

Kirklees – Elective Home Education

Information for parents

June 2021

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Elective Home Education

Kirklees Council is committed to supporting parents who choose to educate their child(ren) outside the school system and fully respects their right to do so.

This guidance aims to explain your parental responsibility and the Kirklees EHE team procedures regarding home education and to offer advice to parents or carers who are, or who are considering, electively home educating their child.

Further information regarding home education can be found on our website.¹

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¹ Kirklees website <https://www.kirklees.gov.uk/beta/schools/elective-home-education.aspx>

Key considerations before choosing to Electively Home Educate

Home educating is a significant decision and you may want to make sure you have considered the below:

Think carefully about your decision.

It is a great responsibility, demanding a lot of commitment, energy and time.

Consider how you will ensure your child's learning before making a decision.

Research a range of approaches and learning styles. Would you want to involve others to provide additional teaching support? Explore local activities/groups etc. and consider opportunities for social contact with other children.

Look at the potential costs involved.

There is no funding available from the government for home educating families and therefore you must meet the costs of your child's education yourself for example: providing appropriate resources, opportunities for educational visits, access to activities with other children their age and other adults, and exam fees.

Keep your options open.

Your child's needs change at different ages and stages. If you decide not to continue with home education and would like your child to attend a school, the EHE will offer to support you in finding a school place.

Consider carefully any decision to remove your child's name from their school's register.

Should you change your mind, Kirklees Council is unable to guarantee that your child could return to the same school. Bear in mind the pressure on school places in your area²; local schools may not have places available³.

² Pupil Admissions [Schools and education| Kirklees Council](#)

³ Primary and Middle Schools Admissions <https://www.kirklees.gov.uk/beta/admissions/apply-primary-school-place.aspx>
Secondary Schools Admissions <https://www.kirklees.gov.uk/beta/admissions/apply-secondary-school-place.aspx>

If you have difficulty or disagreement with your child's current school.

You may wish to contact a member of the school staff to try and resolve the difficulties before removing your child from the school roll. You may decide to consider other local schools for your child. We would also encourage you to contact the EHE team to discuss the situation where we may be able to offer support to resolve any issues.

As a parent, what responsibility do I have for my child's education?

As a parent you have a legal duty, as set out in section 7 of the Education Act 1996, to ensure that your child receives "efficient full-time education suitable –

- to age, ability and aptitude, and
- to any special educational needs, either by regular attendance at school or otherwise" (otherwise can mean "at home")

At what age is it compulsory for children to receive full-time education?

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 sixteen⁴. From June 2015 the raising of the participation age means that young people are required by law to engage in education, employment or training until their 18th birthday⁵. Home education is a legal option post -16 just as it is for under -16s.

Do I have to educate within school terms and times?

Education at home can be flexible. You can decide how to organise your child's education across the day, week and month. The length of time a child should be involved in learning each week is not specified in law, but as guidance, children in school spend between 22 and 25 hours per week at school, for 38 weeks a year.

⁴ 8 (2) <https://www.legislation.gov.uk/ukpga/1996/56/part/I/chapter/I/crossheading/compulsory-education>

⁵ Education and Skills Act 2008 <https://www.legislation.gov.uk/ukpga/2008/25/contents>

Who do I inform if I decide to educate my child at home?

- If your child is registered at a school, you should inform the Head Teacher in writing. Putting your decision in writing will prevent the school from following its school attendance policy.
- If your child has an Education, Health and Care Plan you should inform the Head Teacher in writing. If your child attends a special school the consent of the LA must be obtained before your child's name is removed from the school roll. The school will liaise with the Special Educational Needs and Disability Assessment and Commissioning Team (SENDACT) to ensure appropriate procedures are followed.
- If your child is not on roll at a school, you are under no specific duty to inform Kirklees Council of your decision to home educate. However, we do request that you inform the Elective Home Education Team so that your child is recorded as EHE and not mistaken as a child missing education (CME).

What is the role of Kirklees Council (the local authority) in Elective Home Education?

We have a duty to ensure all children in Kirklees are receiving a suitable education, our duties come under the 1966 Education Act:

Local authorities have a statutory duty under section 436A of the Education Act 1996⁶, to make arrangements to enable them to establish, so far as it is possible to do so, of children in their area who are not receiving a suitable education at school or otherwise (for example at home, privately or in alternative provision). Therefore, whilst local authorities have no statutory duties to monitor the quality of home education on a routine basis, Kirklees LA will ask parents to provide information to demonstrate their child is receiving an efficient and suitable education.

