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| sand-6towns-logo-colour**Elective Home Education Policy** |  |



Sandwell [Metropolitan Borough](https://en.wikipedia.org/wiki/Metropolitan_borough) spans a densely populated area of the [West Midlands](https://en.wikipedia.org/wiki/West_Midlands_conurbation). The borough comprises of six amalgamated towns of [Oldbury](https://en.wikipedia.org/wiki/Oldbury%2C_West_Midlands), [Rowley Regis](https://en.wikipedia.org/wiki/Rowley_Regis), [Smethwick](https://en.wikipedia.org/wiki/Smethwick), [Tipton](https://en.wikipedia.org/wiki/Tipton), [Wednesbury](https://en.wikipedia.org/wiki/Wednesbury), and [West Bromwich](https://en.wikipedia.org/wiki/West_Bromwich).

Sandwell has a population of 341,900 and is a very diverse community with **34% of residents are from black and minority ethnic communities.**

Sandwell is home to 94primary schools, 25 secondary schools, 4 special schools and 1 college.

The latest census shows approximately 35,751 primary children of compulsory school age resident in Sandwell plus 23,425 of secondary school age. Not all attend a Sandwell School.

As at November 2022, there are **539** children on the Elective Home Education (EHE) register in Sandwell.

**Reviewed: November 2022**

**Sandwell Metropolitan Borough Council**

**Elective Home Education Policy**

**The Purpose of the Policy**

To inform prospective, current, and future home educating families of the implications of elective home education. It also serves to inform school staff, professionals and the Local Authority services who work alongside the Elective Home Education Service.

This policy is based on the guidance issued to Local Authorities by the Department of Education (DfE). It is written in accordance with *Section 7 of the Education Act 1996; DfE Guidance for Local Authorities April 2019* and *Department for Education Guidance for Parents April 2019.*

The responsibility for supporting children who are electively home educated in Sandwell rests with a small team of staff in Education Support Services at Sandwell Metropolitan Borough Council (MBC).

**The EHE Team comprises of:**

* Elective Home Education Lead Officer
* Two Elective Home Education Higher Level Teaching Assistants (HLTA) Advisors
* Education Otherwise Than at School Officer

**Parents’ Rights and Responsibilities**

Throughout this policy the word “parents” will be used to indicate anyone with parental responsibility as defined in Section 576 of the Education Act 1996:

* all-natural parents, whether they are married or not
* any person who, although not a natural parent, has parental responsibility for a    child or young person
* any person who, although not a natural parent, has care of a child or young person (having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law).

Sandwell MBC recognises parents' legal right to educate their children at home as set out in Section 7 of the Education Act 1996:

*The parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable:*

*(a) to his age, ability and aptitude, and*

*(b) to any special educational needs, he/she may have, either by regular attendance at school or otherwise.*

The “otherwise” option includes EHE with parents taking responsibility to provide education without recourse to a school or Local Authority. In short education is compulsory, attending a school to be educated is not. An “efficient” and “suitable” education is not defined in the Education Act 1996 but in case law.

An “efficient” education is an education that “achieves that which it sets out to achieve”, and a “suitable” education is one that “primarily equips a child for life within the community of which he is a member, rather than the way of life in the country, as a whole, so 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”. It is therefore recognised that there are many approaches to educational provision and what is suitable for one child may not be suitable for another.

Where parents are thinking of home educating because of a disagreement with school, they should ideally contact the EHE Team before taking the final step and we will be happy to talk through the issues with them. If a parent would like their child to return to school, they can contact the Admissions Service; details are on the Sandwell MBC website. We offer advice and support to parents regarding their choice to educate their child at home.

Parents do not have to ask permission to home educate and may choose to home educate for a variety of reasons. If the child is already on a school roll parents will need to write to the headteacher of the school requesting the child's name to be removed from the school roll because the child is now being home educated. Following the deregistering from school process, the headteacher is then required to notify the Local Authority and from this point the child will no longer be a pupil at the school.

The *Elective Home Education Guidelines for Local Authorities* have more information about parents' freedom to choose the form of education they believe is best for their child. Parents may employ others to educate their children, but they will continue to be responsible for the quality of the education provided. They will also be responsible for making sure that the people they employ are suitable by taking up appropriate references, including a Disclosures and Barring Service (DBS) check where appropriate.

