



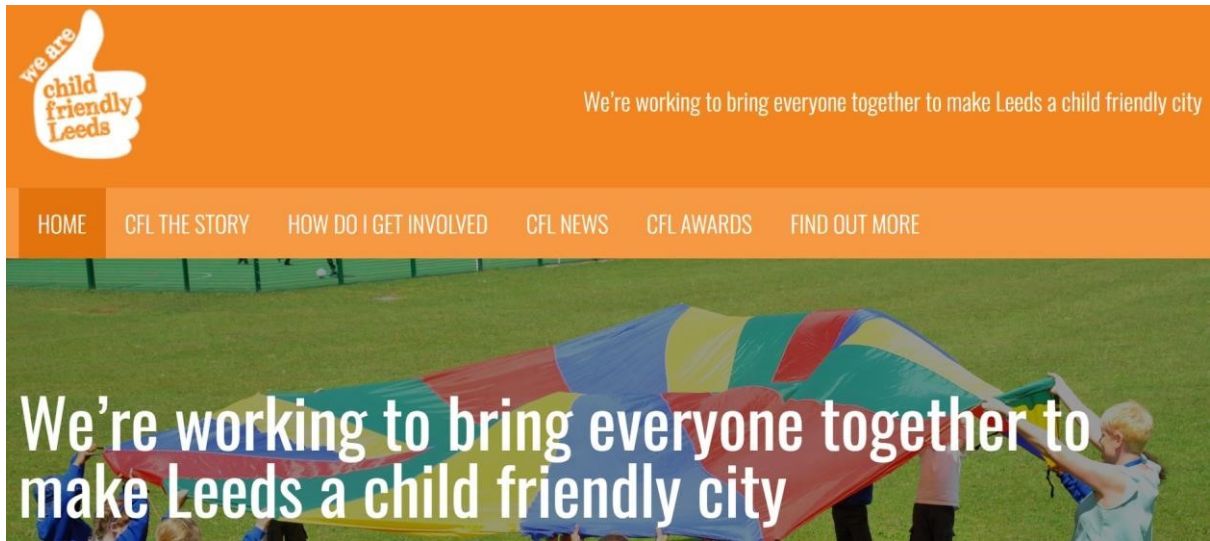
Leeds
CITY COUNCIL

Elective Home Education

**Information and guidance for
parents/carers considering or new to
educating children at home by choice in
Leeds**

July 2023





[Home \(leeds.gov.uk\)](https://leeds.gov.uk)



[Home - LEEDS 2023](#)

[EHE Community Forum](#)

Further support can be accessed through our community forum group – the EHE Team can provide details about next planned sessions: ehe@leeds.gov.uk or call **0113 3785028** This guidance will be regularly updated as ideas come through this group and with any changes in government guidance.



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Welcome!

Are you new to EHE?

Are you considering EHE?

This guidance is to support you to make an informed decision about the next education steps for your child(ren) and family.

Introduction

The information provided in this booklet is for parents and carers who are either considering educating their children at home or who are new to home education. We aim to work with families who are considering this as an option and look forward to providing continuous support. If you would like to talk to a member of the EHE (Elective Home Education) team, please contact ehe@leeds.gov.uk or call 0113 3785028 and ask to speak to us or leave a message for the Lead Officer for EHE.

Everyone's home education journey can be different, the information enclosed sets out:

- where to find further information and support
- next steps if you decide to home educate
- parents' rights and responsibilities when educating their children at home
- the legal duties and responsibilities of schools and the Local Authority

As we develop our positive relationships with EHE families we will incorporate ideas and signpost further support that you can use and help you to meet other home educating families if you would like to.

Providing an education - what you need to know

The Legal bit!

Parents and carers have a legal responsibility to ensure that their child receives an education. For many children this means regular attendance at school. However, parents can choose to

educate their child at home rather than at school. This is different to home tuition provided by a Local Authority on a temporary basis when a child is unable to attend school for unavoidable circumstances such as medical reasons.

In making the decision to educate at home, parents should be aware of the legal requirements for home education.

As a parent / carer, what is my legal duty in terms of education?

The responsibility for a child's education rests with their parents. The parents' legal duty is set out in Section 7 of the Education Act 1996 as follows:

“The parent of every child of compulsory school age shall cause him 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 term “otherwise” includes the parental right to home educate. The European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 2 of Protocol No 1 also supports this by stating: “No person shall be denied the right to education.”

