



Department  
for Education

# **Elective home education**

**Departmental guidance for parents**

**April 2019**

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# Summary

## About this departmental guidance

This is departmental guidance from the Department for Education. It is non-statutory, and has been produced to help parents understand their obligations and rights in relation to elective home education.

## Expiry or review date

This guidance will next be reviewed by December 2020.

## Who is this guidance for?

This guidance is for:

- Parents, especially those educating children at home or considering doing so.

Parents may also find it useful to consult the local authority version of DfE guidance on home education, published alongside this document.

## Introduction

The government's aim is to ensure all young people receive world-class education which allows them to reach their potential, and live a more fulfilled life regardless of background, in a safe environment.

Educating children at home works well when it is a positive choice and carried out with a proper regard for the needs of the child. This guidance is intended to help parents who choose to educate a child at home understand what their responsibilities are, and how those fit with the role of the local authority.

In producing this guidance - and the parallel document for local authorities -, the department's hope is that this will result in a position where those parents who wish to educate their children at home and do it well, are helped to do so. However, if parents are in a position where they are educating a child at home but would prefer not to be doing so - or feel pressure to start educating a child at home, but know this will present difficulties - the guidance aims to set out what they need to consider and when they should seek help.

The guidance represents the department's view as to the way in which the current legal framework affects the provision of home education. It does not create new powers or duties, and only the courts can make authoritative decisions on the law.

# 1. What is elective home education (EHE)?

1.1 Elective home education is a term used to describe a choice by parents to provide education for their children at home or in some other way they desire, instead of sending them to school full-time. This is different to education provided by a local authority other than at a school, for example for children who are too ill to attend school. Throughout this guidance, 'parents' should be taken to include all those with parental responsibility, including guardians and foster carers (in the latter case the local authority may also be a corporate parent).

1.2 As a parent you can choose to engage private tutors or other adults, or online tuition, to assist in providing a suitable education, but there is no requirement to do so. There are other settings which may be used, not just the family home. Such settings may well not be regulated in any way so there is no external assurance that they comply with basic standards, such as proper vetting of staff and safeguarding children.

1.3 Although children being home educated are not normally registered at any school or college, you may choose to make arrangements for a child to receive part of his or her total education at a school ('flexi-schooling') - or at an FE college or other 16-19 provider if the child is aged 14 or above. The purpose of this will often be to provide education in specific subjects more easily than is possible at home. Schools and colleges are under no obligation to agree to such arrangements, but some are happy to do so.

## 2. What is the legal position of parents who wish to home educate their child?

2.1 As parents, you - not the state - are responsible for ensuring that your child, if he or she is of compulsory school age, is properly educated. Despite the term 'compulsory school age', education does not have to be undertaken through attendance at school, even though the parents of any child living in England can request a state-funded school place and the local authority is obliged to find one - or make alternative arrangements for education of your child.

2.2. There is no legislation that deals with home education as a specific approach. However, Section 7 of the Education Act 1996 provides that:

*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 may have,*

*either by regular attendance at school or otherwise.*

Elective home education is a form of 'education otherwise than at school' and this piece of legislation is the basis for the obligations of parents. It is also the starting point for local authorities' involvement.

2.3 A child becomes of compulsory school age from the first of the following dates (31 August, 31 December or 31 March) which occurs after she or he becomes five years old (or if the fifth birthday falls on one of those dates, on that day). The child remains so until the last Friday of June in the academic year in which she or he becomes sixteen. Children may also be educated at home in order to participate in education and training until the age of 18.

2.4 You may also decide to exercise your right to educate your child at home from a very early stage, before he or she reaches compulsory school age. There are no requirements in that case as to the content of any home education provided - since there is no legal requirement for any education to take place at all, although state-funded places of between 15 and 30 hours a week would normally be available in early years settings for children of an appropriate age.

2.5 Unless otherwise stated, the rest of this guidance is solely concerned with the provision of home education for children who are of compulsory school age.

