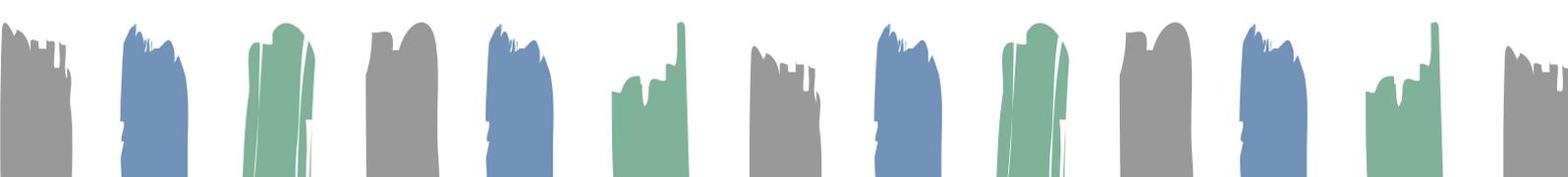
You are probably aware that you do not have to follow the National Curriculum. However, many parents feel that they would at least like to keep it in mind and, if your child is ever likely to return to the school system, it will be much easier for them to do so if they have some knowledge of what their contemporaries will have been studying.

If you have any further queries, please contact our Elective Home Education Advisor by e-mailing home.education@bromley.gov.uk.

We hope that you will find the information contained in this document helpful.

Jared Nehra

Director of Education



Elective Home Education

This document applies to those children whose parents have chosen to educate their children otherwise than at school - known as Elective Home Education, or EHE for short.

The document does not refer to children who have a home tutor provided by the Council as a result of their being unable to attend school because of illness, exclusion or any other reason. Our policy for these children is set out in *“Access to Education of Children and Young People with Medical Needs”* (April 2012).

This document outlines parents’ rights to educate their children at home and their responsibilities, the legal duties and responsibilities of Head Teachers and the Council.

It also outlines the arrangements that we will make in order to carry out our legal duty, such as, if it appears that a child of compulsory school age is not receiving education suitable to their age, ability, aptitude and special needs, to take steps in order to ensure that this is remedied.



1. What are my rights and responsibilities?

The law allows parents to educate their children at home instead of sending them to school, ensuring that their child receives an efficient full-time education.

The legal duty for parents is set out in Section 7 of the *Education Act 1996*:

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.**

The European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 2 of Protocol No 1 also supports this by stating:

“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”.

The implications of this section of the Education Act 1996 are clear:

- Parents have a right, if they choose to do so, to educate their children at home.
- Parents do not have to inform the Council that this is their choice. However, once the Council is aware of a child of compulsory school age residing within their geographical area Sections 434-437 of the Education Act 1996 (see above) applies.

2. How do I start?

If your child is below compulsory school age – you may just start and you don't have to tell anyone but we would be grateful if you would let us know. Our intention is to be supportive.

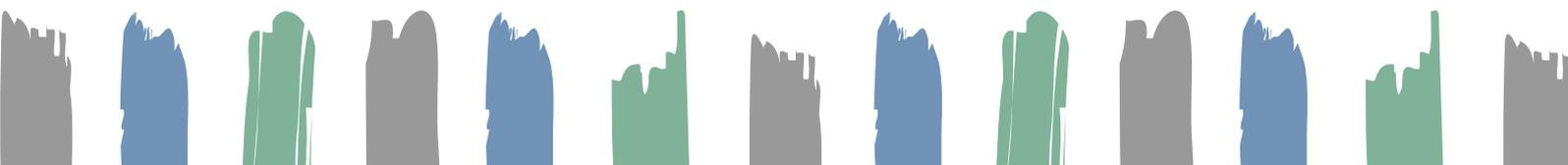
If your child is on the roll of the school – you must write to the head teacher of the school and inform him/her that you are withdrawing your child in order to educate him/her at home. A verbal message of intent is not sufficient or acceptable

Parents should not be coerced to declare EHE for any behavioural issues in school that could result in exclusion. Neither should parents declare EHE in order to settle a disagreement with anyone within the school community. Support is available via external agencies such as Education Welfare Service, Bromley Children's Project, and Inclusion Support Advisory Team.