If a parent exercises their right to home educate, it is their responsibility to provide a full-time, efficient, and suitable education. Parents may decide to home educate their child from a very early age and so your child may never be enrolled at a school. Parents may also elect to home educate at any other stage up to the end of compulsory school age (the end of June after a young person has turned 16). Parents are not required to register or seek approval from the Local Authority to educate their children at home. However, if the child has an education, health, and care plan (EHCP) and attends a (Special Inclusive Learning Centre) SILC by arrangement with the local authority, the parent must obtain consent to remove the child from the school roll.

Parents who choose to educate their children at home need to be prepared to assume full financial responsibility, including bearing the cost of any public examinations which they may choose to access. Parents must also ensure that their children receive efficient, suitable, fulltime education for as long as they are being educated at home.

What is meant by ‘efficient,’ ‘suitable’ and ‘full time’ education?

These words are not defined in the 1996 Education Act. However, there is a general consensus and case law to support the view that:

- an '**efficient**' education achieves what it sets out to achieve
- a '**suitable**' education prepares your child for life in their own community and at the same time enables your child, when grown up, to be an independent citizen in the UK, beyond the community of which they/he/she is a member
- there is currently no legal definition of "**full-time** education." Children normally attend state school for between 22 and 25 hours a week for 38 weeks of the year, but this measurement of "contact time" is likely to be different in elective home education where there is often almost continuous one-to-one contact and education may take place outside normal 'school hours'

What should be taught or learnt?

Whether provided in school or at home, a 'curriculum' consists of everything which is done in order to educate your child. What is taught should cater for your child's physical, intellectual, social, emotional, and spiritual development and ideally, allow your child to acquire a broad range of knowledge, understanding and skills. It should also address any special educational needs which your child has, particularly where these are outlined in an education, health, and care plan. The National Curriculum does not apply to children educated at home but if you wish your child to enter or re-enter state provided education at some point in the future, this will be easier if you take the requirements of the National Curriculum into account when planning your child's education.

Well considered suitable education provision will include a distinct focus on literacy and numeracy. It will also include other elements dealt with at an age and ability appropriate level, such as personal and social education, relationship and health education and careers education.

Having the opportunity to mix with other children and adults is also considered to be important. Some parents provide the education themselves whilst others choose to educate their children co-operatively with other parents, neighbours and/or tutors. Some use materials and ideas from outside agencies and some of these are accessed on the internet.

There is not one form of education; children learn in many different ways, from different people, at different times and speeds. What you teach (or leave out) and how your child learns is up to you, provided that it meets the requirements of the 1996 Education Act as a suitable, efficient, and full-time education.

Education does not always need to follow a set plan of 'lessons' or even a 'timetable' but it is a good idea, when outlining to the local authority that your child is receiving efficient, suitable, and

full-time education, to be able to describe what your aims are for your child's education and how you are expecting to meet those aims. Keeping a record of your child's progress and achievements will also help to demonstrate the efficiency of the education being provided.

The Local Authority role and legal responsibilities

Leeds is a child friendly city, and we want all children have positive opportunities and outcomes. Families have many different reasons for choosing to home educate and will educate in many different ways. We want to work with you and to support you along this possible journey.

The Local Authority (Leeds City Council) has two duties relating to all children.

Under section 175 (1) of the Education Act 2002, the Local Authority must safeguard and promote the welfare of children and "make arrangements for ensuring the functions conferred upon them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children".

Under Section 437(1) of the Education Act 1996, local authorities must make arrangements to identify children in its area who are not receiving suitable education.

"If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that your child is receiving such education." Education Act 1996.

Families have many different reasons for choosing to home educate and we want to work with parents and carers to support home educators in your legal duty to provide education for your child. As a local authority, we are required to take appropriate action if it is found a child is not receiving suitable education and, in order to do so, the Local Authority needs to know what educational provision is being made for children. In order to know what provision is being made, we engage with parents who are home educating by offering home visits and inviting home educators to share information about their child's education.

As part of the Local Authority informal enquiries, we would like to arrange to visit you at home, but if you prefer, we can meet somewhere else that suits you, hold a meeting online, or you can send us information using our learning information form, or in a different form of your choice. If

we have any concerns about your child's education, we will write and let you know. You will always have the opportunity to work with us to resolve any issues.

There is no legal obligation for parents to agree to a meeting or to share details of provision being made, but if limited or no information is shared with the Local Authority about the education being received by the child, the Local Authority may have no option but to conclude that the education does not meet the requirement for parents to be ensuring the child is receiving fulltime, suitable, and efficient education.