## What is 'efficient' education?

2.6. There is no definition of this in statute law. However, it can be interpreted as meaning education which 'achieves what it is intended to achieve'. This is not the same as the education being 'suitable' - because it is possible to deliver efficiently an education which is definitely not suitable for the child. Conversely, it is possible to deliver a suitable education very inefficiently.

## What is a 'full-time' education?

2.7 There is no legal definition of "full-time" in terms of education at home, or at school. Children attending school normally have about five hours tuition a day for 190 days a year, spread over about 38 weeks. However, home education does not have to mirror this. In any case, in elective home education there is often almost continuous one-to-one contact and education may sometimes take place outside normal "school hours".

2.8 Home-educating parents are not required to:

- have a timetable
- set hours during which education will take place
- observe school hours, days or terms

2.9 In practice, the question of whether education for a specific child is full-time will depend on the facts of each case; but you as parents should at least be able to quantify and demonstrate the amount of time for which your child is being educated. Education which clearly is not occupying a significant proportion of a child's life (making due allowance for holiday periods) will probably not meet the s.7 requirement.

## What is a 'suitable' education?

2.10 There is no definition of 'suitable' education in statute law, although as stated in s.7 as quoted above, it must be suitable to the age, ability and aptitudes of the child, and any special educational needs. This means that it must be age-appropriate, enable the child to make progress according to his or her particular level of ability, and should take account of any specific aptitudes (for example if a child is very good at mathematics, it might focus more on that than some other subjects). More generally, you should bear in mind that:

- a. even if there is no specific link with the National Curriculum or other external curricula, there should be an appropriate minimum standard which is aimed at, and the education should aim at enabling the child, when grown-up, to function as an independent citizen in the UK - and furthermore, beyond the community in which he or she was brought up, if that is the choice made in later life by the child;

b. to be 'suitable', education at home should not directly conflict with the Fundamental British Values as defined in government guidance (link at end of document), although there is no requirement to teach these;

c. local authorities may use minimum expectations for literacy and numeracy in assessing suitability, whilst bearing in mind the age, ability and aptitude of the child and any special educational needs he or she may have;

d. education may not be 'suitable' even if it is satisfactory in terms of content and teaching, if it is delivered in circumstances which make it very difficult to work (for example in very noisy premises). This might also affect whether it is 'efficient' and indeed, whether it is 'received' at all for the purposes of s.7; and

e. education may also not be deemed suitable if it leads to excessive isolation from the child's peers, and thus impedes social development.

2.11 There are no legal requirements for you as parents educating a child at home to do any of the following:

- acquire specific qualifications for the task
- have premises equipped to any particular standard
- aim for the 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

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



## What about children's rights?

2.13 The United Kingdom has ratified the United Nations Convention on the Rights of the Child (UNCRC). Article 12 of the UNCRC requires states to provide a right for children to express their views and for due weight to be given to those views, in accordance with the age and maturity of the child. This does not give children authority over parents, and a decision to educate a child at home is a matter for you as parents. You should, however, consider whether home education is realistically possible in your family's particular circumstances, and if your child is happy to be educated in this way. The local authority may wish to gain the child's opinion on the suitability of the home education received (as distinct to the question of the child's preference for being educated at home rather than at school), as this can be relevant to any decision it needs to make on whether the s.7 requirements are met.

### 3. So what do I need to think about before deciding to educate my child at home?

3.1 Deciding to educate your child at home instead of sending him or her to school is a step which should not be taken lightly. It will mean a major commitment of your time, energy and money. Think hard before making a final decision. It is especially important that you as parents consider the nature of the education you intend to provide for your child before you begin to teach him or her at home. Think about the curriculum you will provide, and whether it will allow your child to reach his or her potential now and in the future, including whether you expect your child to sit public examinations such as GCSEs or not. Also consider whether home education is in your child's overall best interests, including social development.