The school will delete your child's name from the register and inform us of your decision. The school might not tell you when it has done this. Schools must make a return (giving the child's name, address and the ground upon which their name is to be deleted from the register) to us as soon as the ground for deletion is met and no later than deleting the pupil's name from the register. Someone from the Council will make contact with you to offer you information and advice.

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 the Council must seek to address the issues behind the absenteeism and use other remedies available to them.

If there are problems with school we would strongly encourage you to contact us before asking for your child to be taken off the school roll. If home education does not work out you may find a very restricted range of school options, particularly if your child is in the later stages of secondary education.



3. What will the Council do?

When we first become aware that parents have elected for home education, initial contact will be made and then opportunities are offered in order to discuss the provision that is being made and to offer any advice that may be appropriate.

Your child's name will be recorded in the 'elective home education' database and we will contact you to ask you for some information about the education you are providing.

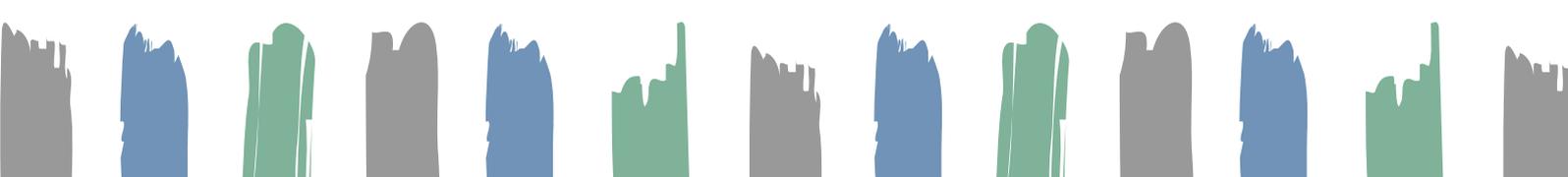
You can respond to a request for information about your child's education provision by writing to us or by meeting the Elective Home Education Advisor and talking things through. Many people find a home visit helpful, but parents may wish to meet at another venue within the Council.

Although we have no statutory duty to monitor the quality of home education on a routine basis, contact will be made with parents within a reasonable period to ask for up-to-date information, by the EHE Advisor (who is a qualified teacher), to confirm that the education provision continues to be suitable.

If it appears that a suitable education is not being provided, we will seek to gather further relevant information to help us to reach an informed judgement.

Parents will be given the opportunity to address any specific concerns that the Council have. The child will be given the opportunity to attend any meeting that may be arranged or invited to express his or her views in some other way.

If parents are unable or unwilling to provide suitable information, we will send a formal notice with a view to commencing a school attendance order.



4. What are my legal duties?

Section 7 of the 1996 Education Act 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.**

The courts have held that education is efficient if it achieves what it sets out to achieve and suitable if the education prepares the child for life in a modern civilised society as long as it does not foreclose other options in the future. The provision must include specific input in English and Maths.

In relation to what may be deemed a suitable education case law states:

Harrison & Harrison v Stevenson (1981) QB (DC) 729/81, Wrexham

“that any education that does not include instruction in Maths and English, if a child is capable of learning such things, cannot be considered suitable.”

5. What happens if my child has Special Educational Needs?

If your child has an Education, Health and Care (EHC) Plan and is attending a special school, then under the legislation, you must seek permission from us before your child's name is taken off the school roll.

