

**Guidance Notes for Parents / Carers  
Considering Elective Home  
Education  
Revised October 2010  
Wigan Children and Young People's  
Services**



## **INTRODUCTION**

The intention of this booklet is to help you understand what may be involved if you are thinking about, or have decided to educate your child/children away from the school system.

The information enclosed relates to the legal position of parents and guardians taking on this responsibility, as well as the duties of the Local Authority (LA), who must ensure that children educated at home receive a suitable education.

If you require clarification on any matter, or would like to discuss the implications of opting to educate at home, please do not hesitate to contact to Wigan Children and Young People's Services using the correspondence address below or by telephoning Catherine Pealing or Joanne Berry on 01942 486146.

Please address correspondence to:

Catherine Pealing  
Principal Officer  
Wigan Children and Young People's Services  
Progress House  
Westwood Park Drive  
Wigan  
WN3 4HH

## **QUESTIONS YOU MIGHT ASK**

### **DOES MY CHILD HAVE TO GO TO SCHOOL TO BE EDUCATED?**

The 1996 Education Act imposes a duty on parents and guardians of children of compulsory school age (5-16) to secure “.....efficient full time education”; this can be done at school or “.... otherwise”. For most children this means that they will go to a school, but for various reasons a small number of parents decide to undertake the responsibility of educating their child outside the school system.

### **WHAT IS A PARENT’S DUTY?**

Section 7 of the 1996 Education Act states:

The parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable: -

- (a) to his/her age, ability and aptitude, and
- (b) to any special educational needs he/she may have, either by regular attendance at school or otherwise.

### **CLARIFICATION OF TERMS**

**‘EFFICIENT EDUCATION’** This is not defined in the Act. Each case has to be judged according to the child’s needs and the educational provision made. However, this phrase does not mean that school subjects have to be provided. Parents should show that the opportunities being provided are helping the child to learn, and that development is taking place appropriate to ‘age, ability and aptitude’.

**‘FULL-TIME’** The length of time is not specified. To help you decide, children in school spend about 21-25 hours on work each week, plus homework, according to age. Children at state schools attend for 38 weeks a year.

**‘OR OTHERWISE’** This phrase is again not defined in the law, but would include being taught at home by parents, including the use of correspondence courses, or by private tutors.

**'SPECIAL EDUCATIONAL NEEDS'** This is usually interpreted as the requirements of a child who has significantly greater difficulty in learning than other children of the same age, and/or a disability which hinders access to the curriculum, resources etc.

If the child has a statement of special educational needs, it remains the duty of the Local Authority (LA) to ensure that the child's needs are met. The statement must remain in force and the LA must ensure that parents make suitable provision, including provision for the child's special educational needs. If the parent's arrangements are suitable the LA are relieved of their duty to arrange the provision specified in the statement. If, however, the parents' attempt to educate the child at home results in provision which falls short of meeting the child's needs, then the parents are not making 'suitable arrangements' and the LA could not conclude that it was absolved of its responsibility to arrange the provision in the statement. Even if the LA is satisfied, it remains under a duty to maintain the child's statement and review it annually. Should a disagreement arise between the parents and LA regarding a child with a statement, the LA should inform parents of their right to appeal to the Special Educational Needs Tribunal.

**If a child is registered at a special school, the consent of the LA is necessary to withdraw the child from school. Only an appeal to the Secretary of State for Education can overturn this decision.**

## **HOW DO I GO ABOUT WITHDRAWING MY CHILD FROM SCHOOL?**

### **IF YOUR CHILD IS BELOW SCHOOL AGE**

To enable accurate records to be kept, in the interests of safeguarding children, we would be grateful if you would inform us at the Local Authority of your intention to educate your child at home from a particular date.

### **IF YOUR CHILD IS OF SCHOOL AGE**

If your child is already registered as a pupil at a Wigan school, you need to write to the head teacher of that school and inform them that you intend to educate your child at home with effect from a particular date. The headteacher of the school then has a duty to inform the local authority of anyone withdrawn from the school and for what reasons. The local authority will then register your child with their home education team who will begin corresponding with you from there.