In cases where the Local Authority is unable to determine what education is being provided, or whether that education is suitable, efficient, and full-time, it may assume that a child is not receiving appropriate education. The Local Authority may then serve a notice (known as a s437(1) notice) requiring parents to satisfy the authority that their child is receiving full-time, efficient, and suitable education.

If, following this notice, the Local Authority does not receive enough information to satisfy itself that education is being received by the child is suitable, and the Local Authority believes that your child should return to school, a School Attendance Order will be issued ([under section 437\(3\) of the Education Act 1996](#)). Local Authorities may also apply to the Court for a child assessment order under the [Children Act 1989](#), if they have reasonable cause to do so.

To this end, if you decide to home educate, we will arrange for a team member from the local authority to contact you and:

- share local information about home education
- discuss with you any concerns that you may have about the school you may have had your children enrolled at
- ask you to let us know how you are planning to educate your child(ren) • signpost you to appropriate information and support.

As a Local Authority, we want to work with parents through our informal process to gather information about the education being provided so that we understand whether your child is in receipt of a suitable education. If the local authority receives little or no response to the request for information, we may assume that a child is not receiving suitable education, and where appropriate we will consider the legal options available to us to ensure your child returns to education as quickly as possible.

Some factors that you may wish to consider when deciding whether to home educate:

- the reasons why you are considering educating your child at home

- we acknowledge and know that for many families EHE is a positive choice but for some it feels that there is no other option – please talk to us about any of your concerns
- what does your child think about the idea?
- do you have the time, resources, and ability to educate your child?
- Is your home suitable for undertaking home education, in terms of noise, space and the general environment?
- what support do you have from others? What would happen, for example, if you were unable to provide education for a period of time?
- can you provide social experiences, access to cultural and aesthetic experiences and physical exercise to help your child to develop?
- can you meet the costs involved, such as visits / equipment / books and access to formal qualification and future exams if you would like your child to complete these?
- do you have access to resources required to deliver an efficient and suitable education including resources for any special educational need?
- how you will be able to respond and develop to support your child as they grow up?
- do you plan to educate your child at home for the whole time they are of compulsory school age? What are your longer-term intentions for the education of your child?

There are no legal requirements for home educators to:

- acquire specific qualifications for the task
- have premises equipped to any particular standard
- aim for your child to acquire any specific qualifications
- teach the National Curriculum
- provide a 'broad and balanced' curriculum
- make detailed lesson plans in advance
- give formal lessons
- mark work done by the child
- formally assess progress or set development objectives
- reproduce school type peer group socialisation
- match school-based, age-specific standards

Many home-educating families choose to do at least some of these, and it is likely to be much easier for families to show that the education provided is suitable if attention has been paid to the breadth of curriculum and its content, and the concepts of progress and assessment in relation to your child's ability.

We would advise that parents do not take their child out of school because they have had a disagreement with the school or a teacher, as home education works best if it is a positive choice, made in the best interests of the child. Please talk to us and think about talking to another teacher, or requesting a meeting. If you have been unable to secure a place at your child's preferred school think carefully about whether home is right for your child and family circumstances.

Before deciding to educate in such circumstances:

- seek an opportunity to talk to the head teacher, head of year or another member of staff in school in order to share your concerns and work together to find a solution
- speak to a Local Authority Elective Home Education Officer (Tel: 0113 3785028) who can offer impartial advice and support
- if your child has a special educational need consider contacting Leeds SEND (Special Educational Needs and Disabilities) Information Advice Support Service who offer impartial advice to parents (Tel: 0113 3951200)
- contact the School Admissions Service (Tel: 0113 2224414, [School admissions \(leeds.gov.uk\)](https://www.leeds.gov.uk)) who will be able to advise you on schools with places and processes to apply for these

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

- If your child is of pre-school age then there is nothing you need to do, although the LA would prefer that you send a letter to outline your intentions (see contact information below). Without this, you may continue to receive letters and contact from the LA asking you to apply for a place or asking you to outline what education your child is receiving.
- If you are withdrawing your child from school and he/she is of compulsory school age, you should write to your child's school stating your intention to educate your child at home. The school has a duty under Section 12 (3) of "The Education (Pupil Registration) Regulations 2006" to inform the Local Authority that your child will be removed from the school registers. The school will take your child off the school roll and have no further responsibility for your child's education. At this point, you assume full financial responsibility for your child's education including funding for any formal assessments or examinations.