A further statutory duty exists, which requires Kirklees Council to serve a formal notice under section 437 of the Education Act 1996⁷ if it appears that a child of compulsory school age is not receiving a suitable education. The formal notice requires a parent to satisfy Kirklees LA that their child is receiving a suitable education within a specified time. If Kirklees LA is not satisfied that a child is receiving a suitable education, then we may commence the statutory process for the issue of a School Attendance Order (SAO) requiring the parent to register their child at a named School.

⁶ Section 436A Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/436A>

⁷ Section 437 Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/437/1999-08-31>

What information can I provide to demonstrate a suitable education?

There is no acknowledged 'correct way' to provide an education at home, below are some examples of the sort of information you may be able to provide to demonstrate that your child is receiving a suitable education. These are not exhaustive and may not be relevant to the style of home education you chose to adopt, and you may wish to provide other information that demonstrates a suitable education;

- The aims and objectives of the education you are planning, for instance;
 - to keep up with the National Curriculum (e.g. while you are seeking a school place)
 - to prepare your child for specific exams
 - based upon an educational belief or philosophy
- Although the National Curriculum is optional for home educators, you may choose to cover subject or topic areas such as:
 - Literacy (English)
 - Numeracy (Maths)
 - Science
 - ICT (Computers, etc.)
 - Design and Technology (including cooking, textiles, etc.)
 - Art
 - History
 - Geography
 - Religious Education
 - Personal, Social and Health Education (including an awareness of Prevent and Child Sexual Exploitation)
 - Citizenship
 - Music
 - Foreign Language
 - Any other subjects or areas of study
- How your child might spend their day, for example: -
 - The number of hours a day week you are available to help your child
 - The resources you will be using
 - Any tutors used, or classes your child attends
 - The sorts of activities your child will be engaged in
 - How you will encourage contact with other children
- How will you know that your child is making progress? Are your methods and resources achieving your aims?
- Support available to you: -
 - A description of any support or advice that will be available to assist you with your programme
 - Others who may be able to help (friends, family?)

- If you are aware of any local support groups that may be able to help you?

How will Kirklees Council decide if the education I am providing is suitable?

A member of the Elective Home Education Team will contact you to make informal enquiries regarding the education you are providing, or intend to provide, for your child, to offer any advice required, and to try to answer any questions you may have.

EHE staff recognise and understand the range of approaches and philosophies which home educating families may use and that there are many approaches to educational provision. The discussion will vary depending upon the style of education you are providing and may include:

- Your plan or philosophy for your child's education.
- Access to resources required to provide suitable home education.
- How you will assess your child's progress.
- How you intend to integrate the core subjects of English (literacy), mathematics (numeracy), and IT into your arrangement.
- Any arrangements for public examinations where appropriate.
- How you will meet any special educational needs your child may have.
- Recognition of your child's aptitudes and aspirations.
- How you will provide social experiences to help your child develop.
- Is your home suitable for undertaking teaching and learning, in terms of noise, space and the general environment?

The EHE Team will gather this information using an 'Informal Enquiries Form'.

When home education provision appears to be suitable we will keep in contact with you to a minimum and contact you at least annually for an update.

If the EHE Team believes there is the capacity to improve the education your child is receiving, they will talk this through with you and offer suggestions and recommendations. A follow-up contact will be arranged to discuss the progress.

If following attempts to make improvements, it appears your child's education is unsuitable; formal steps will be taken to ensure your child receives a suitable education, this could be through the use of a School Attendance Order⁸.

Please see appendix A 'School Attendance Order flowchart'.

If we do not receive a response to our informal enquiries regarding the home education provision, we will conclude from the absence of any response that it appears your child is not receiving a suitable education.

⁸ School Attendance Orders [Education Act 1996 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

What if my child has an Education, Health and Care Plan?

All parents, including the parents of children with special educational needs, have an equal right to educate their child at home. However, if a child has an Education, Health and Care Plan (EHCP), Kirklees Council continues to have a duty to ensure that the child's special educational needs are met.

Kirklees will work in partnership with parents to ensure that suitable arrangements are in place to meet the child's special educational needs. However, parents should be aware that they have a duty to provide their child with an efficient, full-time education suitable to the age, ability and aptitude and to any special educational needs the child may have, in line with section 7 of the Education Act 1996⁹, whilst Kirklees Council has a duty:

- To maintain the child's plan;
- To review the plan annually; and
- To decide whether its contents are appropriate or whether the plan should remain in place.

At the annual review of a child's EHCP, the Special Education Needs and Disability Assessment and Commissioning Team (SENDACT)¹⁰, on behalf of Kirklees Local Authority, will consider the child's progress and whether any changes are needed to the plan. Parents are always invited to attend the annual review meeting to ensure that the LA can develop as full a picture as possible of the child's progress and to help identify any changes that may be needed¹¹.

