



## Nottinghamshire County Council

### Children, Families & Cultural Services Department

# Elective Home Education (EHE) Procedure

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#### **1. Introduction**

These procedures are those of Nottinghamshire County Council (NCC) Children, Families and Cultural Services and should be followed for those children whose parents have chosen to educate them at home.

For brevity and consistency, the term 'Parent', includes those who hold parental responsibility and with whom EHE learners reside. The term 'Child' is used to describe children and young people of statutory school age.

#### **2. Notification to Electively Home Educate**

- 2.1 If a child is on a school roll, the parent must inform the school in writing (not verbally) of their intention to home educate. When the school is informed of a parent's intention to home educate, the headteacher will acknowledge the request of the parent and arrange a pre-EHE meeting with the parent and, if appropriate, the child. The aim of the meeting is to discuss the reasons for the parents' decision and to resolve any concerns that emerge such as bullying, so that the child can remain in school. If the parent still wishes to home educate, the headteacher will discuss the implications of EHE and explain how to return to the state education system in the future if that is the parent's wish.
- 2.2 If parents pursue EHE, the headteacher will inform the local authority EHE administrator that day. The school should complete EHE 1a and 1b and send



these to the EHE administrator, along with the child protection file (where applicable), the school file and the parents' letter informing the school of their intention to electively home educate their child.

- 2.3 If initial notification is verbal from the parents, the EHE administrator will send a copy of the guidance and ask the parent to write to the school (letter 1). The administrator will also alert the headteacher and ask them to set up a meeting with the parent (Email 1) (then continue with 2.1). The EHE administrator will check Framework and Careworks for children known to Social Care or Targeted Support. If there are no triggers on Framework or Careworks, the EHE administrator will allocate an adviser on receipt of written confirmation to carry out a home visit and notify the school that they can take the child off roll.
- 2.4 If a child has a Statement of SEN the EHE administrator will alert the EHE programme manager who will contact the District Statutory Assessment and Placement Officer in SEND Policy and Provision. A date for a joint visit by an EHE adviser and/or EP and/or SAPT Officer will be agreed (and any representative from other services who may be involved with the child). The SAPT officer will write to the parents/carers outlining the role of the LA and arrangements to meet. At this point, the responsibility for assessing the suitability of EHE in meeting the child's needs in line with their statement lies with the SEND team.
- 2.5 If the child has complex SEND but does not have a statement, the EHE administrator will alert the EHE programme manager who will contact the Schools and Families Specialist Services Team Manager, who will check whether or not SfSS has any current or recent involvement with the child. If there is current or recent involvement and SfSS specialist teacher will liaise with the EHE adviser to arrange a joint visit. During the visit the SfSS specialist teacher will offer advice and support to the EHE adviser as appropriate regarding suitable provision to meet the child's SEND. If necessary, the SfSS specialist teacher will accompany the EHE adviser on a second visit to support their evaluation of the suitability of the provision and if requested will also support the adviser in preparing the reports of the visits.
- 2.6 Those children with cases open to Social Care or Targeted Support or Youth Justice or the learning centre will be referred to the EHE programme manager at the weekly meeting and will then be prioritised for a visit from an EHE adviser. Where there are safeguarding concerns, the EHE programme manager/allocated adviser will brief the key worker and may attend multi-agency meetings, called and chaired by the lead professional to agree the way forwards. During this time, the school/learning centre should keep the child on roll (inform headteacher of home education who will make contact with the school/learning centre). Where there are concerns around child protection, but no open case, there needs to be a referral to the MASH which will be written by the EHE programme manager (inform EHE programme manager/head of home education). The EHE adviser will be allocated by the EHE administrator following the weekly meeting.
- 2.7 If the child is subject to a School Attendance Order, this must be revoked before the child can be removed from the school roll in order to pursue EHE. The EHE Manager/Consultant will contact Targeted Support by email so that they can consider their involvement in a home visit. The headteacher will still



contact the EHE administrator to confirm that a pre-EHE meeting has taken place.

