

Flexi Schooling

Guidance for Schools and Parents

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## **1. Flexi-schooling**

### **What is flexi-schooling?**

Flexi-schooling describes an arrangement between the parent and school where children are registered at the school in the usual way but attend school part-time. For the rest of the time, the child is home educated.

Unlike full-time home education, any agreement between parents and a school for the child to be flexi-schooled is at the Head Teacher's discretion. Flexi-schooling can be a long-term arrangement or a short-term measure for a particular reason. The child will be required to follow the National Curriculum whilst at school, but not whilst they are being educated at home.

There may be many reasons why parents may want to arrange flexi-schooling for their children, for example:

- illness,
- a desire to home educate while making use of the school for some subjects,
- school phobia/refusal,
- allowing time for a special ability, such as music, sport etc.,
- a phased return to school after an absence for some reason

Flexi-schooling is also different from a temporary part time timetable. Part time timetables are put in place on an exceptional basis for a time-limited period for circumstances such as medical intervention or to meet a pupil's individual needs. For more details on this please see Kirklees Part-time Timetables Guidance for Schools: <http://kirkleesbusinesssolutions.uk/Page/13204>

The responsibility for setting up and monitoring the suitability of the flexi-schooling agreement lies with the school and not the Local Authority.

The decision to undertake flexi-schooling should only be considered if there are positive reasons for doing so and where all parties agree that such an arrangement is in the best interests of the child.

## **2. Government Guidance**

There is no legislation or case law that either forbids or authorises flexi-schooling. Parents are under a legal duty to ensure that any child of compulsory school age receives full-time education which is suitable to their age, ability, aptitude, and any special educational needs that they may have, either by regular attendance at school or otherwise.

### **3. How a Request for Flexi-schooling Should be Made**

Arrangements for flexi-schooling can only be made at the request of a parent or carer with parental responsibility.

If a parent/carer is interested in making a flexi-schooling request, the Head Teacher of the child's actual or prospective school should be contacted so that the proposal may be considered.

Parents do not have a legal right to have a flexi-schooling arrangement. Flexi-schooling is an arrangement between the school and the parent of a registered pupil and is entered into at the complete discretion of the Head Teacher

The Governing Body may be involved in agreeing and reviewing a general approach to requests for flexi-schooling, but this does not exempt the Head Teacher from the need to consider each request individually. The whole Governing Body should not become involved in individual cases and cannot overturn a Head Teacher's decision.

There is no right of appeal against the decision of a Head Teacher not to agree to a flexi-schooling request.

### **4. Recording Flexi-schooling on Attendance Registers**

Schools must mark the register code C, (authorised absence), where pupils are home educated during school hours. It is not appropriate to mark this time as 'approved off-site activity' as the school has no supervisory role in the child's education at such times and has no responsibility for the welfare of the child while he or she is at home.

Some schools have expressed concern that such absence may have a detrimental effect on Ofsted inspections. This is not necessarily the case; some schools with significant flexi-schooling numbers have had good outcomes from Ofsted inspections.

<https://hollinsclough.staffs.sch.uk/flexi-schooling/>

Schools which have flexi-schooled pupils should be ready to discuss with Ofsted inspectors the arrangements they have in place to deal with the requirements caused by such pupils. Schools are held to account through inspection for the performance of pupils, and that will include any who attend the school as part of a programme of flexi-schooling.

### **5. Funding/Admissions**

Children who attend part-time under a flexi-schooling arrangement are funded in the same way as pupils attending school full-time.

Children who attend part-time under a flexi-schooling arrangement are subject to the same school admission processes as other children and are counted in the same way as a child who attends full-time.

Flexi-schooled children are included in census count returns as for other children.

## **6. Flexi-schooling agreement**

In all cases where flexi-schooling is agreed upon, it is recommended that the school has a written agreement with the parents/carers so that expectations and arrangements are clear for both parties. Such an agreement is likely to include:

- the normal expected pattern of attendance at school and the initial term of the agreement,
- the rationale for why the flexi-schooling arrangement is in the best interests of the pupil concerned,
- procedures for flexibility around special events which fall outside the normal arrangement,
- that the school will follow up any unexpected or unexplained absence in the same way as it does for other children, following the First Day calling procedures,
- details of what areas or subjects will be studied at home, or away from the school site and what areas or subjects will be taught in school,
- details of how the pupil will be assessed and arrangements for public assessments and examinations,
- an agreement that if the parent/carer chooses to employ other people to educate their child at home, they will be responsible for making sure that those whom they engage are suitable to have access to children, (through DBS checks), and will be responsible for meeting all costs related to this decision,
- details of any special educational needs and associated provision,
- arrangements for regular planning and review meetings between parent/carer and school to ensure the child achieves his/her potential and to promote good home/school relationships,
- how often and under what circumstances full reviews of the flexi-schooling arrangements will be carried out,
- confirmation that the school will notify Kirklees Council of the agreement. Kirklees council will also be informed, in advance, if the flexi-schooling arrangement is to be withdrawn and/or termination of the agreement.
- clarity about the circumstances under which and with what notice either party can withdraw from the arrangement.

If a parent refuses to sign the flexi-schooling agreement, then it must be made clear to the parent that the school will not enter into flexi-schooling arrangements. Similarly, if the parent fails to follow the terms of the agreement, the school must inform the parent that the flexi-schooling arrangement will be discontinued. The child is then required to attend school on a full-time basis.

The school should inform Kirklees Council of the date the Flexi-schooling arrangement commenced and confirmation a Flexi-schooling agreement is in place (the agreement itself is not required to be sent). Kirklees Council should be informed via Anycomms to the Education Safeguarding Service (using "Education Safeguarding Service").

## **7. National Curriculum/SATs**

The National Curriculum applies to the school-based part but not necessarily the non-school based part. In law, the National Curriculum does not apply to the non-school based part of the education of a flexi-schooled child unless this was part of the arrangement/agreement between the school and the parent.

SATs are a statutory requirement for schools, so the normal rules apply, and the child will be expected to sit them all.

## **8. Children with an Education Health Care Plan, (EHCP)**

Where a child has an Education Health Care Plan, (EHCP), the decision to flexi-school must be taken in conjunction with the Special Educational Needs and Disability Assessment and Commissioning Team, (SENDACT). Where flexi-schooling is agreed for a child with an EHCP, this should be recorded on the plan and progress monitored through the usual annual review process. It is not necessary to wait for the EHCP amendments to be made before the agreed flexi-school arrangement can commence.

There needs to be a clear agreement of how the Special Educational Needs provision will be provided for a child who is not attending on-site for all school sessions. It is strongly recommended that those children with a flexi-schooling arrangement have their EHCPs reviewed on a more regular basis than for those attending school full-time. This will ensure they are making full and effective progress towards their objectives or outcomes.

## **9. Safeguarding**

The safeguarding of any child should always be of paramount importance. Therefore, any decisions should be taken with any known and existing safeguarding concerns in mind. Where a child attends another setting on those days when not in school, it is incumbent on the parent to ensure the adequacy of the safeguarding arrangements in operation at this setting. The Head Teacher should, however, still act in response to any concerns that arise and follow the schools normal safeguarding procedures.

## **10. In conclusion**

The decision to embark upon a period of flexi-schooling should never be taken lightly. It should only be considered when the reasons for doing so are entirely positive. A parent/carer must be confident that he or she can meet the educational needs of the child fully and a school must understand and accept the fact that, if arrangements are agreed upon, the school will retain the responsibility for the child's progress. It has been shown that such arrangements, kept under review, can work well.