

## Elective Home Education - Information Sheet

The following information is intended to help you understand Denbighshire's responsibilities and the ways in which we can work with you to help ensure that your child is receiving a suitable education.

It is both legal and acceptable to choose to home educate your child/ren. Where parents have chosen to home educate, we want to ensure that families have access to good information so that they can offer the most positive experience possible. We believe this is best achieved where parents and the authority recognise each other's rights and responsibilities and work together.

All children have a right to education while they are of compulsory school age. Compulsory school age is from the start of the next school term following their fifth birthday to the last Friday in June of the school year in which they become 16. If you are or plan to home-educate, you will need to continue to provide a suitable education through to the end of compulsory school age.

**Home Education and the Law** Education is a fundamental right for every child and we recognise that parents have the right to choose to educate their child/ren at home rather than at school.

**Section 7 of the Education Act 1996 states:** "The parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable to his/her age, ability and aptitude, and any Special Educational Needs he/she may have". This can be done "by regular attendance at school or otherwise", and "otherwise" includes home-based education.

The term 'efficient' is not defined in the Act and it is therefore up to parent(s) to fulfil their duty according to any reasonable interpretation of the term. Certainly what is provided need **not** be the same kind of 'lessons' as are provided at school. Should the Local Authority have concerns about your home education provision, it will be up to the parent(s) to show that the programme of work is helping the child to learn and that the child **is** developing according to age, ability and aptitude.

**S436A** of the Education Act, 1996, places a duty on LA's:

- a. To identify all learners of compulsory school age who are not registered at a school and not receiving education otherwise than at school;
- b. To establish if such learner are receiving a suitable education.

**Children with Special Educational Needs** If a parent wishes to withdraw their child/ren who is a registered pupil at a Special School, the situation is rather different. Regulation 9(2) of the education (Pupil Registration) Regulations 1995 provides that: *The parent of a child who is of compulsory school age and is registered as a pupil at a special school in accordance with arrangements made by Local Education Authority shall not withdraw the child from that school without the consent of the Local Education Authority; but any such parent aggrieved by refusal of the Authority to give their consent may refer the question to the Secretary of State, who shall give such directions thereon he thinks fit.*

**In the case of a child/ren deemed to have Special Educational Needs**, the authority will consider each applicant separately. As such cases are generally very complex, it is impossible to deal with the wide range of circumstances in this document.

**If the child/ren has never attended school** although there is no statutory requirement for home-educating parents to register their child/ren with LA's, they are strongly encouraged to do so as this will enable the LA to carry out its duties and responsibilities.

**If the Local Authority has no concerns?** The LA will continue to seek to make contact on an annual basis to offer information and support, as well as considering evidence that a suitable education is being delivered. Contact will normally be made in writing and should seek a meeting or request an updated report.

**What if the arrangements are not satisfactory?** The LA has a duty, if it appears to them that any child/ren of compulsory school age is not receiving a suitable education either by regular attendance at school or otherwise, to serve a notice on parent(s) requiring the parent(s) to satisfy the LA, within a specified period, that the child/ren is receiving such education. The period specified must be no less than 15 days (s437 Education Act 1996). If the parent(s) fail to satisfy the LA then the Authority must serve on the parent(s) a School Attendance Order. A parent who fails to comply with an order may be prosecuted.

**If the Local Authority has concerns about your educational provision, how will the Authority assess that the education being provided is satisfactory?**

**1) Written Information**

A questionnaire will be provided for you to outline details of the current provision for your child/ren. You may wish to do this in some other way than this form. Evidence may be in the form of specific examples of learning e.g. pictures, diaries of educational activity, projects, assessments, samples of work etc.

**2) Visit**

The Authority will be requesting that one or two of its Officers meet with you in order to assess that the arrangements which you are making for your child/ren are satisfactory. This visit should be viewed in a positive light and should provide the opportunity for open discussion between yourself and the Officer(s) on the education being provided.

It may be helpful for you to be aware of some of the areas which the Officer(s) will be looking at when they meet with you:

- consistent involvement of parent(s) or other significant carer(s) – it is expected that parent(s) or significant carer(s) would play a significant role; although not necessarily constantly or actively involved in providing education;
- an indication that parent(s) have thought through their reasons for home educating and what they hope to achieve;
- signs of commitment and enthusiasm, and recognition of the child/ren's needs, attitudes and aspirations;
- opportunities for the child/ren to be stimulated by their learning experiences;
- involvement in activities to cater for the interests of the child/ren and his/her stage of development;
- access to resources/materials required to meet the objectives of the parent(s);
- the opportunity to interact with other children and other adults;
- the involvement of Careers Wales at an appropriate stage; and
- development of numeracy and literacy skills suitable to the child/ren's age, aptitude and ability and taking into account any special educational needs that they may have.

If you would like a further discussion on educating your child/ren at home, or if you have any questions please contact Inclusion Services on **01824 708064**.