- 2.7 Requests to electively home educate a young person who may be subject to a statutory court order managed through Youth Justice Services will require further consultation depending on the nature of the supervision and the type of order imposed. The EHE programme manager in the first instance will email the Senior Practitioner, Education, Training and Employment Coordination.
- 2.8 Looked-After Children are not electively home educated as this is seen to be an inappropriate provision for this group of children and young people. If a child becomes looked after from an electively home educated situation, the Virtual School for LAC will seek an appropriate provision to ensure that the child's needs are met and every opportunity is given to ensure they reach their potential through quality education.
- 2.9 If the child is subject or has been subject to a Child Protection Plan then the named social worker involved should be contacted to inform them of the parents wish to home educate and to enquire if there are any known circumstances that would make EHE inappropriate.
- 2.10 If a child is not on a school roll and a professional is made aware that the parents have decided to home educate. The professional must notify the EHE Administrator, who will inform the programme manager and head of home education. Checks will be made on Framework and Careworks and alert programme manager/head of home education to any concerns.
- 2.11 The EHE Administrator will record the contact information and log these into the ONE database once written confirmation has been received from the parents via the school.

### **3. EHE Procedure when a new case arrives**

- 3.1 Within seven working days of notification of a new EHE case, the EHE Administrator and Manager/consultant will carry out checks on Framework and Careworks and will follow the procedures listed in Section 2 if necessary.
- 3.2 An initial visit will be carried out by an EHE Advisor (or in the case of a child with a statement of SEN the relevant officers (see 2.5 above) to provide advice on effective home education and suitable provision for the child, given their age, capability, prior attainment and context. (Letter 7). This will be followed by a second visit within 3 months to evaluate the suitability of the home education provision. Children known to Targeted Support/Childrens Social Care or with SEN will take first priority for visits.
- 3.3 The EHE Advisor will complete their report of each visit within 10 working days (5 working days when the advisor has concerns giving a judgement of the suitability of the education provision). The report is reviewed by the EHE Manager who will determine the next steps to be taken and will send a copy to the parents for comments.
- 3.4 For children who have a statement of SEN the officers who meet with the child's parents will send their report (ccd to the EHE administrator) to the



statutory assessment placement team SAPT and a copy will be sent to the parents for comments. The report should have regard to the child's SEN needs and content of SEN statement.

The Local Authority's duties in relation to the home education of children with special educational needs and disabilities are set out in chapter eight of the Special Educational Needs Code of Practice, 8.95 and 8.96 below.

8:95 Section 7 of the Education Act 1996 recognises parents' right to choose to educate their child at home. Such arrangements are described as 'education otherwise than at school'.

In such cases, if the child has a statement of special educational needs, it remains the LEA's duty to ensure that the child's needs are met. The statement must remain in force and the LEA must ensure that parents can make suitable, provision, including provision for the child's special educational needs. If the parent's arrangements are suitable the LEA 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 LEA could not conclude that they were absolved of their responsibility to arrange the provision in the statement. Even if the LEA is satisfied, the LEA remains under a duty to maintain the child's statement and to review it annually, following the procedures set out in Chapter Nine.

8:96 In such situations section 324 (4A) of the Education Act 1996 does not require the name of a school to be specified in part 4 of the statement. Part 4 should state the type of school the LEA consider appropriate but go on to say that: "parents have made their own arrangements under section 7 of the Education Act 1996." The statement can also specify any provision that the LEA have agreed to make under section 319 to help parents provide suitable education for their child at home.

- 3.5 Based on the outcome of the visit, the EHE Administrator will update the Capita ONE database with the relevant review date for the next visit.
- 3.6 Following the second visit, if provision is deemed:

'suitable' – then a repeat review visit should be arranged 12 months from the date of the last visit and then annually thereafter arranged by allocated EHE adviser at the request of the EHE administrator. If the next visit would be the last one of statutory school age i.e. currently Year 11 then the visit will be offered for the Autumn Term, irrespective of the due date. As part of this visit, the EHE Advisor will ask the parent about their child's planned post 16 destination. If the child's post 16 destination has not been decided, the EHE Advisor will offer the parent information on where to get information, advice and guidance (IAG) on post 16 education, employment, training and apprenticeships. The EHE Advisor will record the child's planned destination, including if it is 'not known' and the offer of post 16 IAG in their report. A referral will be made to Targeted Support for students who are NEET and in need of additional support.



'suitable but with reservations' (letter 8) a further visit (visit 3) will be arranged within 12 weeks. If following this repeat visit reservations are still noted then the provision will be deemed 'unsuitable'.

'unsuitable' after the first 3 months visit, the parents will be notified of a further visit in 3 months time to check that they have addressed the recommendations in the report. If at the second visit (6 months after the initial visit) provision remains unsuitable, the EHE programme manager and head of home education will review the reports and confirm whether provision appears unsuitable. If this is the case the parents will be notified of this in writing by the EHE Manager and the letter (personalised letter) is copied to Admissions/Place Planning with a view to integrating the child back into education in an appropriate school or other education provider if appropriate.

