

Local Authority action

- If the child is the subject of a CAF Plan, Child in Need Plan or a Child Protection Plan the parent's decision to electively home educate will be discussed with the lead professional identified by the plan prior to any further action.
- The consent of the Local Authority is required to withdraw a child from a special school
- A Local Authority representative will make contact with the family to discuss their plans to educate the child electively.
- The local authority will review a pupil's progress on at least an annual basis.
- If it appears that the pupil is not receiving a "suitable and efficient" education, the Local Authority officer will inform the parent/carer in writing of these concerns. The parent/carer will then be provided with an opportunity to adapt the education being provided, so that it is "efficient and suitable".
- A review of the adapted education will be undertaken. If it then appears that an "efficient and suitable" education is being provided, no further steps are taken.
- If it appears that an "efficient and suitable" education is not being provided for the child, the Local Authority is required to apply for a School Attendance Order. This would require parents/carers to register their child at school.

Remember:

- To ask which school a child /young person attends. If the family report the child/young person to be electively home educated please contact Julia Calcasola to ensure that the Local Authority is aware of the child/young person.
- If the family report that the child/young person is not on a school roll please contact Julia Calcasola to provide details of the child/young person.
- You may be the only person to see the child/young person – don't assume that someone else is in regular contact with the family.
- If you have any concerns about a child/young person follow Halton's Safeguarding Children Board procedures.
- A child/young person may return to school at any time, an application for a school place should be made directly to the school or contact Julia Calcasola for further information.

Useful Contacts

Julia Calcasola
Education Welfare/EHE Officer
2nd Floor, Rutland House
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ELECTIVE HOME EDUCATION

INFORMATION FOR PROFESSIONALS

ELECTIVE HOME EDUCATION: Do Children & Young People have to be educated at school?

The responsibility for a child's education rests with their parents. In England education is compulsory but school is not. Children and young people must receive an education from the beginning of the term following their 5th birthday until the last Friday in June of the academic year they become 16. Parents have a right to educate their children at home. Section 7 of the Education Act 1996 allows parents to provide an education for their child either at school or otherwise.

Parents are not required to:

- Teach the National Curriculum
- Have a timetable
- Have premises equipped to any particular standard
- Set hours during which education will take place
- Have any specific qualifications
- Give formal lessons
- Mark work done by their child
- Formally assess progress or set development objectives

Parents are required to:

- Ensure a child of compulsory school age is educated
- Provide a full time education (between 22 and 25 hours a week for 38 weeks of the year. However this does not have to be undertaken during normal school hours.
- The education must be efficient and suitable. An "efficient" and "suitable" education is not defined in the Education Act 1996 but "efficient" has been described in case law as an education that "achieves that which it sets out to achieve", and a "suitable" education is one that "primarily equips a child for a life within the community of which he/she is a member, as long as it does not limit the child's options in later years.
- Ensure any special educational needs are catered for.
- Be financially responsible for their child's education

Child Employment

- Children are not allowed to work in any job if under 13 years of age.
- School children must be issued with an employment licence before beginning work.
- The maximum number of hours a child of compulsory school age can work in any one school week is 12 hours. Children/young people cannot work during the school day. During school holidays a child aged 15 or over can work for up to 35 hours per week and a child aged under 15 can work for up to 25 hours per week.
- Children aged 13 and over can only work after 7am and before 7pm.
- On school days and sundays they can only work for up to 2 hours.
- On other non-school days if they are 15 and over they can work for up to 8 hours and if under 15 they can work for up to 5 hours. There must be a break of 1 hour for each 4 hour period worked.
- Some jobs are not considered suitable - check with the attendance and behaviour service to find out what these are.

Local Authority's Responsibilities:

- Must be satisfied that a child/young person is receiving an efficient and suitable education.
- Under section 175 (1) of the Education Act 2002 the Local Authority has a general duty to safeguard and promote the welfare of children. The Local Authority has powers to enable it to insist on seeing children to enquire about their welfare where there are grounds for concern, such powers, however do not give the Local Authority the ability to see and question children who are being home educated in order to establish whether they are receiving a suitable education.,
- The Local Authority will aim to discharge its safeguarding duty in relation to home educated children by working in partnership with parents and will always seek to see, speak with and establish the views of the children who are home educated