

## Elective Home Education (EHE) – Information for Parents/Carers

This information is for parents who are considering or who have decided to home educate their child. It should be read alongside the Department for Education (DfE) documents '*Elective Home Education, Departmental guidance for parents*' (April 2019) and '*Elective Home Education departmental guidance for local authorities*' (April 2019). These documents, together with Hertfordshire's Elective Home Education Policy, are available on Hertfordshire's website at [www.hertfordshire.gov.uk/ehe](http://www.hertfordshire.gov.uk/ehe).

Education is compulsory for all children from the start of the school term following their fifth birthday until the last Friday of June in the academic year in which they turn sixteen. Whilst education is compulsory, school is not. You can choose to provide your child with a suitable education at home and this is known as Elective Home Education (EHE). Elective Home Education requires a great commitment of time and energy.

The responsibility for a child's education primarily rests with their parents. Section 7 of the Education Act 1996 states that:

'The parent of every child of compulsory school age shall cause him to receive 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.'

### **What are the costs involved?**

When you decide to home educate, you will assume complete financial responsibility for your child's education. There is no funding available from the Department of Education (DfE) or the Local Authority to assist with the related costs in delivering education at home. Your child does not have to sit any examinations but if you wish them to do so, then you must arrange for this yourself together with funding the cost of the examinations. Other costs that you may incur could be for books, stationery, educational trips, tutors, courses, subscriptions to educational resources, opportunities for exercise and any other materials needed.

A responsible adult will need to be available to oversee the education and supervise your child which may require changes to an established lifestyle. ...'education' demands at least an element of supervision..' <sup>1</sup>

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<sup>1</sup> Harrison and Harrison v Stevenson QB (DC) 729/81 (1982)

## **Provision – who, what, where when and how?**

When you elect to home educate, you should aim to offer satisfactory home education from the outset. However, good home education provision will develop over time with experience and is likely to be an evolving process.

In schools, children follow the National Curriculum. You do not need to follow the National Curriculum when you are educating at home, although you might find it useful to use as a framework for your child's learning. If you intend for your child to go to school at some point in the future, it may be advantageous to cover similar work to make the transition into school smoother.

Hertfordshire County Council values varied, flexible types of educational activity and you may choose to make provision that responds to the developing interests of your child and that fits in with your lifestyle. Home education can include learning at home, at a tuition centre or college, with clubs or groups, outdoors and at different places of interest e.g.: museums, castles etc.

Hertfordshire County Council has a minimum expectation for a child to gain literacy (including written) and numeracy skills suitable to the age, ability and aptitude of the child and to any special educational needs they may have.

In accordance with case law, the content of the provision must be suitable such that it *'equips a child for life within the community of which he is a member....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'*.<sup>2</sup>

You need to provide a full-time education, but you do not need to follow a timetable or have fixed times during which education will take place. At home, education need not follow school hours or term times as contact time is often almost continuous and opportunities for learning can arise at any time.

You do not need to have any qualifications to home educate. You may wish to do the teaching yourself, employ a tutor, enrol your child for educational sessions or teach in groups with other home educated children. If you do decide to employ a tutor, it is advisable to check their references, qualifications and ask to see their Disclosure and Barring Scheme (DBS) check. The DBS will inform you if the tutor has any previous record of offences which might make them unsuitable to work with children.

## **What about the social aspect?**

You should consider their child's social development as part of their education. There are many opportunities for socialisation for home educated children and this may be with people of any age. Your child may have extended family.

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<sup>2</sup> Mr Justice Woolf in the case of R v Secretary of State for Education and Science, ex parte Talmud Torah Machzikei Hadass School Trust (12 April 1985)

members and friends or may join other home educated children on visits to museums, galleries, theatres or other places of interest. In addition, your child could socialise with others through a particular sport or hobby by joining a club or taking part in events.

### **What if your child has special educational needs?**

You are required to provide a home education that is suitable to any special educational needs that your child may have. At any time, as a home educating parent, you can request that the local authority carry out a statutory assessment or reassessment of your child's needs and the local authority will consider the request within the same timescales as if the request were made through a school.