Elective Home Education differs fundamentally from home tuition arranged by Sandwell Metropolitan Borough Council which is provided for children unable to attend school through illness or disability. EHE is also different from hospital education or Pupil Referral Units. Where a child is electively home educated, it is the parent's responsibility to ensure the provision of a suitable education.

Parents will have to pay for all educational materials plus any examination fees and associated costs. Any outlay incurred to support EHE will be the responsibility of the parents. Examples of such costs would include (but are not limited to) books and resources, employment of tutors, e-learning courses or any alternative provision. However, it is recognised that there is no obligation for parents to use any specific resources.

**Children with Special Educational Needs and Disabilities**

The right to home educate, applies equally to children with an Education Health and Care Plan (EHCP). In these circumstances however, the child’s name should only be removed from the school roll (special school or mainstream) following consultation between the school and the Sandwell MBC SEND Team. Consent may not unreasonably be withheld and removal from roll should not be unnecessarily delayed.

When a child who has an EHCP is educated at home, it remains the duty of Sandwell MBC to ensure that the child’s needs are met. The EHCP must remain in place and Sandwell MBC’s SEND team is responsible for organising annual reviews for home educated children with Education, Health and Care plans and for confirming the suitability of education provided. This includes assessing whether the EHCP is still appropriate, requires amendment or might cease to be maintained.

Where the parent’s arrangements are suitable then Sandwell MBC may be relieved of its duty to arrange the provision specified in the EHCP. If parents are concerned that their child may have special educational needs and disabilities (SEND) or is experiencing some learning difficulties, they can contact these support groups run by parents for parents:

***http://groups.yahoo.com/group/homeeducationandspecialneeds/***

***http://he-special.org.uk/content/joinhere.php***

They can contact the Parent Partnership Service for independent advice and support:

***http://www.parentpartnership.org.uk/***

Or go to the SEND Gateway developed by the charity Nasen, which has an online portal offering free, easy access to high quality information, resources and training for meeting the needs of children with special educational needs and disabilities.

***http://www.sendgateway.org.uk/***

**The Duty of Head Teachers and Principals**

On receipt of written notification to home educate, schools must inform the pupil’s Local Authority that the pupil is to be deleted from the admission register. The school is responsible for raising any safeguarding concerns and should transfer the child’s school file (preferably in an electronic format) to the EHE Service. Schools and academies must not seek to persuade parents to educate their child at home as a way of avoiding excluding the pupil or because the pupil has a poor attendance record or behavioural difficulties.

If it becomes apparent that a decision to home educate is based on the child’s name being removed from the school register otherwise than in accordance with The Education (Pupil Registration) (England) Regulations 2006 (and the statutory guidance on applying the said regulations), the child’s name should be returned to the school roll with immediate effect if that is the wish of the parents. The head teacher must inform the parents of the full implications of EHE and advise them to contact the EHE team for further support and information.

Schools and Local Authorities should not seek to prevent parents from educating their children outside the school system. There is no requirement for parents to obtain the school or local authority’s agreement to educate their child at home. Parents have a duty to ensure their child of compulsory school age receives suitable full-time education, but this does not have to be at a school. Sandwell MBC’s EHE Service encourages all schools and academies to complete an ‘Off Register’ form (removal from roll checklist) that should be kept by the school and a copy forwarded to the local authority (EHE team).

**The Duties and Role of Sandwell MBC**

The document *Your Duties, Our Expectations* suggests thatLocal Authorities usually become aware of a child who is electively home educated once their name has been removed from the school roll. We encourage schools and other professionals to engage with Local Authorities where a parent is considering withdrawing their child from school for EHE before the child’s name is removed from the roll. When the parent confirms in writing that the child is being electively home educated instead, the local authority provides support from the EHE and Outreach teams. If a child attends a special school and this was arranged by a Local Authority, the Local Authority (SEND team) mustconsent for the child’s name to be removed from the roll.

Local Authorities, schools and other relevant professionals should work to help parents and carers understand exactly what EHE means, ensure it is a positive choice taken without pressure from their school and signpost parents to the appropriate guidance. All Sandwell EHE team members will seek to establish positive and supportive working relationships with existing and potential members of the Sandwell EHE community. An initial consultation is offered, and an information pack provided. Team members including an Advisory Teacher are available to advise parents and offer guidance on the delivery of a suitable home education.

Sandwell MBC will keep a record of all children known to be home educated and will ask parents for basic information about the provision they are making for their child's education. We support, as far as possible, the right of all children to be safeguarded and will retain appropriate information as necessary. From time to time the Local Authority will contact parents and ask them to confirm that the details held are still current. The information is used to offer support and guidance in partnership with home educating parents.

