



Elective Home Education

Information for parents
and families in Bromley



Dear Parent(s)/Carer(s)

Bromley Council is supportive and respectful of parents who choose to educate their child at home. Ultimately the Council's intent is to help every child reach their full potential and is committed to providing a supportive and reasonable approach to our statutory duties in this area.

Parents have a right to educate their children at home. Section 7 of the Education Act 1996 provides 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."

The Council has a statutory duty, under section 436A of the Education Act 1996 to make arrangements to establish (so far as it is possible) the identities of children in their area who are not receiving a suitable education. This duty applies to all children of compulsory school age who are not on a school roll and do not appear to be receiving a suitable education.

It is appropriate that parents and children choose a type of education that is right for them. Access to Education Officers understand that there are many differing approaches or "ways of educating" which are feasible and legally valid. The role of the local authority is to respond where there are concerns that a child is not receiving a suitable education for his or her age, ability, and aptitude and, where appropriate, to provide support and information for parents. It is not the role of the local authority to tell parents how to educate their children; it can, however, offer guidance and support as required.

The Elective Home Education Co-Ordinator will normally be the first point of contact after the council has been made aware by the school that you have chosen to electively home educate. Guidance will be shared with you, and an Access to Education Officer will be allocated along with the offer of a home visit.

The local authority has no legal power or duty to monitor home education on a routine basis, however Government guidance suggests contact should take place at least annually. Officers will make more frequent enquiries if it is not clear that a child is receiving a suitable education. The local authority sees its role in relation to home education as part of its wider responsibilities, including safeguarding all the children in its area.

Parents are not obliged to accept a visit from the local authority; however, they are encouraged to do so, and a meeting can be held at a mutually convenient time and place if the family prefer not to hold the visit in their home. Access to Education Officers at Bromley Council always prefer to meet the families they work with in order to fully understand the aims of the educational provision for each child. A further statutory duty exists, which requires the council to serve a formal notice under section 437 of the Education Act 1996, if it appears that a child of compulsory school age is not receiving a suitable education. The formal notice requires the parent to satisfy the local authority that the child is in fact receiving a suitable education. If the local authority is not satisfied that the child is receiving a suitable education, it has the power to commence the statutory process for the issue of a School Attendance Order ('SAO') requiring the parent to register the child at a named school.

Although parents do not have to follow the National Curriculum when electively home educating, many parents feel that they would at least like to keep it in mind. 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 Team 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**

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Elective Home Education

This document applies to those children whose parent(s)/carer(s) 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 education provided by the Council as a result of their being unable to attend school because of illness, permanent exclusion or any other reason. This document outlines parents' rights to educate their children at home. It sets out the legal duties and responsibilities of Parents, Head Teachers and the Local Authority. 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, suitable 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 local authority that this is their choice. However, once the local authority 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 – there is no duty to engage them in education, but most families will already have begun introducing educational themes into their children's lives. You do not have to tell anyone about this, but we would be grateful if you would let us know. Our intention is always to be supportive, and officers can often signpost families to where they can access free learning materials.



If your child is already on the roll of a school when you make this choice, then you must write to the head teacher of the school and inform him/her that you are withdrawing your child in order to electively educate him/her at home. A verbal message of intent is not sufficient or acceptable.

Additional Notes for parents:

- a)** EHE registrations will not be processed for Year 6 Children in term 6 of the academic year. These children will be recorded as Child Missing Education (CME) until it is confirmed they have taken up the place offered at Secondary school in September; unless the parent has confirmed they will be home educating in Year 7 and have formally declined the Secondary school place, allowing the school to offer the place to those on the waiting list.
- b)** EHE registrations will not be processed for Year 11 Children from the end of term 5. These pupils will be recorded as NEET (Not in Education, Employment or Training,) and contact details will be shared with Targeted Youth colleagues. They cease being statutory school age on the 4th Friday in June of Year 11.

c) EHE registrations will not be processed for children who have returned to school following a School Attendance Order, and/or where they were returned to school through the Local Authority. These children will be recorded as CME, unless there is evidence of a substantive change in circumstances.

Schools must not seek to persuade parents to electively home educate as a way of avoiding exclusion or due to poor attendance. In the case of exclusion, schools must follow the statutory guidance. If the pupil has poor attendance, the school and the Council must seek to address the issues behind absenteeism and use other remedies available to them. Support is available via other agencies such as Education Welfare Service, Bromley Children's Project, and Inclusion Support Advisory Team.



Education Welfare Service



Bromley Children Project



SEND Inclusion Support Advisory Team (ISAT)

We welcome informal enquires via home.education@bromley.gov.uk before asking for your child to be taken off the school roll. We are happy to explain your next steps if elective home education is not successful or if you wish for

your child to return to school. Please note once you remove your child from a school roll, school places are limited, particularly if your child is in the later stages of secondary education. You are not guaranteed your first alternative choice of a school placement and your child may be redirected back to your previous school. Equally parent(s)/carer(s) will be expected to continue to provide education to their child/ren until a new school placement has been offered.