Leeds is a child friendly city, and we feel that in the interests of all children it is important that we maintain a dialogue with you about the education you are providing for your child.

Leeds City Council's EHE Team maintains a list of children it knows of who are being educated at home. This is so that we can have a record of what contact we have had with a parent and child.

We know that most parents take their children's education seriously, but where that is found to not be the case, it is most important for these children that the Local Authority takes an active

interest in their education, and we will follow up on both safeguarding and education suitability concerns.

What if my child has a special educational need?

Parents of a child who has an Education Health and Care Plan (EHCP) can also educate them at home. However, if your child is on the roll of a special school, parents require the consent of the Local Authority to remove the child from the roll in order to educate at home. Please discuss this with your SENSAP (Special Educational Needs, Statutory Assessment and Provision) casework officer.

All EHCPs (Education Health and Care Plan) must continue to be reviewed annually. This review includes assessing whether the plan is still appropriate, requires amendment or might cease to be maintained. SENSAP officers will maintain contact with you regarding this.

What contact should I expect from Leeds City Council following my decision to educate my child at home?

Communication with parents who choose to home educate their children is undertaken by staff in the Local Authority Home Education team and the Attendance Service.

Once we are aware that a child is being home educated, the Elective Home Education team will ask you to complete and return a Learning Information form, in order for the local authority to be aware of the educational provision you intend to make and how you will monitor your child's progress.

The Learning Information form is provided as a way to share information with the local authority about the education your child is receiving. We expect that you will describe:

- the outcomes you expect for your child
- a coherent educational aim which illustrates serious intent by you to educate your child
- what you are doing to educate your child and
- what your child is achieving so that a reasonable person can determine that your child is receiving efficient, full-time education suitable to his/her age, ability, and aptitude.

An officer from the EHE team will seek to arrange an initial meeting with you and your child in order to check in with you and to discuss your aims and plans to home educate. We hope you will develop a positive relationship with this team member who will be your contact at the local authority. We will also provide some information and offers for local support at the point of the child becoming home educated.

Information for specific age groups may be sent from time to time to compliment information from your local cluster.

Normally, the Local Authority would then make contact with you again around 4 to 6 months after you start to home educate your child, to check on progress and how home education is going. Contact with the local authority can be home visits, or celebration visits as some of our community prefer to say. Sometimes we are privileged to be invited to presentations by children and some families like to show us work when we meet up with them outside the family home or at community forums.

Once home education is established and feedback about the information provided to the local authority has been shared, usually to say a suitable education is clear, then a light touch approach is initiated by the EHE team on an annual basis. Of course, families may contact us at any time to discuss any concerns or to invite us to celebrate success. The annual contact is a request for updated information, with an offer of a home visit also made each year to discuss your child's progress. However, if any doubts are expressed by the officer or other factors are determined then the follow-up contact may be more frequent.

If the Local Authority feels that the education you are providing does not offer your child an appropriate education, you will be advised of the reasons and given the opportunity to put things right.

If, after a reasonable period of time, the Local Authority is still not satisfied that your child is receiving suitable education, a parent may receive contact from the Attendance Service requiring their child to be registered at a school. We would stress that this will only happen if we are convinced that a parent is not educating their child according to his/her age, ability and aptitude and we will be able to explain to parents exactly why this is so.

If you do choose to educate your child/children at home, then we wish you every success. If you change your mind or your circumstances change so that elective home education is no longer possible, our EHE team can advise you about how to request a school place and about what your options may be.

Secondary schooling

If you are already educating a primary aged child at home but feel that you might like them to attend a secondary school, please get in touch with the School Admissions Service. Applications for Y7 Admission close in October of the year before Y7 admission takes place (Tel: 0113 222 4414).

All information about applying for a school place can be found either by ringing the School Admissions Service or via the Leeds City Council website ([School admissions \(leeds.gov.uk\)](https://www.leeds.gov.uk/school-admissions)).

Alternatively, you can email the School Admissions Service at education.admissions@leeds.gov.uk

Further enquiries

If you should have any further queries, please do not hesitate to contact the Local Authority EHE team at the following address:

Leeds City Council
AC – EHE Team
PO Box 911
Civic Hall

Leeds
LS1 9WJ

Tel: 0113 3785028
Email: ehe@leeds.gov.uk

Further Information and Support

The following information may be helpful.

Department for Education website at

[Elective Home Education - Department for Education](#)

['What you need to know' Department for Education](#)

Your EHE team will be able to signpost you to current events for you and your families.