If your child already has an Education, Health and Care (EHC) plan, you may still home educate them and you do not need to arrange the provision specified in the plan. However, if you don't, you must make other 'suitable arrangements' which meet the needs of your child. The EHE team will assess the suitability of the education being provided and if it appears to meet the requirements of Section 7 of the Education Act 1996, the EHCP will be amended by the SEND team so that it reflects your decision to home educate.

The local authority will continue to hold an Annual Review of the EHC plan and you will be invited to attend. Whilst you don't have to attend the annual review meeting, it would assist the local authority in ensuring that the plan continues to be right for your child. Without updating the plan, the EHE team will be unable to conclude that the home education appears to be suitable to your child's needs as noted in section B. At any time, you can request that the local authority ceases to maintain the plan and the local authority will consider the request.

[www.hertfordshire.gov.uk/sendhomeeducation](http://www.hertfordshire.gov.uk/sendhomeeducation)

### **Who do I need to inform if my child has never been to school?**

If your child has never been to school, you are not obliged to tell the local authority that they are home educating, but we would encourage you to do so. The identification of children who have never attended school and may be home educated forms a significant element of fulfilling an authority's statutory duty under s.436A of the Education Act 1996 – 'to make arrangements to enable the authority to establish, so far as it is possible to do so, the identities of children in its area who are not receiving a suitable education'.

### **Who do I need to inform if my child is registered at a mainstream school?**

If your child is registered at a school (other than a special school) and you wish to home educate, you should notify the head teacher in writing that you are withdrawing your child to home educate and request that your child's name is removed from the school's roll from a certain date.

### **Who do I need to inform if my child is registered at a special school?**

If your child is attending a special school under arrangements made by the local authority, the local authority's consent is required for your child's name to be removed from the admission register.

The local authority, in deciding whether to give consent, will consider whether the home education you intend to provide would be full time and suitable and would meet the special educational needs of your child, and if it does, will give consent. These considerations will take into account the additional difficulties of providing education at home to your child whose special educational needs are significant enough to warrant a place at a special school.

You should first write to the special school expressing their intention to home educate their child and then respond to the informal enquiries which will be made by the EHE team. Your child needs to attend school whilst they remain on roll.

### **Who do I need to inform if my child is enrolled at a school in accordance with a school attendance order?**

The local authority's consent is necessary if your child is attending any school as a result of a school attendance order. This order must be revoked (or amended to replace the school with a different school) by the authority before you can have your child's name removed from the admission register.

You should first write to the school expressing your intention to home educate their child and then respond to the informal enquiries which will be made by the EHE team. Your child needs to attend school whilst they remain on roll.

### **What is the role of the Local Authority?**

If a local authority is aware that a child of compulsory school age is not attending a state or registered independent school full-time, and it is unclear how that child's education is being provided, a local authority will consider the possibility that the child is being educated at home by its parents..... 'In such a case, the local authority's task is to find out how he or she is being educated and whether that education satisfies legal requirements'.<sup>3</sup>

The EHE team initially makes informal enquiries and will provide a link to an online Elective Home Education Enquiry Form which can be used to provide information. You are under no duty to respond to such enquiries, but if you do not respond, or if you respond without providing any information about your child's education, then it may be justifiable for the authority to conclude that your child does not appear to be receiving suitable education and formal enquiries will be initiated.

If it appears, from the information you provide, that a suitable education is in place, the EHE team will confirm this to you. You may choose to supply information in any format you choose e.g. by sending a report on the provision being made which may include examples of work, or through a Teams meeting/telephone call.

If the home education appears to be suitable, the EHE team will contact you on at least an annual basis to ask you for updated information about the provision you are making.

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<sup>3</sup> DfE Elective Home Education Departmental guidance for local authorities 2019

If you decide they no longer wish to home educate, you need to apply for a school place. **Your child will not be guaranteed admission to a school of your choice or back to the school previously attended**. Once your child is attending school, please inform the EHE team at [EHE@hertfordshire.gov.uk](mailto:EHE@hertfordshire.gov.uk).

If it appears that a suitable education is **not** being provided or if no information is received, the LA has a duty (under section 437(1) of the Education Act 1996) to intervene formally to establish that a suitable education is in place. The LA will serve a notice to satisfy to which you are required to respond and to satisfy the LA that you have suitable education in place. If you do not, the local authority will issue a School Attendance Order (SAO) naming a school at which you are required to register your child. Failure to comply with a SAO is a criminal offence and you may be prosecuted in the Magistrates' Court.