3.2 There is a range of reasons why you may be considering educating your child at home, including:

- Ideological or philosophical views which you feel would be better promoted through education at home
- Religious or cultural beliefs
- Dissatisfaction with the school system
- Distance to a local school
- Bullying
- As a short term intervention for a particular reason
- The child's unwillingness or inability to go to school
- Special educational needs not being met within the school system
- Health reasons, particularly mental health

3.3 Some of the reasons listed above may provide a stronger basis than others as a foundation for successful home education. In particular, if you are considering home education because the school system is not currently working well for your child, or because you have other family problems which make it difficult to ensure school attendance for your child, you should consider what other steps you could take to secure a more satisfactory education. If you are considering home education for your child due to a disagreement with the school or a teacher, talk to the teacher concerned, or to the head teacher if appropriate, before you make your decision. This is particularly important for children in years 10 and 11 who are already preparing for public examinations. It is also unwise to consider temporary home education as a means of getting your child into a school other than the one he or she is currently registered at.

3.4 Remember that pressure should never be put on you as parents by a school to remove your child from a school to avoid formal exclusion, or because your child is

having difficulty with learning or behaviour. This practice - sometimes called 'off-rolling' - is unacceptable, and if pressure of this sort is put on you by any state-funded school you should inform the local authority.

3.5 If you genuinely believe that your child's current school is not suitable, then you should also discuss with the local authority what alternatives might be available before taking any decision as to home education of your child.

3.6 Remember that if you choose to educate your child at home, you as parents must be prepared to assume full financial responsibility for the child's education, including bearing the cost of any public examinations (which would have to be entered via an external examinations centre, which may be some distance from your home). Some local authorities may provide financial or other assistance to home-educating families for public examinations, but this is discretionary. Other costs to consider include books, paper, IT and other equipment, and educational visits and sporting activities. Local authorities can consider giving support when special educational needs are being met through home education and additional costs are incurred as a consequence of those special needs. Even in these cases, assistance is discretionary. Some local authorities operate support groups or forums for home-educating families, or provide access to advice; but again, this is discretionary.

3.7. Bear in mind also that if you remove your child from a school in order to educate at home, but then change your mind, there is no guarantee that a place would still be available at the school; an application would have to be made in the usual way through the local authority's process for in-year admissions – or if applicable, direct to the school. If no place was available at your child's former school, the local authority would then be obliged to find a state school place, or arrange for education to be provided otherwise than at school. Local authorities are also aware that some parents have attempted to use temporary 'home education' as a means of circumventing a school place allocation at the start of primary or secondary education.

3.8 In summary, therefore, as parents you should consider:

- a. why are you thinking of educating your child at home?
- b. what does your child think about the idea?
- c. do you have the time, resources and ability to teach your child properly?
- d. is your home suitable for undertaking teaching and learning, in terms of noise, space and general environment?
- e. What support do you as parents have from others? What would happen if you were unable, perhaps through illness, to provide teaching for your child for a period of time?
- f. can you provide social experiences, access to cultural and aesthetic experiences and physical exercise, to help your child develop?

g. Do you envisage educating your child at home for the whole of their time of compulsory school age, or only temporarily? What are your long term intentions for the education of your child?

## 4. If I choose to educate my child at home, what must I do before I start?

4.1 If your child has never been enrolled at a school, you are under no legal obligation to inform the local authority that he or she is being home educated, or gain consent for this. However, it is strongly recommended that you do notify your local authority of the fact, in order to facilitate access to any advice and support available. Some local authorities operate voluntary registration schemes which are linked to support arrangements.

4.2 If your child is currently on the roll of a school you are not obliged to inform the school that he or she is being withdrawn for home education or gain consent for this. However, it is sensible to do so, in order to avoid subsequent misunderstandings as to how you intend to fulfil your parental responsibility for your child's education. The school is obliged to inform the local authority of children removed from its admission register and will give home education as the reason, if notified of this by the parent. Parents of children withdrawn from school for home education are not legally obliged to inform the local authority themselves - but again it is sensible to do so, either directly or using any local registration scheme which exists, to facilitate access to advice and support.