### **IF YOUR CHILD IS ALREADY BEING EDUCATED AT HOME AND THE FAMILY MOVES TO WIGAN**

We would be grateful if you would write to the LA informing us of your child's name, date of birth, your previous address and your current address. An acknowledgement will be sent by the LA along with our home education guidelines and any other information that we feel is relevant. Wigan will then liaise with your previous local authority to prevent duplicate visits and reports being requested.

## **WHAT IF I DON'T INFORM YOU OF MY DECISION?**

For the sake of children's education and welfare, the LA must satisfy itself that parents are fulfilling their responsibilities. If you don't inform the LA or school of your decision and provide one of the forms of acceptable evidence to support this, it clearly cannot be satisfied that your child is being educated. In most cases this issue will be resolved and there will be limited intervention from the LA. However in very few cases should evidence not be provided by parents to satisfy the authority, a referral to the education welfare service may be made and an officer may then call at your home to establish a way forward.

## **HOW DOES THE LA PROPOSE TO ENSURE THAT THE PROVISION IS SATISFACTORY?**

The preferred method in Wigan for establishing the above is to request that our home education monitoring officer visits you and your child at home or even on neutral territory e.g. a library . Although this is not compulsory and the LA has no powers to enforce this, we feel that it is the quickest and easiest method of us being able to satisfy ourselves that a suitable education is indeed being provided.

Soon after we are informed of your intended action, we will let you know the name of a monitoring officer/adviser who will be asked to look at the arrangements you have made. We will ask you to give us some idea of your plans for your child's education; these should form the basis of your discussion with the monitoring officer. He/she will then contact you to make an appointment to visit you at home, or elsewhere, in order to check that your arrangements are satisfactory. A report will be written following the visit and a copy will be sent to you. Any observations you would like to make will also be kept on file by the LA.

We endeavour to make this experience as pleasant as possible for our home educators and children and most people have found it to be this way with some people looking forward to an annual visit to be able to show what they have achieved over the last year. We fully appreciate that families that home educate may not provide formal teaching. Indeed we have many families who chose much more autonomous education methods. All methods are respected and carefully considered. Our visits are made with an open mind and will be used to look at:

- A) Education philosophy/beliefs
- B) Resources and methods used to meet the philosophy
- C) Evidence to demonstrate the child's learning (this may be through conversation, photographs, discussion with the child/third party)

You should note that the monitoring officer/adviser will not be able to direct the learning which takes place, nor can he/she accept any responsibility for this. If you decide to educate your child at home, it is your responsibility to plan your child's education and implement your plans. The LA cannot provide books or other equipment, which may be recommended, though we will try to be as helpful as we can.

Please note that we have a duty to ask for evidence that a suitable education is being provided. Case law (Phillips v Brown, Divisional Court [20 June 1980, unreported]), has established that if a parent refuses to give information on how they are discharging their duty to provide suitable and efficient education for their child, then the LA will have to decide whether it 'appears' that a parent is in breach of Section 7 of the 1996 Education Act.

## **WHAT SHOULD I BE PROVIDING FOR MY CHILD ?**

The Children Act (2004) provides the underpinning for ***Every Child Matters***. Widespread consultation was undertaken nationally with many parties, principally children and young people themselves, regarding the provision that should be made for them. As a result, there are five key outcomes that must be addressed by LAs; in turn these outcomes underpin organisation, curriculum and inspection within schools. You may find these helpful in planning, and subsequently evaluating, your child's education:

**Be healthy** (including physical exercise, healthy diet, avoidance of substance misuse, age appropriate awareness of sexual health issues and stress management)

**Stay safe** (including awareness of different forms of danger and having appropriate strategies to deal with them, including risk taking)

**Enjoy and achieve** (developing and maximising on a wide range of individual talents through broad, stimulating and challenging teaching)

**Make a positive contribution** ("giving something back" through active participation in society; taking appropriate actions to protect the environment, demonstrate care for others; make decisions based on personal responsibility etc)

**Achieve economic well-being** (acquire the skills to be equipped as an independent stakeholder in society – literacy, numeracy, ICT, social / emotional skills and the capacity to engage in lifelong learning. Access to appropriate careers education guidance is a crucial element of this outcome, particularly for children of secondary school age who are entitled to plan access routes to further / higher education).