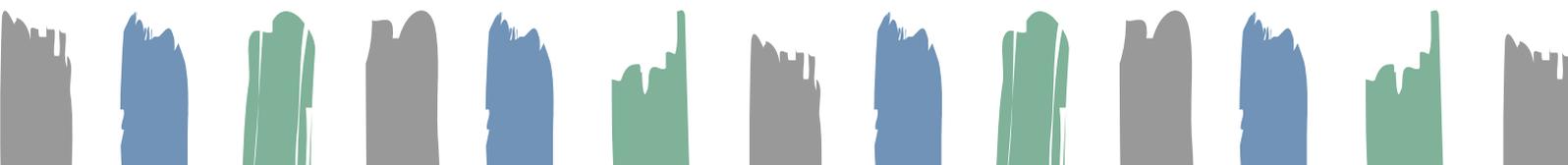
If your child has an Education, Health and Care (EHC) Plan and is attending a mainstream school, under the legislation you do not need permission from us to decide to Electively Home Educate, however in order to ensure that it is the right decision for you and your child, particularly as they have been identified as have additional needs that require an EHC Plan, we would like to support this decision by holding a multi-agency review meeting so that we can support you in your decision making.

Where the EHC Plan remains in place, we have a duty to review it annually and we will work with you to ensure that needs identified in the EHC Plan are being met.

Please see Appendix A, which provides an outline of the process for children and young people who have EHC Plans.

If your child is home educated but does not have an EHC Plan, and you believe he or she may have special needs, you can request an Education, Health and Care (EHC) needs assessment. A formal request should be made to us. You can find out further details at www.bromley.gov.uk/localoffer or by e-mailing senadmin@bromley.gov.uk.

The borough's Information, Advice and Support Service (IASS) will have more information and can provide further help and advice. You can contact IASS by e-mailing iass@bromley.gov.uk or calling 020 8461 7630.



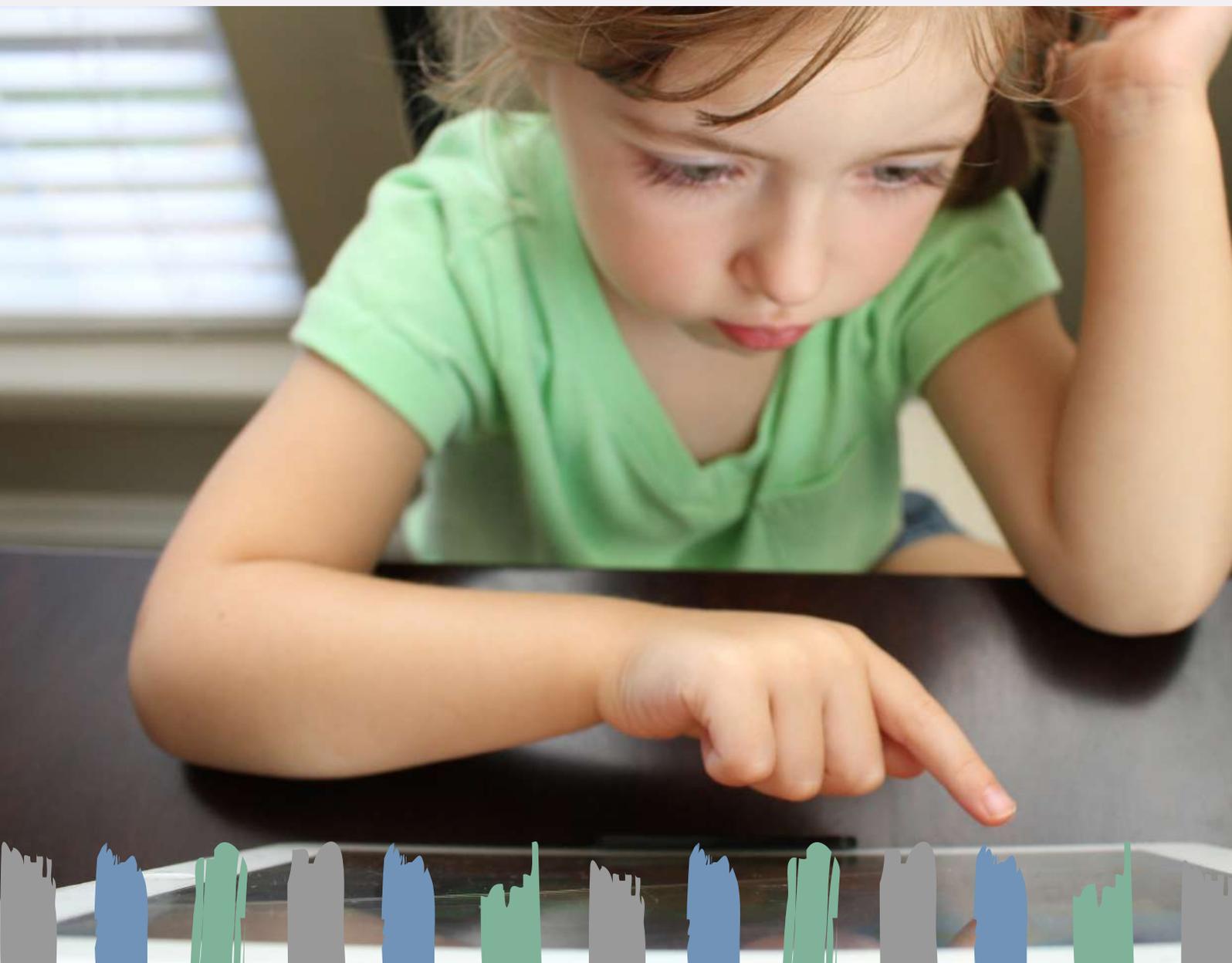
How do I make a complaint?