4.3 These points also apply to children with an Education, Health and Care (EHC) Plan attending mainstream schools. However, if your child attends a special school and this was arranged by a local authority, then the permission of the local authority must be obtained before his or her name can be removed from the admission register. If the local authority refuses consent, you can ask the Secretary of State to settle the dispute. The other circumstance in which the local authority's consent is necessary is if your child is attending any school as a result of a school attendance order; this order must be revoked by the authority before you can have your child's name removed from the admission register.

4.4. As set out above, you must ensure that the child receives an efficient and suitable full-time education so long as he or she is of compulsory school age. If he or she is not attending a state-funded school - or being educated under alternative arrangements made by the local authority - you assume the full financial responsibility for the provision of education. You should therefore consider how you can do this if you intend to educate at home. Such costs may not just be direct but also indirect (for example, loss of income if a parent is at home educating a child).

4.5 If at any stage, it becomes apparent to you as parents that in fact you cannot provide suitable home education, you should contact the local authority as soon as possible with a view to securing a suitable school place for your child, and minimising any interruption to studies. If your child is of compulsory school age, the local authority must find a suitable school place - or ensure that education is provided in some other way. However, as pointed out above, this may not be in a school of your choice.

## 5. What are the responsibilities of your local authority?

5.1 Your local authority has no formal powers or duty to monitor the provision of education at home. However, it does have a statutory duty (under s.436A of the Education Act 1996) to make arrangements to enable it to establish the identities, so far as it is possible to do so, of children in its area who are not receiving a suitable education. The relevant local authority with responsibility for education will either be the single-tier authority for the area in which you live (for example a unitary authority or London borough) or the upper-tier authority for the area in which you live (for example, the county council rather than a district council). There are 152 such local authorities with education responsibilities in England as at March 2019, decreasing to 151 from April 2019.

5.2 The simple fact that a child is being educated at home does not mean that he or she is not receiving a suitable full-time education. However, in order to fulfil their section 436A duty, local authorities are entitled to make informal enquiries of parents to establish what education is being provided.

5.3 The local authority is therefore likely to make such enquiries if it becomes aware that you are educating a child at home - or may be doing so. As parents you are under no legal obligation to respond, but if you do not, the local authority is entitled to conclude from the absence of any response that it appears that your child is not receiving a suitable education, with all the consequences which can follow from that (see below).

5.4 Some local authorities will ask to see the child at home or in another location, as well as seeing examples of work done. As parents, you are under no legal obligation from education law to agree to such a meeting (*but see section below on safeguarding*) or to produce specific evidence but you should consider carefully the reasons for not doing so, what is in the best interests of your child, and what is the most sensible approach. If you do not do enough to satisfy the local authority about the education being provided at home it may have no option but to conclude that the education does not meet the s.7 requirement.

5.5 Each local authority has its own published policy on elective home education (usually available on its website) and you should familiarise yourself with this to see what procedures are in place. Ideally such policies are drawn up in consultation with local home education groups and should be designed for the benefit of home educated children. Local authorities should be bearing in mind that, in the early stages, your plans may not be detailed and you may not yet be in a position to demonstrate all the characteristics of an "efficient and suitable" educational provision. You may want to ask the local authority for advice and support. A reasonable timescale should be agreed for you to demonstrate that all aspects of your provision in place, but this does not mean that there can be any significant break between the end of schooling and the provision of good education at home. Once the local authority is satisfied that your child is receiving a suitable education, it is likely to want to update periodically the information it has on your

child, and its policy will normally set out the arrangements which it makes for this, often being an annual review with an opportunity to discuss your child's position with a specially assigned local authority officer. It would be sensible to engage with your local authority in such reviews, as advice and support may also be accessed through such co-operation.