Sandwell MBC will share information and good practice with home educating parents as appropriate. This includes signposting services and agencies that may be considered in assisting or enhancing elective home education. If however, it appears that a child is missing education and/or not being provided with a suitable education the EHE team / Advisory Teacher will try to gather information to help reach an informed judgement. Parents will be advised of any concerns and /or lack of information.

Local Authorities may turn to Children Missing Education (CME) colleagues / procedures to support their work and may serve a formal notice on parent/s in writing as set out in section 437 (1) of the Education Act 1996. This could be the first stage in serving a School Attendance Order (SAO). A School Attendance Order will only be served after reasonable steps have been taken to try to resolve the situation; and even after an order has been issued, parents may still present evidence to Sandwell MBC that they are providing suitable education and can apply to have the SAO revoked.

If a home educated child moves to another Local Authority area, the relevant Officer will inform that Local Authority by sending a written referral. Sandwell MBC maintains a register of pupils being educated at home. It is acknowledged that the EHE register will be incomplete, as there is no statutory duty for parents to inform Sandwell MBC about children who have not been previously educated in schools or academies. Should you wish to include your child’s details and access the support we offer, please use the following link: <https://my.sandwell.gov.uk/service/Children_not_in_school>.

**Complaints Procedures**

Any concerns or complaints can be directed to the EHE Service who can be contacted at: home\_education@sandwell.gov.uk or on 0121 569 8147.

**Monitoring of Policy**

The policy is reviewed annually, or as new legislation and statutory guidance are issued.

**Appendix A EHE Process when CYP has an EHCP (Attending a Mainstream School)**

Parent/School alerts the EHE Team of possible request to educate CYP at home. Parent may send a letter of intention

**2 weeks**

EHE Team check pupil database for SEN status. If CYP has an EHCP – contact SEND Caseworker.

SEND Caseworker to contact school to arrange a date for parent consultation meeting with professionals (ECP, SEND Caseworker, SEND Social Care/Health Officer if applicable). SEND Caseworker sends EHE information pack to parents.

Parents no longer considering EHE.

Parents continue to request EHE. Set date for interim annual review of EHCP at consultation meeting.

Parents reconfirm decision to educate their child at home in writing.

**Pupil is taken off school roll**

**12 weeks**

Annual Review meeting held. School to contribute school annual review paperwork. Professionals to contribute reports to inform an updated amended Plan.

CYP EHC Plan to be amended by SEND Caseworker to reflect changes in provision and placement (Elective Home Education).

Draft Plan sent to parents for consultation and finalised. New Plan issued.

SEND Caseworker/professionals to monitor outcomes and provision at annual review

**Appendix B EHE Process when CYP has an EHCP** **(Attending a Special School)**

Parent/School alerts the EHE Team of possible request to educate CYP at home. Parents may send a letter of intention

EHE Team check pupil database for SEN status/school. If CYP has an EHCP and attends a special school – contact SEND Caseworker.

**2 weeks**

SEND Caseworker to contact school to arrange a date for parent consultation meeting with professionals (ECP, SEND Caseworker, SEND Social Care/Health Officer if applicable). SEND Caseworker sends EHE information pack to parents.

Parent/professionals consultation meeting. EHE information pack discussed alongside implications and expectations of Home Education in regards to child’s SEND needs, outcomes and provision.

Parents no longer considering EHE. CYP stays on roll at school. Recommendations from consultation put in place

Parents continue to request EHE. Set date for interim annual review of EHCP at consultation meeting.

Parents reconfirm decision to educate their child at home in writing.

**12 weeks**

School to coordinate interim annual review. All professionals involved with the CYP should be invited/write a report. New outcomes/provision for CYP discussed and recorded.

LA consent given. SEN Caseworker informs parent, school and professionals involved. Pupil taken off school roll.

Case submitted to Provision Panel to agree LA consent

LA consent not given. SEN Caseworker informs parent of reasons in writing.

CYP EHC Plan to be amended by SEND Caseworker to reflect changes discussed at annual review and placement (EHE).

Parents, professionals and SEN Caseworker plan for return to school.

Draft Plan sent to parent for consultation and finalisation. New Plan issued.

SEND Caseworker/professionals to monitor outcomes and provision at annual review

SEND Caseworker/professionals to monitor outcomes and provision at annual review