Should the local authority, at any point, receive information from another professional or from a third party which suggests that you may not be providing a suitable education, the EHE team will make further enquiries about the education being provided.

### **What is the role of the Elective Home Education team?**

The role of Hertfordshire County Council's EHE team is to work collaboratively with you to support you in the arrangements you are making to ensure your child receives a suitable home education. They provide, on behalf of the local authority, a professional opinion as to the suitability or otherwise of the education being provided and this is shared with you. For further information please see link [www.hertfordshire.gov.uk/ehe](http://www.hertfordshire.gov.uk/ehe). Training is provided regularly including safeguarding, data protection and equality and diversity. The EHE team keeps up to date with legislation and guidance on elective home education and related subjects and some are members of the Association of Elective Home Education Professionals.

You can speak with a member of the EHE team at any time. If you would like advice about specific areas of concern or interest, you can email [EHE@hertfordshire.gov.uk](mailto:EHE@hertfordshire.gov.uk). Please also contact us for suggestions of resources which could be helpful for your child.

### **What is the Local Authorities' duty with regard to safeguarding?**

Local authorities have a general duty to make arrangements to safeguard and promote the welfare of children (section 175 of the Education Act 2002) in relation to their education functions as a local authority. This applies equally to children who are being educated at home, as it does to children attending school.

### **Can my child be employed?**

If your child is aged 13-16, they can undertake light work as paid or unpaid employment. The type of work which is permitted can be found in Hertfordshire County Council's byelaws. The employer will need to apply for a Work Permit to Hertfordshire County Council and this will need to be agreed and signed by you.

The employer will be required to carry out a risk assessment and has the responsibility for arranging any insurance cover needed and for ensuring Health and Safety requirements are in place. Further information is available on Hertfordshire County Council's website under 'Employing school-aged children'.  
[www.hertfordshire.gov.uk/workpermit](http://www.hertfordshire.gov.uk/workpermit)

### **Can my child get a work placement or experience work-based learning?**

If your child is aged 13-16, you can arrange for them to carry out a work placement for short duration (normally 1-2 weeks) or work-based learning for longer periods of time. Undertaking practical tasks in a work environment can provide a valuable and suitable learning opportunity for some children. The type of work which is permitted can be found in Hertfordshire County Council's byelaws. You are fully responsible for ensuring there is appropriate insurance cover, and that Health and Safety requirements are in place. If you wish for your child to undertake a work placement or work-based learning activities, you are advised to contact the EHE team to discuss in further detail.

### **Can my child work in entertainment?**

You may wish for your child to be involved in paid work in the theatre, in a film or television, in modelling or sporting activities. The person responsible for the production or performance must make an application for a Performance License to Hertfordshire County Council. Before issuing a performance license, the LA should be satisfied that the child's education will not suffer so EHE should be considered suitable. Once the applicant has received the Performance License, your child may commence work. Further information is available on Hertfordshire County Council's website under 'Children's Performance Licenses'  
[www.hertfordshire.gov.uk/Childperformancelicense](http://www.hertfordshire.gov.uk/Childperformancelicense).

### **Can my child sit examinations?**

You will need to fund any examinations that you wish your child to sit. You have the flexibility to choose the examination board most suited to your child and you will need to find a centre or school which will allow your child to sit the examinations. The major examination boards for GCSEs/IGCSEs are Edexcel, AQA and OCR.

### **Who are Services for Young People?**

Services for Young People forms part of Hertfordshire County Council's Services for Young People and is a service that aims to provide information and advice, guidance and support, and personal development opportunities for all 13–19-year-olds (up to 25 years for young people with learning difficulties and/or disabilities).