## **WHAT KIND OF EVIDENCE WOULD BE HELPFUL?**

A written programme of work will be a good starting point for discussion. Samples of children's work also give a good indication of progress over time, as well as current achievement. Considerable emphasis is placed on the views of children / young people regarding their own education. The monitoring officer will be keen to hear the opinions of your child in reviewing the provision made but again we do not have powers to enforce this if you refuse.

The sort of question that a monitoring officer is likely to ask may include the following: -

- What is your philosophical view/beliefs on education. (We need to establish this particularly if you are using recognised methods such as Charlotte Mason/Seiner Waldorf/Montessori so that we are able to understand)
- How do you know that the education you are providing is appropriate to your child's capabilities, needs and interests?
- Have you made long term plans for the whole year? How do these relate to what you have planned for the next few weeks?
- Have you thought how subjects or topics will link together?
- Have you planned a mixture of work/activities so that your child has experience of both practical and written work?
- Who or what will you use to help you?
- In what way will you record your child's progress and/or difficulties?
- How will you decide whether you are being successful?
- Have you considered whether the programme you have put together will make access to Further/Higher Education available to your child?
- How will you ensure that your child understands personal safety and develops a healthy lifestyle?
- How will you involve your child in assessing his / her own learning?

It is acknowledged that each family will chose a different plan for their child's learning and as such each submission of information or home visit will be viewed individually. We will take into account the families philosophy on education and we always endeavour not to discriminate or judge based on a 'formal curriculum led' approach not being undertaken.

## HOW SHOULD I ORGANISE TEACHING AND LEARNING?

There is no one style or approach that can be recommended, but learning should be as active and practical as possible. Opportunities to take advantage of the resources available would be sensible. Great importance should be placed on reading, and educational visits should be planned. Educational broadcasting is a very useful resource and should be prepared for in advance and can be followed up after the broadcast.

Contact with the home education community may prove very useful to some home educators to broaden their network and extend opportunities for educational visits etc. There are a couple of well established home education organisations and we provide some information in the enclosed leaflet. In addition you could also contact a current home educator via email her details are: Caroline Shevelan ([carolineshevelan@blueyonder.co.uk](mailto:carolineshevelan@blueyonder.co.uk))

Variety in style, content and the processes involved will make the experience more enjoyable. Opportunities also need to be given for independent study and research, and a quiet area for this should be provided. Public examinations and regular testing of attainment are available to children in schools and your child should not be deprived of these indicators of achievement.

## WHAT IS A GOOD CURRICULUM ? (If you are considering this option)

The Government's definition of the curriculum (the sum total of educational experiences) is that it should be broad, balanced, relevant and differentiated. To elaborate:-

<b>Broad</b>	It should introduce the child to a wide range of knowledge, understanding and skills.
<b>Balanced</b>	Each part should be allocated sufficient time to make its contribution, but not so much that it squeezes out other essential parts.
<b>Relevant</b>	Subjects should be taught to bring out their relevance to the child's own experiences and to adult life.
<b>Differentiated</b>	What is taught and how it is taught need to be matched to the child's abilities and aptitudes.

It is not possible in a short document to provide details of everything involved in providing a good curriculum, however we can say that it should cater for the child's physical, intellectual, social and emotional development.

Opportunities to mix with and relate to other children in work and play and away from the home are also very important to a child's development.

## **WHAT ABOUT COMPULSORY SUBJECTS?**

Should you decide that you will follow the National Curriculum, there are no compulsory subjects for parents who wish to educate their child at home. However it may be sensible to bear in mind the National Curriculum for children attending state schools when you undertake your planning. The subjects included are:

English, mathematics, science, Information Communication Technology (ICT) (the core subjects), and technology, history, geography, art, music, physical education, a modern foreign language, religious education, personal social and health education (PSHE).

