

## **7 POINT BRIEFING – ELECTIVE HOME EDUCATION VS CHILD MISSING FROM EDUCATION. ADDITIONAL RESOURCES AND NOTES.**

### **Key Themes / Issues Discussed:**

#### **Section 7 Education Act 1996. The Duty of Parents to Secure Education of Children of Compulsory School Age.**

The parent of every child of compulsory school age (5yrs) shall cause him to receive full time education suitable

- To age, ability and aptitude and
- To any special educational needs

Either by regular attendance at school or otherwise.

Education is compulsory but going to school is not despite the phrase 'child of compulsory school age'.

#### **What is the Definition of Elective Home Education (EHE)?**

Parents can choose to take full responsibility for their child's education.

Parents have the legal right to choose to educate their child at home which is respected by the relevant local authority.

#### **What is the Definition of Children Missing Education (CME)?**

Children missing education are defined as children of compulsory school age who are not on a school roll and are not receiving a suitable education otherwise than being at a school.

#### **Reasons for EHE.**

There are many reasons why parents choose to home educate their children but these are some examples:

- Ideological or philosophical views which favour home education, or wishing to provide education which has a different basis to that normally found in schools
- Religious or cultural beliefs, and a wish to ensure that the child's education is aligned with these
- Dissatisfaction with the school system, or the school(s) at which a place is available
- Bullying of the child at school
- Health reasons, particularly mental health of the child
- As a short term intervention for a particular reason
- A child's unwillingness or inability to go to school, including school phobia
- Special educational needs, or a perceived lack of suitable provision in the school system for those needs
- Disputes with a school over the education, special needs or behaviour of the child, in some cases resulting in 'off-rolling'<sup>1</sup> or exclusion

- Familial reasons which have nothing to do with schools or education (eg using older children educated at home as carers)
- As a stop-gap whilst awaiting a place at a school other than the one allocated

### **Legal Requirements for Education Content.**

There are no specific legal requirements as to the content of home education provided they meet their duty in S7 Education Act 1996.

No need to follow National Curriculum.

No requirement for children to sit public exams.

No obligation to follow 'school day' timings.

### **Parental Responsibilities.**

To ensure their children of compulsory school age are receiving suitable full-time education.

Notify the school in writing if they wish to remove their child from school role and EHE their child.

### **Local Authority Responsibilities.**

- Local Authorities have a duty under 436A of Education Act 1996 to make arrangements to establish the identities of children in their area who are not registered pupils at a school and not receiving suitable education.
- Local policies and procedures in place to ensure effective tracking and enquiry systems in place.
- Appointed named person to whom agencies can make referrals about children who are missing education.

### **Children with EHCP and SEN.**

These children can be electively home educated.

Where the EHCP or statement sets out SEN provision that the child should receive at home, the local authority is under a duty to arrange the provision.

### **Concerns for a child's Welfare.**

Utilise local Thresholds Guidance to identify unmet needs or harm.

Where there is a concern that a child's safety or wellbeing is at risk act immediately.

### Think:

- Are the local authority aware of the child being home educated?
- Is the child being home educated (EHE) or missing from education (CME)?
- Was the decision to home educate the child made in their best interests?
- Do you have concerns regarding the quality of the home education they are receiving?
- Is the child a young carer?

- If visiting the home is there evidence of education resources?
- Are there any concerns regarding parental ability to home educate such as poorly mental health, parental capacity or substance misuse?
- Do I need to speak to my colleagues in the trust Safeguarding Team for further advice?

## **Resources.**

[Safeguarding children in Elective Home Education – Panel Briefing 3](#) – National Child Safeguarding Practice Review Panel Briefing.

[WEBINAR: Safeguarding children in elective home education \(youtube.com\)](#) – National Webinar recording regarding safeguarding children in elective home education. Webinar took place on 03.10.2024.



EHE Webinar 3rd Oct  
24.pdf

Webinar Slides.