When choosing to home educate it is important to be mindful that children can miss out on school led health initiatives like vaccinations which usually take place in school. Make sure that this is something you raise with your GP if you are concerned. It is also possible for your allocated Access to Education Officer to provide contact details for Health colleagues who can explain how they may be able to assist as part of their usual designated school nurse duties.



3. What will Bromley Council do?

If your child is below compulsory school age – there is no duty to engage them in education, but most families will already have begun introducing educational themes into their children's lives. You do not have to tell anyone about this, but we would be grateful if you would let us know. Our intention is always to be supportive, and officers can often signpost families to where they can access free learning materials.

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 provided and to offer any advice that may be appropriate. Parent/carers should have given careful thought and consideration when deciding to electively home educate their child. This should include how they will provide an appropriate and efficient education to ensure their child is able to reach their full potential. 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 and providing to us a report which will allow the Access to

Education Officer to determine if the education being providing is age and ability appropriate for the child. Many people find a home visit helpful to have an informal discussion regarding provision which will be recorded in writing and shared with the family. Some families may prefer to meet at a community venue. If parents opt to send in written information regarding their child's elective home education, rather than a face to face visit, it should describe the child's education and progress in detail.

The report should be detailed enough for the local authority to obtain a clear understanding of the child's education provision. It should be clearly written with good descriptions of the education provided and in paragraphs. The definition of a suitable education is one which prepares the child to live in the community to which they belong, whilst allowing them to be part of another community if they so wish. This means that the value in everyday learning forms part of an education report, such as: handling money and accounts; using directions; accessing computers; growing and preparing food; animal care; understanding bodily systems; understanding government and law or developing social relationships.

It is important that Access to Education Officers understand and are supportive of the many differing approaches or "ways of educating" which are feasible and legally valid. The role of the EHE Team

is to respond to concerns that a child is not receiving suitable education for his or her age, ability and aptitude and, where appropriate, to provide support and information for parent(s)/carer(s). It is not the role of the EHE Team to tell parents how to educate their children.

A statutory duty exists, which requires the local authority to serve a formal notice under section 437 of the Education Act 1996, if it appears that a child of compulsory school age is not receiving a suitable education. The formal notice requires the parent to satisfy the local authority that the child is in fact receiving a suitable education. If the local authority is not satisfied that the child is receiving a suitable education, based on the information provided, it has the power to commence the statutory process for the issue of a School Attendance Order ('SAO') requiring the parent to register the child at a named school.

The local authority has no legal power or duty to monitor home education on a routine basis, although government guidance suggests this should be at least annual contact. The council will make enquiries more frequently if it is not clear that a child is receiving a suitable education. The local authority sees its role in relation to home education as part of its wider responsibilities, including safeguarding all the children in its area.

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 –

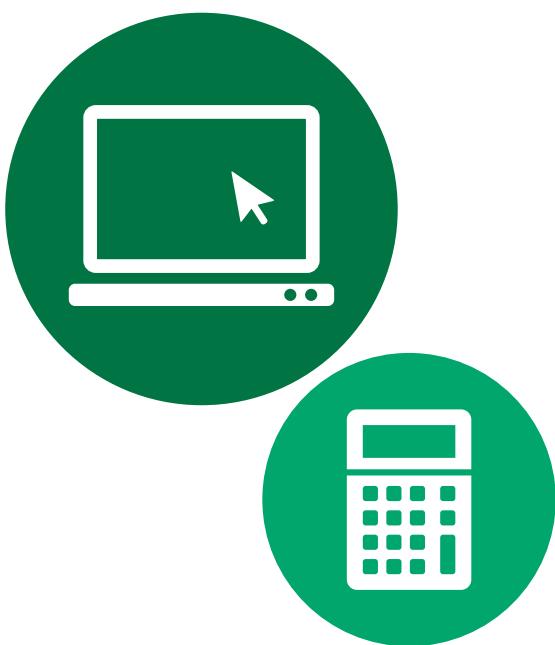
- a) to his age, ability and aptitude, and
- b) to any special educational needs, he may have, either by regular attendance at school or otherwise to any special educational needs, he may have, either by regular attendance



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.