If you have a complaint about the procedure, policy or guidance, you should follow our complaints procedure.

To begin, please contact the Head of the Home and Hospital Tuition Service on 020 8308 9620 or by e-mailing home.education@bromley.gov.uk.

Alternatively, you can contact our Customer Engagement and Complaints Team:

- Visit www.bromley.gov.uk/complaints
- E-mail complaints@bromley.gov.uk
- Call 020 8461 7644



Useful contacts

Who?	Details
Bromley Education Welfare Service	London Borough of Bromley, Civic Centre, Stockwell Close, Bromley, BR1 3UH E-mail: Education.welfare@bromley.gov.uk Tel: 020 8464 3333
Education Otherwise	Web: www.educationotherwise.org E-mail: secretary@educationotherwise.org Tel: 08445 867542, 08445 867543, 08445 867544
Home Education Advisory Service	PO Box 98, Welwyn Garden City, Herts AL8 6AN Web: www.heas.org.uk E-mail: enquiries@heas.org.uk Tel: 01707 371854
ACE Education Advice & Training	72 Durnsford Road, London N11 2EJ Web: www.ace-ed.org.uk E-mail: enquiries@ace-ed.org.uk Tel: 0300 011 5142
The Office of Qualifications and Examinations Regulation (OFQUAL)	Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH Web: www.gov.uk/ofqual E-mail: public.enquiries@ofqual.gov.uk Tel: 0300 303 3344
The Dyslexia Association	Community House, South Street, Bromley, BR1 1RH Web: www.dyslexiawise.co.uk E-mail: info@dyslexiawise.co.uk Tel: 030 0999 1800
The Association for Children with Speech and Language Impairment (AFASIC)	209-211 City Road, London EC1V 1JN Web: www.afasic.org.uk Tel: 020 7490 9410
The National Autistic Society	393 City Road, London, EC1V 1NG Web: www.autism.org.uk E-mail: nas@nas.org.uk Tel: 0808 800 4104
Potential Plus	Challenge House, Sherwood Drive, Bletchley, Milton Keynes MK3 6DP Web: www.potentialplusuk.org E-mail: amazingchildren@potentialplusuk.org Tel: 01908 646 433
The Gifted Children's Information Centre	'Hampton Grange', 21 Hampton Lane, Solihull, West Midlands B91 2QJ Web: www.gcic.co.uk Tel: 01217 054 547