5.6 If your local authority feels that it has not had sufficient information about the home education being provided, or has had no information, and it appears to the authority that your child is not receiving a suitable education at home, it must serve a notice (known as a s.437(1) notice), requiring that you as parents satisfy the authority that the child is receiving a full-time and efficient education at home suitable to your child's needs. Again, it would be sensible to respond to such a notice if you receive one; and you will have at least 15 days to respond so that you have time to gather suitable material that you may wish to supply.

5.7 The local authority must consider the response, if any, which you make to the notice, in order to decide whether your child is receiving an education which meets your responsibilities under s.7, taking account of any evidence you have provided and any other information it has about the education your child is receiving. If parents make no response at all, then the local authority is entitled to conclude that the child is not receiving a suitable education.

5.8 If you as parents fail to satisfy the local authority that your child is receiving a suitable education, and the local authority considers that it is expedient that he or she should attend school<sup>1</sup>, then the local authority has a legal obligation to serve on you as parents a school attendance order (SAO). This will name a specific school and require you to register your child at that school. There are provisions in the Education Act 1996 (sections 438-441) governing the basis on which a school is selected to be named in the order.

5.9 If an SAO is issued by the local authority it must be complied with, and failure to do so is a criminal offence. If you comply with it and send your child to the school named in the order you can still seek to have your child attend another school. This would be done by requesting a place at that other school; and if that is available, asking the local authority to vary the order and if that request is agreed, sending your child to that school. Alternatively you can seek to have the order revoked by presenting evidence to the local authority that satisfactory arrangements have been made for suitable education to be provided at home, so that your child need not attend any school. If the local authority refuses to revoke the order, you can choose to refer the matter to the Secretary of State to settle the dispute by contacting the Department for Education.

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<sup>1</sup> Circumstances in which the local authority might not consider it expedient could include the child being only a few weeks off the end of compulsory school age; or having medical or similar reasons why school attendance is not advisable. In the latter case, the local authority would need to make alternative arrangements to secure suitable education for your child.

5.10 Whether or not you seek to have the order revoked, if you do not comply with it in the meantime the local authority may prosecute you as parents. It would then be for a magistrates' court to consider the case. If the order has not been complied with, a conviction for non-compliance is inevitable unless you can prove to the court that you are currently meeting your duty under s.7 to provide efficient full-time suitable education. The court can end the order by directing that the order be no longer in force, if it is satisfied that the parents are fulfilling their s.7 duty, and acquits them; or it may convict the parents of an offence. If parents are convicted, the local authority can apply for a parenting order which carries requirements as to counselling and other conditions designed to reduce the likelihood of a further offence.

## **How does the safeguarding role of the local authority affect parents educating children at home?**

5.11 Local authorities have a general duty to make arrangements to safeguard and promote the welfare of children (section 175 of the Education Act 2002) in relation to their education functions as a local authority. This applies equally to children who are being educated at home, as it does to children attending school. This duty does not entitle a local authority to insist on visiting a child's home, or seeing the child, simply for the purposes of monitoring the provision of home education.

5.12 As outlined in the sections below, the local authority may decide that circumstances justify applying to a court for an education supervision order or even a care order made under the Children Act 1989. Both of these give the local authority the right to contact with a child. In order to obtain information in preparation for an application for either type of order the local authority may initiate an investigation under s.47 of the Children Act 1989 if it has reasonable cause to suspect a child is suffering, or likely to suffer, significant harm. If this does not yield the information needed, the local authority may ask a court to grant an order under s.43 of the 1989 Act for a child assessment to be made to gather further information in order to determine if the significant harm threshold is met.

5.13 Your local authority's published policy on elective home education may explain the circumstances in which the authority may decide that use of the Children Act powers is justified. The Secretary of State has no power to intervene in relation to unjustified use of these powers. In any event, parents should not be using home education as a way of preventing proper oversight of children.