We share the names, addresses and contact details of young people who are electively home educated with Services for Young People to ensure they can be offered support from the service. They run a Raising Aspirations project for EHE young people aged 13-16 which focuses on building interpersonal and teamwork skills, confidence and resilience. For information please go to:  
[www.servicesforyoungpeople.org](http://www.servicesforyoungpeople.org) or you can email [sfyp@hertfordshire.gov.uk](mailto:sfyp@hertfordshire.gov.uk)

## **Can my child go to college?**

Some colleges offer part time funded places to electively home educated 14–16-year-olds. Services for Young People can discuss with you the college options that may be available for your child. You will need to arrange a college place yourself and your child will remain as electively home educated whilst attending. You will need to provide additional learning opportunities for your child so that they receive a full time education. College courses on offer tend to be practical learning which develop skills needed for further education or employment. Further information is available on the GOV.UK website. <https://www.gov.uk/guidance/full-time-enrolment-of-14-to-16-year-olds-in-further-education-and-sixth-form-colleges>

## **What should I do if my child is on roll at a school and I would like a flexi-schooling arrangement?**

If you wish to enter into flexi-schooling arrangements will need to receive prior agreement from your child's school. Headteachers are under no obligation to agree to or approve such arrangements. Your child will be registered at a school where they will attend part-time, and they will also spend some time receiving education at home. They will be required to follow the National Curriculum whilst at school. Your child will be marked as 'authorised absent' in the school attendance register during periods when they are receiving home education. Please see the Local Authority's Flexi Schooling Guidance.

## **Useful Contacts**

Hertfordshire County Council takes no responsibility for the content of external websites or information from independent, voluntary organisations providing advice and support.

Hertfordshire County Council  
For Attendance and School Admissions Team, contact Children's Services via  
Customer  
Service Centre  
Mon-Fri 8am-8pm and Sat 9am-4pm  
0300 123 4043  
[www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)

Department for Education  
Sanctuary Buildings  
20 Great Smith Street  
London SW1P 3BT  
0370 000 2288  
[www.education.gov.uk](http://www.education.gov.uk)

Disclosure and Barring Service (DBS)  
0870 909 0811  
[customerservices@dbs.gsi.gov.uk](mailto:customerservices@dbs.gsi.gov.uk)

## **Data Protection**

Our EHE privacy notice can be found here:  
[www.hertfordshire.gov.uk/eheprivacynotice](http://www.hertfordshire.gov.uk/eheprivacynotice).

Hertfordshire County Council (HCC), Children's Services regards the lawful and correct treatment of personal information as very important to carrying out its operations successfully and to maintaining confidence between those with whom we deal and ourselves. We ensure that our organisation treats personal information lawfully and correctly in line with GDPR requirements.

HCC, Children's Services needs to collect and use certain types of information about people with whom it deals in order to operate and any details of the services we provide or information about you or your family will be stored and used in strict accordance with our registration under the Data Protection Act 1998.

In order to provide effective services for children and young people, information provided may be shared with other Children's Services teams within HCC, where there is a service requirement. Data may be shared with third party organisations such the police or health services in accordance with our statutory obligations to protect and promote the safety of children.

Herts Secure is Hertfordshire County Council's secure file-sharing service used to send and receive sensitive information safely. Access is provided through a secure link sent to your email, with a simple verification step. In order to comply with data protection regulations, we will use Herts Secure when sending confidential information to you.

If you would like to view the records we hold about your child please make a Subject Access Request here: [www.hertfordshire.gov.uk/sarform](http://www.hertfordshire.gov.uk/sarform) or contact the data protection team at [dataprotection@hertfordshire.gov.uk](mailto:dataprotection@hertfordshire.gov.uk).

## **What do I do now?**

If your child has never been to school and you wish to pursue Elective Home Education, please complete the Notification of Elective Home Education form online at: [www.hertfordshire.gov.uk/eHENotificationform](http://www.hertfordshire.gov.uk/eHENotificationform).

If your child was at school and you have notified the school in writing that you wish to pursue elective home education, please respond to the EHE team's informal enquiries and provide information on your child's education provision to us. One way you can do this is by filling in our online enquiry form found here: [www.hertfordshire.gov.uk/eHEinitialform](http://www.hertfordshire.gov.uk/eHEinitialform). You will receive a confirmation email once this has successfully been submitted. If you are unable to fill in the online form or would prefer a hard copy or printable version, please contact the Elective Home Education team by emailing [EHE@hertfordshire.gov.uk](mailto:EHE@hertfordshire.gov.uk). If you would prefer to supply information in a different way, please ensure you give sufficient detail and consider the questions we ask on the form.

Where possible, we would like to correspond with you electronically. If we need to send confidential data to you, we will use Herts Secure.