If necessary, following any visit and report, a referral may be made to Targeted Support, Social Care or CAMHS by the Programme Manager, due to concerns which became apparent during the visit.

- 3.7 Should there be a referral to Childrens Social Care and/or Targeted Support then the EHE Adviser or EHE Manager may attend the first JAT/Child Protection conference if required.
- 3.8 In the event that a request to EHE is received for a child in year 11, the EHE adviser will give advice to the parents on making provision post 16.

#### **4. Referring to Targeted Support**

- 4.1 On receipt of a referral from EHE along with a copy of the letter informing parents that provision is deemed unsuitable, Targeted Support will undertake the normal preliminary checks to confirm:
  - a. That the case meets the threshold for Targeted Support and
  - b. Whether there is any current or previous involvement by Targeted Support or Children's Social Care with the child or their family.
- 4.2 Where the thresholds are met, a Targeted Support Case Manager will be allocated.
- 4.3 The allocated Case Manager will make contact with the family within 10 working days and an assessment will be undertaken within 20 working days in line with the Targeted Support operating timescales. Any vulnerability issues will be assessed and dealt with in line with the relevant Targeted Support and Safeguarding Policies.
- 4.4 Where a parent decides they want their child to return to mainstream education, then where appropriate the Targeted Support Case Manager will assist the parent in this process.
- 4.5 Where a parent refuses to make an application for a school place, Targeted Support will consider a School Attendance Order.



- 4.6 Any decision to prosecute will be made in line with the County Council's Enforcement Policy.

## **5. Parent refusing a visit by an EHE advisor**

- 5.1 In the event of a parent refusing a visit from an EHE adviser, or if the appointment is cancelled twice then:

If the child is known to Social Care, Targeted Support, Youth Justice System, Health Concerns or has a SEN or disability, the EHE Manager will complete a Targeted Support Referral Form, notify the parents in writing of this referral and the reasons for concern and append the letter to the referral form. The EIS Team Manager will be informed.

If this is the first visit since deciding to EHE and there have been no previous referrals to Social Care, Targeted Support, Youth Justice System, Health Concerns or has a SEN or disability then a letter will be sent by the EHE Manager to the parents requesting information on the education provision they are making for their child. (letter 13)

If this is a routine annual visit/contact with the parents then the EHE Advisor/Manager will look at the previous evidence submitted and construct a personalised letter to the parents seeking to obtain an update on the evidence of the previous year's achievements together with the expected educational provision for the forthcoming year.

In either instance, the parents will have up to 6 weeks to provide evidence, giving them time to collate the information.

- 5.2 Upon receipt of information submitted by the parents, the EHE Advisor/Manager will complete their report within 10 working days giving a judgement of the educational provision. The EHE Advisor/Manager must refer to any evidence previously submitted to ensure that the provision remains suitable to the child's age, ability and aptitude. If the child has a Statement of Special Educational Needs then it is the responsibility of the District Assessment and Statementing Officer with advice from the EP where appropriate to determine whether the child's education is suitable.
- 5.3 If no information is provided by the parents following the first request then a second letter will be sent by the EHE Manager giving them a further 10 days to make a submission.
- 5.4 In the event of no evidence being submitted by the second deadline, the EHE Manager will inform the EHE Team Manager. The Team Manager will write to the parents to inform them that a referral will be made to Targeted Support, who will make a visit with a view to supporting the parents to apply for a school place and may issue an Attendance Order.
- 5.5 Parents who submit a written report will be contacted annually with a request for a written report on progress over the last year.





## **6. Further Education**

All children have a right to access impartial careers guidance and advice about their future. Typically this begins around the age of 14 and is ongoing until the age of 19, as appropriate to the needs of the child. All EHE children and parents will be made aware of this entitlement through the annual visit.

Children with statement of SEND should have a transition plan from the age of 14 and should be allocated a transition co-ordinator.

If parents or children require information or advice about career and course options you can contact the National Careers Service on 0800 100 900 or visit their website at [www.direct.gov.uk/NationalCareersService](http://www.direct.gov.uk/NationalCareersService). In Nottinghamshire you can also contact Futures who are the local prime contractor for the National Careers Service. Their website is [.http://www.futuresnn.co.uk](http://www.futuresnn.co.uk).