5.14 If a school attendance order is not complied with, instead of prosecuting parents for non-compliance - or as well as doing so - the local authority can apply to a relevant court for an education supervision order (ESO), made under s.36 of the Children Act. In order to do so successfully, the local authority must show that the education being provided is not suitable. But if the child is subject to a school attendance order and that order is not being complied with, the court will assume that the education is not suitable unless the parent proves that it is. An ESO enables the local authority to impose conditions as to the



way in which a child is to be educated, and will require the child to be seen by the local authority, although not necessarily in the family home unless the court has made that a specific condition of the order.

5.15 If an ESO is granted, any current school attendance order ceases to have effect. But if the court declines to make an ESO (for instance, because the parent has shown that the child's education is suitable), then it may also direct that the SAO ceases to have effect.

5.16 If an ESO is not complied with by you as parents, the local authority can prosecute you and/or apply to a relevant court for a care order under s.31 of the 1989 Act.

5.17 In order to apply successfully for a care order, the local authority must show to the satisfaction of the court that the 'significant harm' threshold is met because of the lack of suitable education – this would mean that your child's intellectual and social development was being, or was likely to be, substantially impaired. Lack of a suitable education is capable of being construed as 'significant harm' for the purposes of s.31.

5.18 A care order makes the local authority responsible for decisions relating to the education of your child because it becomes the child's corporate parent even if the child continues to live with you as his or her actual parents. If you as parents then frustrated the wishes of the local authority in its role of corporate parent (for example, by physically preventing the child from attending school) then the child can be removed from the family home and put into the direct care of the local authority. Only in the most intractable of cases would this be expected to occur in relation to home education, as opposed to other types of safeguarding concern.

5.19 Plainly, it is in the interests of all parties not to let any dispute about a child's education get to the stage described in paragraphs 5.8 – 5.18 above. Informal discussion should enable most difficulties to be resolved, and a willingness to co-operate so as to secure the proper education for your child should be shown by everyone involved.

## **What is the local authority's role if my child has special educational needs?**

5.20 If a child has special educational needs, the role of the local authority is somewhat more complex. Further information is available in the SEN Code of Practice<sup>2</sup>, which has a chapter on home education. Your right to educate your child at home applies equally where your child has SEN. This right is irrespective of whether your child has an Education, Health and Care Plan (EHC plan) or not. Neither does the local authority have

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<sup>2</sup> The [SEN Code of Practice](#) is available on GOV.UK.

any right of entry to your home to check home education suitability just because your child has special educational needs.

5.21 When your child has an EHC plan, it is the local authority's duty to ensure that the educational provision specified in the plan is made available to the child - but only if the you as the parents have not arranged for the child to receive a suitable education in some other way. Therefore if the home education you provide as parents is suitable, the local authority has no duty to arrange any special educational provision for the child; the plan should set out the type of special educational provision that the local authority thinks the child requires, and should also state that parents have made their own arrangements under s. 7 of the Education Act 1996. The authority will of course continue to check the suitability of the home education as required by sections 436A and 437 of the 1996 Act, and if at any point it considers that the home education is no longer suitable, it must ensure that the special educational provision specified in the EHC plan is made available as well as taking the steps set out above in relation to school attendance.

5.22 When parents feel strongly that their child with SEN (with or without an EHC plan) should be educated at home but cannot undertake this themselves, and the local authority agrees that it would be inappropriate for the child to be educated in a school, post-16 institution, or early years setting, then the local authority itself may arrange that the special educational provision that the child needs is made elsewhere. This can - if you agree - mean that it is provided in the home, but not by you as parents. The local authority has power under s.61 of the Children and Families Act 2014 to do this. If this happens, the EHC plan should clearly explain the arrangements.