Useful links and websites

There are many websites that provide information for anyone considering EHE – some links to such sites are provided below:

- Department for Education: www.gov.uk/dfes
- Ed Yourself: www.edyourself.org
- Education Otherwise: www.education-otherwise.net
- Home Schooling: www.home-schooling-uk.com
- Ahome: www.ahomeeducation.co.uk
- Home education advisory service: www.heas.org.uk
- Home education in the UK – special educational needs: www.he-special.org.uk
- IASS (Information, Advice and Support Service): www.bromley.gov.uk/iass



Online educational courses

Oxford Homeschooling

enquiries@ool.co.uk
0800 0111 024

Open Study College

info@openstudycollege.com
0330 0563 100

Wolsey Hall Oxford Homeschooling College

0800 6226 599

Ed Place

help@edplace.com
0207 1839 818

My Online Schooling

info@myonlineschooling.co.uk
0800 0314 340

Interhigh

enquiries@interhigh.co.uk
0187 3813 900

ICS Learn

courseadvisors@icslearn.co.uk
0333 4552 034

Cambridge Home School

enquiries@chsonline.org.uk
0800 6120 439

Net School

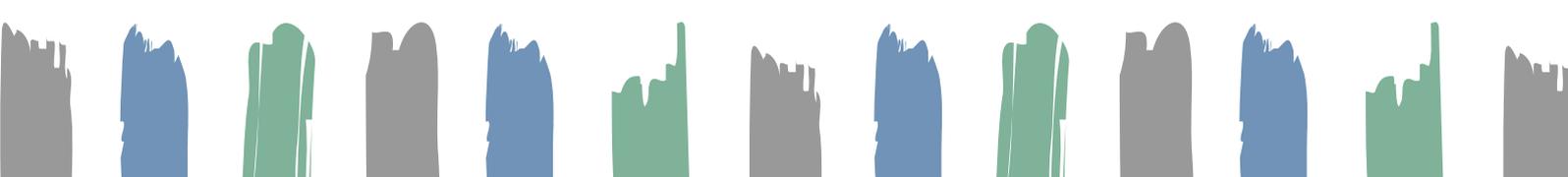
office@net-school.co.uk
0800 6890 335

Online Learning College

info@ol-college.com
0800 7720 887

Cloud Learn

info@cloudlearn.co.uk
0330 1114 006



Additional information

Careers information:

A range of careers information is available from www.gov.uk/browse/education

Health services:

There is a dedicated School Nurse Service for students who are not accessing mainstream education and may have additional health concerns.

Referrals to this service are consent based and will be made by the Home Education Officer or Education Advisor, following a discussion with the parent and or child.

On some occasions it is necessary for the health service to communicate with parents of all children residing within Bromley (for instance when there is a need to carry out a mass vaccination programme) and it is common practice for this communication to go via schools. In order to ensure that parents/carers of home educated children receive any important information concerning school age children, the health service may request contact information. If a parent/carer has an objection to this information being made available to the health service, they should advise the Education Welfare Service in writing.

Registering your child for Examinations

There are numerous Examination Boards. If you decide that you want to enter your child(ren) for any external examinations, you will need to write to the Examination Boards of your choice and ask for their syllabus, preferably at least two years before the date you intend to take the exam.

"Parents who chose to educate their children at home must be prepared to assume full financial responsibility, including bearing the cost of any public exams".

Frequently asked questions

Does my child have to go to school?

The 1996 Education Act states that *'it is the duty of parents to secure an appropriate full time education for their children of compulsory school age'*.

Most parents carry out this duty by ensuring their child attends school.

However, for a variety of reasons, some parents decide to take on the duty to educate their child/children themselves, that is to 'educate at home'.

What are the parents'/carers' responsibilities?

Under section 7 of the 1996 Act, parents of every child of compulsory school age:

'shall cause the child to receive efficient full-time education suitable to his/her age, ability and aptitude and to any special educational needs he/she may have either by regular attendance at school or 'otherwise''

What is compulsory school age?