For children in EHE, post 16, an adviser will carry out 1 visit in the autumn term from September 2013 to support the learner and the EHE provider with advice on post 16 opportunities. Once it has been established that the learner is in EET, EHE adviser visits will cease for post 16 learners beyond statutory school age. A letter will be written to the parents informing them of this. If at this visit it is clear that the learner is NEET and would like support to enter EET the EHE programme manager will make a referral to targeted support. If the learner does not agree to support, the EHE manager will inform targeted support for their records

EHE Advisers will provide an appropriate personal letter of support for a Y11 or Y12 child on request

## **7. Admissions/Place Planning**

- 7.1 On receipt of a referral from the EHE Administrator requesting support for parents to seek a school place, the Admissions Team will send out a school application form to the parents within 3 days.
- 7.2 If the school application form is not returned to Admissions within 10 working days, the Admissions Team will follow this up within 2 working days, to inform parents that unless a completed application form is received within 5 working days to identify parental preferences, appropriate educational provision will be allocated through the Nottinghamshire Fair Access Protocol.
- 7.3 If the form is not returned by the second deadline, the Admissions Team will make a referral to the Fair Access Officer who will pursue the allocation of educational provision through the Fair Access Protocol and refer the case to Targeted Support to request support for the young person and their family in relation to school admission. The Fair Access Officer will write to the parents to inform them that the referrals have been made within 3 working days. The letter to parents should be attached to the referral form.
- 7.4 The Admissions Team will inform the EHE Administrator when the child has been accepted onto a school roll and the EHE Administrator will update the ONE system.



## **8. Achievement & Equality**

- 8.1 The Traveller EWO follows up any attendance issues in school for Traveller children in line with current Traveller Support Services procedures.
- 8.2 If children are travelling they need to be maintained on the school roll and marked with a 'T'. Schools should request an anticipated date of return from the family before they go travelling. If the child does not return by the anticipated date, attempts should be made to establish contact. If such attempts fail, a referral should be made to the Traveller EWO who will continue to establish contact. If contact is not made, a further referral should be made to the Missing Education Officer.
- 8.3 If the Traveller family indicates to the EWO that they intend to EHE, the Traveller EWO will refer the child to EHE Administrator by completing an EHE 1 form. Ideally, if the child is already on a school roll, procedures detailed above which require the Head Teacher to hold a pre-EHE meeting with the family should take place. Only in those circumstances where the family refuses to attend such a meeting, or the child is not currently on a school roll, should the Traveller EWO complete the EHE 1a and 1b forms.
- 8.4 The EHE Administrator will discuss the case with the EHE Manager, make the checks on Framework/Careworks and follow the appropriate procedures above. Once this has been done, the Traveller EHE Adviser will be asked by the EHE Manager to carry out a visit, which may be a joint visit with other service(s) and/or the Traveller EWO as appropriate.
- 8.5 The EHE adviser will provide guidance on options available for post 14 provision.

## **9. Children Missing Education**

A referral would be made to Targeted Support should a family's whereabouts become unknown following extensive checks.

If home visits concluded that the family had moved without trace and contact with immediate family/emergency contacts could not be made, a referral would be made immediately to Children Missing Education Officer.

Checks would include contact with known services, i.e. Social Care, Traveller Services, Health, Targeted Support, School Admissions etc

## **10. Child Protection Concerns**

If child protection concerns are identified at any point then a referral will be made by telephone to the allocated social worker and if there is no allocated social worker a referral will be made to (MASH) by the EHE adviser. The adviser will inform the EHE administrator that this referral has been made with





date, time and reason. The referral will be logged on EHE records and Framework/Carwork.

Multi Agency Safeguarding Hub (MASH) 0300 500 80 90  
8.30-5.00 Monday – Thursday  
8.30-4.30 Friday

Outside of the care hours and in an emergency the Emergency Duty Team (EDT) should be contacted on 0300 456 45 46.

Within one working day Children's Social Care will acknowledge receipt of the referral and a decision will be made on the next course of action. If the threshold for a referral to Children's Social Care is met a social worker will lead on a multi-agency assessment under section 17 of the Children Act 1989. All involved professionals should be involved in the assessment and provide further information about the child & family and agree further action. Where information gathered identifies that the child is suffering or likely to suffer significant harm a strategy discussion will be held and a decision made with other agencies whether to initiate (child protection) enquires under section 47 of the Act 1989.

Helpful guideline, for professionals are available as follows:-

HM Government.  
Working Together to Safeguard Children (2013)

Nottinghamshire Safeguarding Children Board  
Safeguarding Children Procedures

NCC Pathway to Provision  
<http://www.nottinghamshire.gov.uk/caring/childrenstrust/pathway-to-provision/>