In addition, a parent who is educating a child at home may ask Kirklees LA to carry out a statutory assessment of their child's special educational needs and the LA must consider the request within the same timescales as the requests that it receives from any other parent.

When the parents of a child with an Education, Health and Care Plan decide to withdraw them from a mainstream school to educate them at home, the local authority will ask the parents how they intend to meet the child's special educational needs outside the school setting. If Kirklees LA is satisfied that the educational provision is suitable, it will amend the EHCP to specify the type of school it considers appropriate for the child and add that "the parents have made their own arrangements under section 7 of the Education Act 1996"¹².

⁹ Section 7 Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/7>

¹⁰ SENDACT <https://www.kirklees.gov.uk/beta/special-education/about-special-educational-needs.aspx>

¹¹ Kirklees Local Offer <https://www.kirklees.gov.uk/beta/local-offer/the-local-offer.aspx>

¹² Section 7 Education Act 1996 <https://www.legislation.gov.uk/ukpga/1996/56/section/7>

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

This is known as Flexi-schooling. Parents can ask a school to consider a Flexi-schooling arrangement, the agreement is at the discretion of the Headteacher. There is no duty on a school to provide Flexi-schooling. For further information please refer to the Flexi-schooling guidance.

Can my child still take GCSEs and other examinations?

Yes, exams can be taken as a private candidate. As the parent, you will need to find a registered centre at which your child may take the examinations. It would be advisable for you to also contact individual examination boards to discuss the arrangements for private candidates. You will have to pay for any examination registration fees, examination centre fees and assessment of coursework, by an accredited person/body.

A range of apprenticeships and work-based learning programmes are available to young people with GCSE qualifications. They are also required for many college courses. Alongside qualifications like 'A' levels and National Diplomas, universities often require GCSEs, particularly in English and mathematics (Grade 4 and above). Once a pupil is 16 years of age, they can enrol in a wide range of adult courses including A/AS level examinations. The Open University is a good source for a range of study¹³.

Will my child be entitled to careers advice?

Yes, impartial advice is offered to all young people through C&K Careers¹⁴.

Can I use private tutors or send my child to an out of school setting to supplement my child's education?

Yes, you can but Kirklees Council urges you to consider the importance of ensuring your child is effectively safeguarded. The current guidance document, 'Elective Home Education – Guidance for Local Authorities', states:

"Parents may choose to employ other people to educate their child, though they themselves will continue to be responsible for the education provided. They will also be responsible for ensuring that those whom they engage are suitable to have access to children. Parents will therefore wish to satisfy themselves by taking up appropriate references such as an appropriate Disclosure and

¹³ Apprenticeships <https://www.gov.uk/topic/further-education-skills/apprenticeships>

¹⁴ C&K Careers <https://ckcareersonline.org.uk/>

Barring Service (DBS)¹⁵ check and local authorities should encourage them to do this”

Similarly, if you wish to use another educational setting, you should check that it meets all required health and safety standards. If the setting your child attends is providing full-time education to 5 or more students of statutory school age, or 1 pupil with an Education Health and Care Plan, or to 1 pupil who is Looked After (in the care of the local authority), they should be registered as an Independent School¹⁶. If they are not registered they may be operating illegally and we would advise you to inform us immediately.

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¹⁵ Disclosure and Barring Service <https://www.gov.uk/government/organisations/disclosure-and-barring-service>

¹⁶ Independent Schools https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690495/La_Guidance_March_2018.pdf

Useful contacts

Kirklees EHE Team
EHEteam@kirklees.gov.uk
01484 221919 – (ask for the EHE team)

Qualifications and exam boards
JCQ (Joint Council for Qualifications)
Ground Floor, 4 Millbank,
London SW1P 3JA
Tel 020 7638 4132
Website www.jcq.org.uk
E-mail info@jqc.org.uk

AQA (North)
Address Devas Street, Manchester M15 6EX
Tel 0161 953 1180
Website www.aqa.org.uk

City & Guilds
Address 1 Giltspur Street, London EC1A 9DD
Tel 020 7294 2800
Website www.cityandguilds.com

Edexcel
Address 190 High Holborn, London WC1V 7BH
Website www.edexcel.com

OCR
Address Syndicate Buildings, 1 Hills Road, Cambridge CB1 2EU
Tel 01223 553 998
Website www.ocr.org.uk

Education advice
Advisory Centre for Education - independent advice for parents on education issues
Department of Education - responsible for education and children's services in England
Education Otherwise - a UK charity offering information and support to families providing home education
Home Education Advisory Service - advice and practical support for families who wish to educate their children at home
National Curriculum - sets out the programmes of study and attainment targets for all subjects at all 4 key stages.
IPSEA – Independent provider of special education advice

Appendix A

Flow Chart of Local Authority Actions in Home Education Cases