The law requires a child to be educated from the start of the school term following their fifth birthday until the last Friday in June in the school year in which a child reaches sixteen. The participation age was raised in 2013 and 2015 and home education is a legal option post-16 just as it is for under-16s.

Who do I inform if I decide to educate my child at home?

You must tell the school, in writing, to take your child's name off the school roll because you are providing education otherwise than at school.

Why are the local authority involved?

The local authority has a duty to take action if it appears a child is not receiving education either by regular attendance at school or otherwise. Therefore if your child is not on a school roll, the local authority will ask you for some information about your educational provision.

Do I have to fit in with school terms and times?

No, as parents you decide how, where and when you facilitate a suitable education.

What if the local authority is not satisfied with the education I am providing?

The local authority would always seek to discuss any concerns with you before taking further action. Parents will be given the opportunity to address any specific concerns that the authority has. If concerns remain the local authority will send you a formal notice of a School Attendance Order requiring you to send your child to school. Once the School Attendance Order is issued it can only be revoked (cancelled) if you present evidence to the local authority that you are now providing a suitable education.

What if I decide to educate at home and then change my mind?

You can seek a place in a school at any time and let the local authority know of your Intention via an in year application form. Should no spaces be available at your preferred school, you will be directed back to your school from which you declared EHE. You may find a very restricted range of school options, particularly if your child is in the later stages of secondary education. If you decide to return your child to school, please contact School Admissions on 020 8464 3333

What will happen if we decide to move or the home situation changes?

We would expect to be notified of any move(s).

What should I do if my child has special educational needs?

Children with SEN may be educated at home, whether or not they have a ECHP. If your child has an EHCP and is attending a mainstream school you do not need permission from the local authority but if your child is attending a 'special school' – you must seek permission from the local authority before your child's name is taken off the school roll.

What else should I consider before taking the step to home educate?

That your decision to home educate has not been as a result of pressure from school staff. You have a clear understanding of your child's pathway in life and what they need in terms of education to achieve this.



APPENDIX A

Children and Young People with Education, Health and Care (EHC) Plans living in Bromley whose parent/carers have requested to Electively Home Educate (EHE)

Elective Home Education (EHE) is when a parent chooses not to send their child to school but assumes responsibility for making sure their child receives a full-time education at home. Some children are electively home educated from age 5 and may never attend school. In other cases, a child may be removed from a school roll following a decision to EHE.

It should be noted that EHE is different from children being educated 'otherwise' than in an education setting (Education other than at School (EOTAS)). For example, children who receive the majority of their education at home, but where education is provided by the LA or another provider

Educating children at home can work well when it is a positive choice and carried out with proper regard for the needs of the child. In many cases, EHE is appropriate, well-delivered and involves considerable commitment on the part of the parent/s. If a parent thinks that EHE might be in the best interest for their child with an EHC Plan, it is strongly recommended that they contact their EHCP Coordinator to organise a multiagency meeting before making the final decision to withdraw their child from the school roll.

Schools are not required to provide any support to CYP where parents that have withdrawn their child for EHE.

If a child has an EHC Plan, choosing to EHE means that the LA no longer has a legal duty to secure any special educational provision which is specified in Section F of the EHC Plan. In this situation, parents are deemed to be making their own suitable alternative arrangements for the education of their child. In some rare cases the Local Authority may agree that home education is the only appropriate place for a CYP to be educated. In this instance the LA would fund the provision to meet the special educational needs of home educated children. In most cases where parents have chosen to electively home educate the LA would name a type of school in Section I of the EHC Plan and parents would be responsible for any funding that would be deemed necessary to educate their child.

Where a pupil is withdrawn from school for EHE, there is no obligation for the school to keep that place open for the child. If the parent wishes to return their child to school, it is possible that they may not be able to return to the same school.

