

Home education



Hampshire
County Council

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Policy Statement

Parents or carers may decide to provide home-based education for their children instead of sending them to school - this is usually referred to as 'elective home education'. Hampshire County Council, as the local authority with general responsibility for education in its area (LA) recognises that home education is a key aspect of parental choice and is equal, in law, to education provided in school.

Every Child Matters and the Children Act

Our Policy Statement and Information and Guidance for Parents and Carers seek to support all five outcomes of the government's Every Child Matters agenda, particularly:

- enjoy and achieve
- make a positive contribution
- achieve economic well-being

Information and Guidance for Parents and Carers

The Children's Services Department of Hampshire County Council takes the lead role in working with home educators and children and young people who are being home educated in Hampshire. We offer support, advice and guidance to home educators, normally through a series of mutually agreed visits although other options are available (see the 'Frequently asked questions' section – 'What will happen now that my child is being educated at home?').

Our role is set out in sections 437 to 443 of the Education Act 1996:

"If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that the child is receiving such education. (s 437(1))"

This means that we may make initial, informal enquiries to ask about the education that is being provided for a child in Hampshire in accordance with that role.

No educational choice should ever be taken lightly. Before deciding to home educate you should consider the time, resources and energy you will need to put into this important area of your child's life and you may want to involve your child in making that decision.

Frequently Asked Questions

Here are some of the questions most frequently asked by parents and carers who are considering home education. If you need further information, please use the contact details at the end of this booklet.

Why home education?

Home education is an option that parents or carers may consider for their children. The reasons for choosing it are many and varied, as are the styles of education provided. For some families their decision may be based on their philosophical, spiritual or religious outlook; for others it is 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. Whatever your own circumstances, staff at the Children's Services Department will be happy to offer support, advice and guidance.

Is it legal to educate my child at home?

Yes, parents may educate their children at home. Parents' legal 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 receives efficient full-time education suitable: to his age, ability and aptitude, and to any special educational needs he may have either by regular attendance at school or otherwise”

'Full time' is not defined in the Act and it does not mean home educators are bound by school hours and terms. For information, however, children in school receive between 23 and 25 hours of education per week. '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 also important to note that parents have a right to educate their children from their 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”.

This means that your child can be educated at home by you or by private tutors or both. If you are employing private tutors you may want to ensure that they have had a Criminal Records Bureau (CRB) check (see 'Useful addresses' at the end).

Home education does not have to be identical to school education, no specific curriculum is laid down and you do not have to follow the National Curriculum. You will, however, need to ensure that the education you provide for your child prepares him or her for life in a modern society and enables him or her to achieve his or her full potential.

If you would like your child to go on to further education, or to take public examinations such as GCSEs, we would recommend that you follow the relevant curriculum. We have listed three GCSE examination boards in the 'Useful addresses' section. We recommend that you contact them 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 an examination centre and for coursework assessment.

Do I need to be a qualified teacher to educate my child at home?

No. You need no formal qualifications, nor do you have to employ a qualified teacher to educate your child. You do not have to teach any compulsory subjects (the National Curriculum only applies to schools maintained by LAs such as Hampshire County Council).

What and how your child learns is up to you, as long as you can show that the education is efficient, suitable and full-time. There is no one form of education: children learn in many different ways, at different times and speeds and from different people. However, you may find it helpful, if you are explaining to us what you are doing, to be able to show a long-term plan for your child and how you intend to put it into place.

Will I receive funding for home education?

The simple answer to this question is "No". **Please remember that LAs have no legal responsibility or obligation to fund parents or carers who choose to home educate.** You will need to look at the costs that may be involved – equipment, visits, books, tutors etc - and plan what you intend to do before home educating. In common with many LAs, Hampshire **does not** provide direct funding or resources (eg exercise or text books, pens, pencils or paper, home computers, etc) to home educators. However, through the services referred to earlier, we offer free professional advice, support and guidance to parents and carers. In addition, you may be able to access some teaching resources at some of the County Council's Education Centres and the Hampshire Library Service has ticket types for home educated children which allow more borrowing. You can seek more information on this from the Inclusion Manager for your area, whose contact details can be found at the end.

If you decide to home educate, you may also want to consider the social side of your child's life, such as contact with other children and adults, joint activities, visits, outings and the stimulus of seeing other children's work. You may want to think about how your child's social development can be maintained or extended if he or she is to be home educated.

What should I do if I am thinking about educating my child at home?

It may be helpful to talk to one of our Inclusion Managers who will be able to provide more information and advice. If you do decide to home educate it will help us if you complete the attached form or e-mail link, and return it to the Children's Services Department (you do not, however, have to do this).