Some reasons for which you may wish to take account of subjects provided in school are:

1. Your child may wish to (re)enter the state system at a later date at school, college or university level, (re)integration would be much easier if your child's home education contained substantial elements of the National Curriculum.
2. When a young person wishes to seek employment, his/her levels of attainment in these areas will be important.

## **HOW WILL WE KNOW WHETHER WHAT WE ARE DOING FULFILLS THE LA'S DEFINITION OF A SUITABLE EDUCATION?**

If a home visit is undertaken, there will be oral feedback from the monitoring officer on each visit followed by a written report. If a written report/evidence is submitted our elective home education advisor will view and we will send you a copy of their comments as soon as possible. This will give an indication of whether the provision is generally satisfactory and may also include areas for consideration giving recommendations.

On both a home visit or written submission you should demonstrate :

- a) Your education philosophy/beliefs
- b) The resources & methods you will use to achieve your philosophy/beliefs
- c) Evidence of how you are putting this into practice and achieving 'that which you set out to achieve'

## **WHAT HAPPENS IF THE LA IS NOT SATISFIED?**

**In the majority of cases home educators do satisfy the LA that provision is satisfactory. However in the event of provision being inadequate:**

You will be kept fully in the picture if we are not satisfied and advised by letter what it is that doesn't satisfy us. We will give you a reasonable time to rectify the situation and then ask to have a further meeting or for further information to be submitted.

However, if we are still not satisfied following discussion or correspondence, it may be necessary to apply for a School Attendance Order (Sections 437-443 1996 Education Act). In these cases ***(To date we have never had to do this in Wigan for home education)*** we will tell you which school we intend to name on the Order so that you may request an alternative. This course of action would only ever be used in the most serious cases where there is a clear lack of any education being provided as defined in Section 7 of the Education Act 1996. If an Order is served, you must arrange for your child to be admitted to, and to attend the school named on the Order; **failure to do so would be an offence.**

We hope that these notes make it clear that the LA does not wish to appear threatening in any way, and that we would do all we could to prevent such serious action. However, in the interests of the child, this is the responsibility placed on us by the Act and we must ensure that we fulfil this.

## **HOW OFTEN WILL THE LA CHECK?**

We hope to establish a good working relationship with you soon after we receive the information that you intend to home educate, and hope that an early meeting would be possible. Our aim is to visit or request a written update annually however, if any doubts are expressed at any stage and your programme needs more frequent review, this will need to be undertaken as appropriate and will be discussed with you fully by a member of our service.

## **FINALLY – SOME THOUGHTS FOR YOUR CONSIDERATION**

Deciding to educate your child at home can be a major, long-term commitment. You should only embark on elective home education if you are certain that what you can provide will better meet your child's needs and entitlement than what can be provided within a school. Talk with and listen to your child and plan exactly what you intend to do. Investigate costs which will be involved – equipment, visits, books, tutors etc.

Please consider the social side of growing up: contact with other children, joint activities and the stimulus of seeing other children's work can be of real benefit to school life and aid the social development of children. There is evidence that children learn as much from each other as from teachers.

It may not always be in your child's best interests if you decide to home educate because of a disagreement with a teacher or school. Talk out the problem, or refer it to the governors of the school or the LA for help in finding a resolution. There are often many services available to support children and their families in school that parents may not be aware of.

Although in some case home education can be an alternative to engaging a child in education that refuses to attend school, is not always the solution. You should not feel pressured by anyone to withdraw your child to home educate because they will not attend but should do it because you feel it will enrich your child's experience of education and increase their chances of educational development. The Education Welfare Service would be happy to help and offer advice to a child and family in this situation.

You may be considering sending your child to school at a later date. This has the advantage of getting your child specialist teaching in preparation for examinations, and may overcome the gaps in your own education in some specialist areas. It can, however, cause problems if the curriculum which has been followed is very different from the National Curriculum, and may also in some cases be difficult socially.

Some parents who decide to home educate find it a happy and constructive experience. If you decide to go ahead Wigan LA wishes you well, and will do what it can to support you to ensure that a good education is provided for your child. Please help us to establish and maintain a good working partnership.

Do remember that if at any time you wish your child to (re)enter the state school system, we will also be happy to advise you.