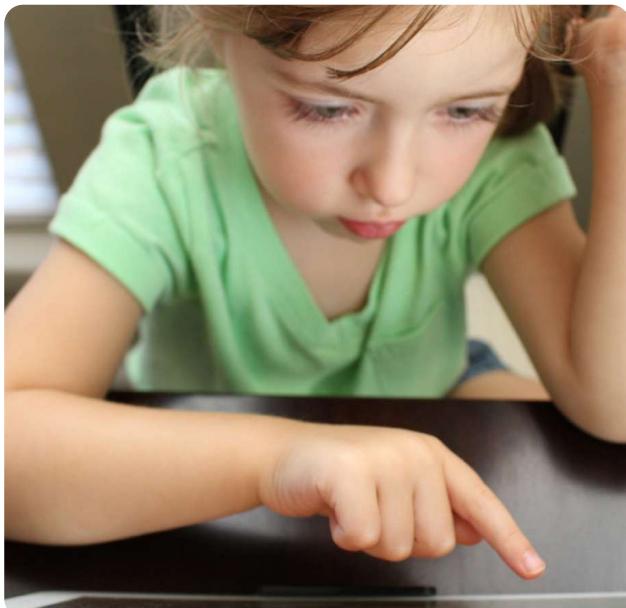
In relation to what may be deemed a suitable education case law states:

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 the Council's SEND Team before your child's name is taken off the school roll.



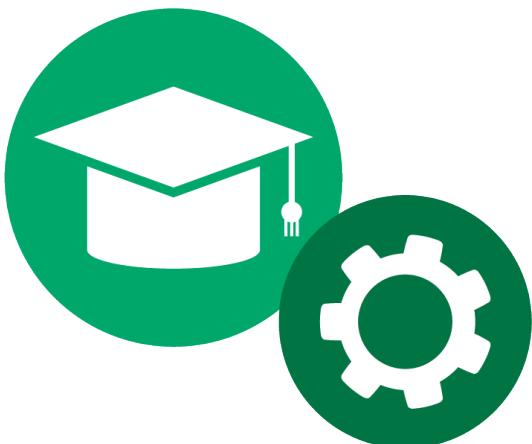
If your child has an EHC Plan and is attending a mainstream school, under the legislation you do not need permission from the Council's SEND Team to decide to Electively Home Educate, however in order to ensure that it is the right decision for you and your child, particularly as they have been identified as having additional needs that require an EHC Plan it is recommended you discuss it with your EHCP coordinator in the first instance. The school should also support your decision by holding a multi-agency review/EHCP review so that you can be supported in your decision making. This will further enable you to fully understand any implications including taking financial responsibility.

Where the EHCP remains in place, The Elective Home Education Team will work with you and the SEND coordinator to review the EHCP annually.

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



If your child is home educated but does not have an EHCP, 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 the Bromley SEN Department.



You can find out further details at:



www.bromley.gov.uk/localoffer



E-mail:

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-mail: iass@bromley.gov.uk



Tel: 020 8461 763

Who?	Details
Bromley Education Welfare Service	Bromley Civic Centre, Churchill Court, 2 Westmoreland Road, Bromley, BR1 1AS 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:

Further information regarding the legal and statutory expectations of the Council can be sourced from;

 **Department for Education Elective Home Education (www.gov.uk)**

 **Education Otherwise**
www.educationotherwise.org

- Department for Education:
www.gov.uk/dfe
- 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

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

IXL
support@ixl.com
02033185967

White Rose
01422433323

Minerva Virtual Academy
clare@minervavirtual.com
02036376477

BBC Bitesize
01422 433323

Oak National Academy
help@thenational.academy

Anton
support@anton.app

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 Access to Education Officer, 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 parent(s)/carer(s) of home educated children receive any important information concerning school age children, the health service may request contact information. The Elective Home Education Co-Ordinator will email you to confirm details will be shared with the health team and give parent(s)/carer(s) the option to opt out if you do not want to share these details.

Registering your childcare 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

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'. The provision of education is compulsory, but attendance at school to receive this is not.

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 inform your child's school in writing, of your decision. To take your child's name off the school roll, you will need to confirm you are going to take full responsibility and provide a full-time, suitable education for your child. If your child has not yet started school because they are below compulsory school age than you need not inform anyone at this stage, however we recommend you contact the Council's EHE Team, so they can offer help and advice ahead of them needing to make contact once your child becomes statutory school age.



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.

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

The local authority will 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.



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 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.



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 School Attendance and Education Welfare Manager by emailing:



Education.EDUWelfare@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**

Appendix A

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

Does my child have to go to school?

The 1996 Education Act states that:

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' through a package of support agreed by the local authority as education other than at school (EOTAS). When parents choose to home educate, they are solely responsible for the costs associated with the delivery of education for their child.

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)/carer(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/EHCP review before making the final decision to withdraw their child from the school roll as it will compromise the ability to access the SEND provision delivered in the school setting.

Schools are not required to provide any support to children and young people where parents that have withdrawn their child for elective home education.

If a child has an EHC Plan, choosing to EHE means that the local authority 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 most cases where parents have chosen to electively home educate the local authority 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 the case 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 local authority and ask them to amend Section I of the EHC plan. Although parents do not need the permission of the school or the local authority if the child attends a mainstream school, it is strongly recommended that a

multiagency meeting / EHCP review 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 SEND Team at the local authority and obtain agreement to take the child off the school roll (please email your SEND coordinator.) If the child is at any other type of school, parents do not need the permission of the school or the local authority. However, it is strongly recommended that a multiagency meeting/ EHCP review 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