5.23 Local authorities should not assume that because the provision you make at home is different from that which would be made in school to meet your child's special needs, the provision is necessarily unsuitable. In some cases, however, the local authority may conclude that, even after considering its own power to arrange provision in the home, education taking place in the home cannot meet your child's special educational needs and therefore your child is not receiving a suitable education. In that case, if you as parents still continue to wish to educate your child at home rather than sending him or her to school, the local authority must follow the procedure outlined earlier in this guidance in relation to school attendance orders.

5.24 If you are educating a child at home already and come to believe that he or she has special educational needs, you can ask the local authority to carry out a statutory assessment or reassessment of your child's special educational needs and the local authority must consider the request within the same statutory timescales and in the same way as for all other such requests.

5.25 Children over compulsory school age may also be educated at home in order to meet the requirements to participate in education and training until the age of 18. Local authorities should involve you in reviews of EHC plans of home educated children who are over compulsory school age.

## **Is there any oversight of local authority operations in relation to elective home education?**

5.26 Ofsted conducts periodic inspections of local authorities and this includes a review of the way in which they carry out duties in relation to vulnerable children. Although home educated children are not intrinsically 'vulnerable', such reviews will include children missing education and therefore cover the work of the authority on those children who are being educated at home (or may be educated at home) but the authority is not satisfied they are receiving a suitable education. Reports of local authority inspections are available on the Ofsted section of the [gov.uk](https://www.gov.uk) website. Ofsted has no role in the oversight of education received by individual children who are educated at home.

## 6. Further information

### Safeguarding at home

6.1 You may choose to employ other people to educate your child, though you continue to be responsible for the education provided. You also continue to be responsible for your child's well-being. This means you are responsible for ensuring that anyone you engage to help you provide home education is suitable to have access to children. You will therefore wish to satisfy yourself by taking up appropriate references, and check that any private tutor has a recent Disclosure and Barring Service (DBS) disclosure certificate. Local authorities should encourage you to do this. A small number of local authorities choose to assist home-educating parents in this task by undertaking DBS checks free of charge on independent tutors who work with home educated children, but if this is not the case in your area you should take steps to satisfy yourself as to the suitability of tutors. Many such tutors also work with children attending school and may be able to provide references from other parents who have home educated children and/or children attending school.

6.2 Tutors employed by a local authority, school, or an agency may also undertake work for home-educating parents, in which case DBS checks ought to have been made already and you should ask the relevant organisation for confirmation that the checks have been made.

### Attending other settings

6.3 Children who are being educated at home sometimes attend other settings to supplement that home education. If you wish your child to attend a state or independent school part-time for this purpose you should discuss this with the school concerned. The school is under no obligation to accept such an arrangement. If your child does undertake this form of 'flexi-schooling', you will need to get absences from school which occur when your child is being educated at home authorised by the school in the same way as parents of full-time pupils do for other planned absence. Then the school should mark him or her in the attendance register as being on authorised absence when not at school.

6.4 It is also possible for children aged 14-16 who are educated at home for most of the time to attend state-funded FE colleges or sixth form colleges on a part-time basis, to receive tuition in specific subjects. If you are interested in this you should ask the college concerned if it has any such arrangements. Again, however, the college is under no obligation to make such provision.

6.5 Some companies or other organisations make part-time provision for a significant part of the week to assist parents who educate at home but cannot themselves provide a

full-time education. If you use the services of such companies you should ask about matters such as safeguarding and checks on staff.

6.6 Some groups of parents who home educate their children come together to support each other and teach their children on a communal basis. There is no reason why this should not take place, but such groups should be aware that if their intended provision will amount to full-time education of five or more children of compulsory school age (or just one if that child has an EHC Plan/statement of SEN, or is 'looked after'), then it may require registration as an independent school. Enquiries on registering as an independent school may be made to the email address given at the end of this document.

6.7 A small minority of parents send their children to establishments which despite the registration requirement mentioned in the paragraph above are in fact already operating as unregistered independent schools, providing a full-time education. The proprietors of these settings may be committing an offence, and the settings may be inspected by Ofsted and closed down. If you suspect that a setting you are considering for your child falls into this category you should ask the local authority if it has any relevant information about the setting, or contact Ofsted.