Children with an EHC Plan in Mainstream School

If a parent feels that EHE is the right course, the first step is for them to write to the school and explain that they intend to make arrangements for their child's education at home. At the same time, they should write to their child's EHCP Coordinator at the LA and ask them to amend Section I of the EHC plan in order to record that the child is being educated at home although the type of school should still appear.

Although parents do not need the permission of the school or the LA if the child attends a mainstream school, it is strongly recommended that a multiagency meeting is held before any decisions are made.

Children with an EHC Plan in a Special School

If the child currently attends a special school, parents will need to notify the LA and obtain agreement to take the child off the school roll (please email education.welfare@bromley.gov.uk). If the child is at any other type of school, parents do not need the permission of the school or the LA. However, it is strongly recommended that a multiagency meeting is held before any decisions are made. If parents are considering Electively Home Educating their child they should contact their EHCP Coordinator in the first instance.

Further guidance

SEN Code of Practice: Chapter 10

www.gov.uk/government/publications/send-code-of-practice-0-to-25

Guidance for local authorities and schools about children educated at home

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

Process for requesting EHE for Children and Young People with an EHC Plan

(please refer to Appendix 2 for key terminology)

1. Prior to EHE Request

- If a parent is thinking about Electively Home Educating their child, they should contact their EHCP Co-ordinator in the first instance
- Where appropriate, their EHCP Co-ordinator will arrange an interim multiagency meeting where parents, current education setting, social worker (if relevant) and other services detailed on the EHC Plan are invited to attend
- They can also contact the IASS service so they can gain as much support and information as possible to help with their decision making

2. Request for EHE into the Local Authority

- Parents MUST notify the child's school of their intention to 'off roll' – the school MUST then complete an 'intention to off roll' form on the Bromley.gov website
- Parents should ALSO write to their child's EHCP Coordinator at the Local Authority and ask them to 'amend Section I of the EHC plan in order to record that the child is being educated at home although the type of school should still appear'
- NB If the child or young person attends a special school, parents will need to obtain agreement from the Local Authority to take the child off the school roll

3. Contact from the Local Authority

- Once the request has been received by the Local Authority, a letter will be sent to the parent acknowledging receipt of request and confirming next steps
- A representative from the Education Welfare Service will organise a visit to the parent to ensure the family understand what is involved and explain those next steps
- At this meeting, details of the 0-19 health service are shared (This will be followed up by written letter from the nursing team including contact details and a health questionnaire)
- If a Multiagency Meeting hasn't already taken place, the EHC Co-ordinator will make contact to put one in place
- Where relevant the EHCP Co-ordinator will seek the views of the CYP

4. Communication to services following receipt of intention to EHE (specialist settings)

- The EHCP Coordinator will notify all services including the current education setting named on the plan that there has been a request for EHE.
- Services will be asked to provide their last report for the CYP and raise any concerns they may have regarding the child or young person being electively home educated within 15 days of receipt of email

5. Local Authority makes a decision whether to agree with request for EHE (specialist settings)

- Once all information has been returned, the request will be considered at the Local Authority's Multi-Agency Statutory Assessment Panel for a decision
- For Specialist Setting, if agreement is not given, a letter will be sent to the parent allowing 15 days to present further evidence.

6. Updating of the Plan

- The Amended draft EHC Plan will be updated to include wording in section F (see Appendix 1) and Section I '(name the type of school) that would be suitable but parents have made their own arrangements to EHE under Section 7 of the Education Act 1996'
- The Amended draft will be sent to the parent and other relevant services including the current education setting with any response required within 15 days
- The Amended final EHC Plan will be issued by the Local Authority to parents and other relevant services including the current education setting
- The Case is then allocated to the specific Local Authority EHE EHCP Coordinator

7. Annual Review

- The EHE EHCP Coordinator is responsible for arranging the Annual Review inviting parents and any relevant services to provide an update
- At each Annual Review, the EHE EHCP Coordinator will discuss future plans and explain the process for returning back to a setting should this option be explored
- If a Personal Budget in place, it should be checked that it is appropriate and the rate to be paid for the forthcoming year