If your child is already registered at a school you must, by law, inform the head teacher, in writing, that you intend to de-register your child and educate him or her at home. If you simply remove your child from school, without informing them in writing (just telling the school is not enough), you could be prosecuted for non-attendance. The school must inform us of your decision although it will help if you inform us also. You will need our consent to remove your child's name from the school roll if he or she attends a special school or is subject to a School Attendance Order. Consent from the LA may not be unreasonably withheld.

If your child is registered at a school, then a decision to home educate may not be the best way to solve a short-term disagreement with a teacher or the school or to overcome difficulties with attendance. You may be able to resolve these issues with the headteacher or governors at the school or through one of our services (listed in the 'Useful addresses' section). Ask the Inclusion Manager for advice if you feel that any pressure is being put on you to take your child out of school to home educate him or her.

If your child has never been registered at a school, there is no need to inform us of your decision to home educate. Again, though, it would help us if you did. Under new legislation in the Children Act we have a duty to identify 'children missing from education', so if we know that your child is being home educated then we will know that they are not 'missing'.

What if my child has a Statement of Special Educational Needs?

Section 7 of the 1996 Education Act also applies to parents of children with special educational needs. A Statement of Special Educational Needs is a legal document which names the school that will be providing education for your child. You can, however, choose the 'otherwise' option of Section 7 and deregister your child from the school (unless the child is a pupil at a special school in which case you will need our consent).

For as long as the Statement is in place we will continue to hold an Annual Review, which will include considering whether the wording of the Statement is still appropriate, and whether the Statement needs to remain in place. You will still have the right of appeal to the SEN Tribunal.

What will happen now that my child is being home educated?

We will contact you to seek to arrange a convenient time to meet with you. If such a meeting is arranged, we would usually like to discuss with you your reasons for home educating (although you do not have to tell us these), our role as the LA and the support we can offer. We would like this to be at your home, but you may prefer to meet at one of our offices or somewhere else. This meeting will usually be

followed up by a visit from one of our LA consultants who will discuss with you the education you are providing for your child and will offer professional advice and guidance. Again, the consultant will normally visit you at your home but could meet you elsewhere if you preferred.

The courts have ruled that it is reasonable for us to make informal enquiries about the education that parents or carers provide for their children. You will be asked to show that your child is receiving a 'full-time, suitable and efficient' education. You can do this in various ways. The usual way is that you produce a written plan for educating your child at home, along with samples of your child's work. However, you could provide a report or evidence in other appropriate formats. If the visit takes place in your home it will also usually be helpful for the consultant to discuss the work with your child.

If you refuse to provide any information or evidence on which we can base a judgement, we might conclude that you are failing to provide a suitable education, and this could lead to court action to return your child to school.

What will happen next?

If the consultant is satisfied, he or she will send you a report summarising the meeting. If you continue to educate your child at home you will be offered a further meeting in approximately 12 months' time.

If the consultant is not satisfied, he or she will send you a report which will explain the reasons why they are not satisfied. The report will also include specific advice on those areas which we believe must be improved if your child is to receive a suitable education. The report will usually set out a reasonable timescale for putting these improvements in place. If, after the specified period of time, the consultant is still not satisfied with the arrangements you have put in place we may, under section 437 of the Education Act 1996, apply for a School Attendance Order to return your child to school.

What do I do if I want to return my child to school?

For various reasons some home educators later decide that their child should return to school. If you decide on this you will need to apply for a place at your preferred school. (**Please note:** it may not always be possible to get a place at your child's previous school, even if it is your 'designated' school, if all places have been filled. By law, a school cannot 'hold' a place for you if another family wants it.) Our Admissions Team (see the 'Useful addresses' section) will provide you with detailed information, advice and guidance on applying for a place, and on the appeals process should admission be refused.

Can I educate my child part-time at home and part-time at school?

This is often called 'flexi-schooling'. **Flexi-schooling is an option, provided that the school at which the child is registered agrees.** Schools do not have to give consent and may choose whether or not to agree to a flexi-schooling arrangement. Unlike full-time home education, parents and carers have no absolute right to flexi-

schooling for their children. Also, unlike home education, the child will remain registered at the school and must satisfy the requirements of the National Curriculum unless the headteacher agrees to 'disapply' him or her. You will, therefore, need to work closely with the school.

When considering whether or not to agree to a request for flexi-schooling, schools will need to take many issues into account. These will include the likely effect on classroom and whole school management, potential additional workloads on staff and the arrangements which will need to be put in place to monitor the provision being made, whilst the child is not in school, to meet the requirements of the National Curriculum.

Bearing all of this in mind, it is for the school to make the final decision on a request for flexi-schooling.

What further help is available after compulsory school age?

The **Connexions Service** (see www.connexions.gov.uk) or check your local telephone directory for contact numbers) has been set up to help young people aged between 13 and 19 years old. It aims to ease the move from school to further education, training or work. By law, the Connexions Service must offer its services to all young people, including children who are being home educated.