6.8 If your child is involved in any of the arrangements described above the local authority will take account of the provision made in assessing whether you as parents are meeting your duty under s.7, and you should ensure that the local authority is aware that you supplement home education through attendance at another setting and that you are able to provide information about your child's learning in that setting. The local authority should also take account of attendance at other settings which provide education or instruction on a more specialised basis for a small proportion of the week (eg madrassahs, sports clubs, dance schools). Although such provision will often be marginal to the issue of whether a child is receiving a suitable full-time education, in some circumstances it can help to show that the education is suitable (for example by providing opportunities for physical exercise and development not available at home).

## **National Careers Service**

6.9 The National Careers Service is a free careers service for adults and young people aged 13 and over in England. Advice and guidance can be accessed via the telephone and online. The [National Careers Service](#) provides confidential advice and guidance to help your child make decisions on learning, training and work opportunities.

## **Work Experience**

6.10 Work experience is not a statutory requirement. But parents may feel that it is a useful adjunct to home education being provided for children who are of a suitable age.

6.11 Children educated at home have no entitlement to participate in work experience under arrangements made by a local authority or schools, but some local authorities may be able to assist the parents of home educated children who wish to pursue work experience through such arrangements. Where home educated children do participate in such schemes, you should ask about the extent they are covered by, for example, the health and safety, child protection and insurance provision made on behalf of school children, often by intermediary bodies, which are necessary to safeguard the child.

## **16 to 19 Bursary Fund**

6.12 The 16 to 19 Bursary Fund is not payable to young people whose parents elect to home educate them after the age of 16.

## **Gypsy, Roma and Traveller Children**

6.13 Local authorities should have an understanding of and be sensitive to, the distinct ethos and needs of Gypsy, Roma and Traveller communities. If you belong to one of these and move into a new area, you are strongly encouraged to contact the local Traveller Education Support Service for advice and help to access local educational settings if you do not wish to home educate your children. Most LAs provide such a service. But if you do wish to educate your children at home, then the local authority's policies and procedures will still apply to you..

## **Children in faith communities**

6.14 Local authorities should have an understanding of, and be sensitive to, the distinct ethos and needs of children in specific faith communities and be able to take into account the impact that faith has on the home education priorities of parents. You should be able to expect this in your dealings with the local authority. However, faith considerations should not in any way stop a child from receiving a suitable full-time education, and that will remain the local authority's main concern. It is likely to be helpful if you are able to explain how faith considerations have affected the content of the home education – if that is the case. There is no legal requirement for home education to include any element of teaching about religion or faith.

## Other relevant departmental guidance

1. Children Missing Education - DfE guidance:

[Children Missing Education DfE Guidance](#)

2. School attendance - DfE guidance for schools:

[School Attendance DfE Guidance](#)

[Parental Responsibility and Behaviour and attendance DfE Guidance](#)

3. Education Act 1996:

[Education Act 1996](#)

4. Pupil Registration Regulations

These can be found at:

[Pupil Registration Regulations 2006](#)

The regulations have been amended several times - see especially:

[Pupil Registration Regulations 2016 amendments](#)

5. Fundamental British Values - DfE guidance:

[Promoting fundamental British values through SMSC](#)

6. Parental responsibility – general guidance on gov.uk website:

[Parental rights and responsibilities](#)

*Examples of local authority guidance on home education*

[Norfolk LA home education guidance](#)

[Lancashire LA home education guidance](#)

[Darlington LA home education guidance](#)

[North Yorkshire LA home education guidance](#)

Enquiries to DfE about home education matters can be sent by email to:

[Registration.enquiries@education.gov.uk](mailto:Registration.enquiries@education.gov.uk)

Please put 'home education' in the title line of the email



Department  
for Education

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write to Information Policy Team, The National Archives, Kew, London, TW9 4DU

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