8. Request to return to School Placement

- Ideally requests to return to a school placement are raised at an annual review - If not, the EHE EHCP Coordinator will consider whether an interim review is required.
- If the CYP has been out of school for more than 2 years it is best practice to carry out a re-assessment of EHC Needs including EP assessment (in line with the Needs assessment process, assessments can take up to 20 weeks)
- If a personal budget is in place, consideration will need to take place to confirm if this will continue
- Consultation with school takes place
- Amended draft to be sent to parent and relevant services
- Amended final to be sent out to parent and relevant services
- The case is then allocated to the relevant EHCP Coordinator

APPENDIX B

Key terminology

EHE - Elective Home Education

Elective Home Education (EHE) is when a parent chooses not to send their child to school but assumes responsibility for making sure their child receives a full-time education other than at school.

EHC Plan - Education, Health & Care Plan

An Education, Health and Care (EHC) Plan is for children and young people aged up to 25 who need more support than is available through special educational needs support. EHC plans identify educational, health and social needs and set out the additional support to meet those needs

CYP

Children and Young People

LA

Local Authority

MASAP - Multi-agency Statutory Assessment Panel

A weekly multiagency panel with the main purpose of making statutory decisions in relation to the EHC Plan process

EHCP Coordinator

A professional that manages the statutory assessment process for an identified caseload of children and young people who have SEND.

EHE EHCP Coordinator

As above but with specific responsibility for the cohort of CYP that are educated at home

EWS - Education Welfare Service

The service is appointed by the Council to carry out its duties relating to school attendance and to safeguard the young people of Bromley.

MASAP - Multiagency Meeting

A meeting to ensure that parents understand the impact of EHE. As an EHC Plan is about education, health and social care it is beneficial to invite all services that are working with the CYP.

Services

Refers to any service (Education, health and/or social care) where the CYP is known

Section F of an EHC Plan

Section F of an EHC Plan should contain special educational provision to meet all of the needs specified in Section B of the EHC Plan. ... Special educational provision is anything that 'educates or trains' a child or young person

Section G of an EHC Plan

Section G of an EHC Plan should contain any health care provision reasonably required by the learning difficulties or disabilities which result in the child or young person having SEN

Section I of an EHC Plan

Section I of an EHC Plan should contain the name of the school or other institution to be attended by the child or young person, and the type of that institution (or just the type if no specific institution is named).

IASS

The Information, Advice and Support Service (IASS) offers free, impartial information, advice and support in confidence for:

- Children and young people with special educational needs or disabilities age 0 to 25.
- Parents and carers of children and young people with special educational needs and disabilities (SEND).
- Children and young people with SEND around transitions from pre-school to primary school and onto secondary school

Email: iass@bromley.gov.uk

Tel: 020 8461 7630

Off Roll a Child or young person

To remove a child's name from the school register or roll

Complex Needs Team

The complex needs team provide specialist teacher advice and support for children and young people (CYP) 4-25 years of age with an education, health and care plan (EHCP) in a mainstream school and the specialist sector. The service works in direct partnership with schools, families and multi-agency partners to ensure that CYP are making progress towards long term outcomes so that they are able to take the fullest possible role in adult life.

The complex needs team accept direct referrals from mainstream and specialist schools and alternative provisions to support children with an EHCP isatandcnt@bromley.gov.uk

Personal Budget

Request for a personal budget including direct payments (Children and Families Act):

4.—(1) A child's parent or a young person may make a request to a local authority for a personal budget, including a request for direct payments, at any time during the period in which—

(a) the draft EHC plan is being prepared in accordance with section 38 of the 2014 Act; or
(b) the EHC plan is being reviewed or re-assessed under section 44 of the 2014 Act.

(2) Where a request for direct payments has been made, a local authority must consider that request.



Produced by:

Education

LONDON BOROUGH OF BROMLEY

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Bromley BR1 3UH