Legally, the school leaving date is the last Friday in June of the academic year in which the child is 16. After this date he or she may start full-time work. Young people who have been educated at home may well want to take further education college courses, but please be aware that many courses have specific entry requirements, such as GCSE passes. Your local further education college will be able to give you more information.

Appendix I: Useful addresses

Local Authority

Steve Mellor (Inclusion Manager)
Fleet Local Office
Birch House
Barley Way
Fleet GU51 2YB
Tel: 01252 814798

David Retter (Inclusion Manager)
Havant Local Office
River Way
Havant PO9 2EL
Tel: 023 92441465

Colin Diaper (Inclusion Manager)
Winchester Local Office
Clarendon House
Romsey Road
Winchester SO22 5PW
Tel: 01962 876263

Special Educational Needs Service
Children's Services Department
The Castle
Winchester SO23 8UG
Tel: 01962 846398

Admissions Team
Children's Services Department
The Castle
Winchester SO23 8UG
Tel: 01962 846001/004/020/038

Connexions Service
Tel: 01489 566990
www.connexions.gov.uk

Please note: The following information is intended to be of help but Hampshire County Council is not responsible for the quality of advice or information given by any of the organisations listed.

Home education support groups

Education Otherwise
PO Box 325
Kings Lynn PE34 3XW
Tel: 0870 730074

Home Education Advisory Service
PO Box 98
Welwyn Garden City
Herts AL8 6AN
Tel: 01707 371854
www.heas.org.uk

www.home-education.org.uk
(a large site with many useful pages and links; also home of the home education web ring and the UK-Home-Ed mailing list)

Home Education Resources
www.home-education-resources.co.uk

The Home Service
www.home-service.org (a national Christian home education group)

Christian Home School
www.homeschool.co.uk

Muddle Puddle
(an independent site focussing on
learning for 0-8 year olds)
www.muddlepuddle.co.uk

North Hampshire EO Group
<http://uk.groups.yahoo.com/group/NHEO/>

General help with legal rights

If you need independent advice on education rights for you and your child the following contact details may be of help.

Advisory Centre for Education (ACE)
1B Aberdeen Studios
22/24 Highbury Grove
London N52DQ
Tel: 0207 3548321
www.ace-ed.org.uk

Children's Legal Centre
University of Essex
Wivenhoe Park
Colchester CO4 3SQ
Tel: 01206 873820
www.essex.ac.uk/clc

GCSE examination boards and information about exams

OCR
1 Hills Road
Cambridge CB1 2EU
Tel: 01223 553311
www.ocr.org.uk

EdExcel
Stewart House
32 Russell Square
London WC1B 5DN
Tel: 0870 2409800
www.edexcel.org.uk

AQA
Devas Street
Manchester M15 6EX
Tel: 0161 9531180
www.aqa.org.uk

Joint Council for General Qualifications
Veritas Street
125 Finsbury Pavement
London EC2A 1NQ
Tel: 020 76384125
www.icq.org.uk

Correspondence courses

National Extension College
18 Brooklands Avenue
Cambridge CB2 2HN
Tel: 01223 450200
www.nec.ac.uk
(offers a range of GCSE and A-level
correspondence courses)

Department for Education and Skills: related and other links

Education of Sick Children
www.dfes.gov.uk/sickchildren
www.dfes.gov.uk/mentalhealth

Vulnerable Children Grant
www.dfes.gov.uk/standardsfund

Looked After Children
www.dfes.gov.uk/educationprotects

Ethnic Minority Achievement Project
www.standards.gov.uk/ethnicminorities

Exclusions and Alternative Provision
www.dfes.gov.uk/exclusions

Criminal Records Bureau
www.crb.gov.uk

Appendix 2: ELECTIVE HOME EDUCATION

(Please note: You do not have to fill out this form but it would help us if you did)

1. Parents/carers:

Name:

Address:

Contact telephone number/e-mail address:

2. Child:

Name:

Date of birth:

3. Name and address of school last attended (if any):

(Please note: If your child has never been registered at a school, please enter “Not registered”. If your child is registered at a school then please remember that **you must inform the school, in writing**, that you intend to educate him/her at home and request that his/her name is removed from the school roll.)

4. Reasons for deciding to home educate: (if you wish to state these)

Once you have completed the form please send it to the Inclusion Manager for your area. Contact names and addresses can be found under 'Useful addresses'.

If you prefer to submit the information by e-mail, please send it to:

- for areas covered by the Fleet Office: jo.pearson@hants.gov.uk
- for areas covered by the Havant Office: maria.gillespie@hants.gov.uk
- for areas covered by the Winchester Office: annette.bailey@hants.gov.uk

Further information:

For further information about this leaflet, please phone
Lead Inclusion Manager Stephen Mellor 01252 814798
or email childrens.services.enquiries@hants.gov.uk

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