

# Elective Home Education (EHE) Policy and Procedures

March 2020

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## **Section 1 Introduction**

Elective Home Education (EHE) is the term used to describe a choice by parents to provide education for their children at home or otherwise, instead of sending them to school. Throughout this guidance, 'parents' should be taken to include all those with parental responsibility, including guardians and carers. It is recommended that parents read the Southend-on-Sea Elective Home Education Guidance for Parents in conjunction with this policy.

Southend-on-Sea Borough Council, referred to throughout this guidance as the Local Authority (LA), aims to work in partnership with parents who choose to home educate their children, respecting a parents choice and recognising the rights and responsibilities of both parents and the LA. The work of the EHE team is to establish and maintain positive communication with parents and professionals working with home educating families to achieve valuable outcomes for the child, which are in their best interest. To achieve this the EHE team work with parents to ensure that a high-quality education is received where children make expected progress, have the opportunity to share their views knowing they will be considered and that children remain safe. The EHE team understand and are supportive of many differing approaches or 'ways of home educating' which are suitable to the age, ability and aptitude of the child.

The decision to home educate should be taken solely by parents. Schools should not seek to influence parents to opt to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record (S 3.12 EHE guidelines for LAs, DfE guidance 2007, 2013).

The LA wishes to work with parents to develop effective and supportive partnerships. In order to achieve this we welcome input from home education families and home education organisations, in developing and reviewing our EHE policy, procedures and practice.

## **Section 2 Legal**

### **2.1 Parents**

It is the parents' responsibility to ensure that their child receives an efficient fulltime education, suitable to age, ability and aptitude, and any special needs s/he may have (S7 Education Act 1996). In order for a school to remove a child from the school

register (off roll), of a maintained, academy, free, alternative provision or independent school, the parent must inform the school formally in writing that their child is receiving home education or otherwise. If this does not happen and the child does not attend school, the school must report the child as missing from education to the LA.

There are no specific legal requirements as to the content of home education, provided the parents are meeting their duty in S7 of the Education Act 1996. Although home education does not need to have any reference to the National Curriculum, the education 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. The education should enable the child, when ceasing to be of compulsory school age, to be able to succeed in accessing further education, employment or training and function as an independent citizen in the UK.

There is no requirement for children to sit statutory assessments or be entered for public examinations. Neither is there any obligation to follow the 'school day' or have holidays which mirror those observed by schools. However, there is a legal responsibility for parents to ensure that their children receive suitable full-time education for as long as they are being educated at home.

Parents' rights to educate their child at home applies equally where a child has Special Educational Needs (SEN). This right is irrespective of whether a child has an Education, Health and Care Plan (EHCP) or not. Where a child has an EHCP and is removed from the school roll to be home educated, an immediate review of the EHCP is required to identify the new educational provision. Children with an EHCP, who attend a specialist SEN provision cannot be removed from the school roll until agreed by the LA through an early annual review of the EHCP (*see appendix 8.3*).

It remains the LA's duty to ensure that the education being provided by parents meets the requirements and provision specified in the EHCP. Therefore, if the education provided by parents is suitable in accordance with the EHCP the LA has no duty to arrange any special educational provision. If, however it is deemed unsuitable, consideration is required for how provision can be provided which may include naming a school or specialist provision in the EHCP. The LA provides opportunities for families to meet with SEN Officers on a termly/twelve weekly basis

to review progress against their EHCP and provide support similar to reviews for children in maintained schools. The LA and parents must review the EHCP annually in accordance with the SEND Code of Practice.

*If at any time parents wish to return their child to school, the admissions service will advise on how to go about this. The normal admissions procedure will apply and will be subject to a place being available in the appropriate year group at preferred local school. Admissions can be contacted on 01702 212934.*

## **2.2 Schools**

Where a parent notifies the school in writing that they are home educating, the school must delete the child's name from the admission register and must inform the LA no later than the time at which the pupil's name is removed from the register (Regulation 12 of the Education (Pupil Registration) (England) Regulations 2006 as amended 2016).

For children resident in the Borough of Southend-on-Sea, schools should immediately notify the Elective Home Education Team via secure email to [ehe@southend.gov.uk](mailto:ehe@southend.gov.uk), providing a copy of the parent's written notification to home educate and the date their child came off roll. Schools will be requested to complete a Deregistration Form (<http://www.southendlearningnetwork.co.uk/Services/4834>), where any concerns or barriers to learning can be identified immediately and where appropriate referred to MASH+ (*appendix 8.2*).

Where parents orally indicate that they are considering or intend to withdraw their child to be home educated, the school should consider notifying the LA at the earliest opportunity as well as make enquiries in relation to possible unmet needs, which may resolve the perceived barriers to mainstream education. These enquiries could lead to assessing for special educational needs or identify the need of early help support services.

Children with an EHCP attending a mainstream school can be home educated. In addition to the EHE Team, schools should also notify the SEN Officer where a child has an EHCP to alert them of the parent's decision to home educate. (Refer to *appendix 8.3* for specific business processes for EHE children with an EHCP.

For children attending a special school, a child cannot be removed from the school roll until agreed by the LA through an early annual review of the EHCP.

The EHE Business Support team will forward a copy of the Deregistration form (<http://www.southendlearningnetwork.co.uk/Services/4834>) to the off rolling school to complete and return within 5 working days.

For all new referrals, the EHE Business Support team will also check the LA's child management systems to identify if a child is currently or historically known to Children's Social Care and/or Early Help Family Support Attendance. If known, the EHE team will contact Children's Services through MASH+ and/or the Early Help Front Door to consider in terms of the child's needs and any current concerns that may be impacted or exacerbated by an elective home education arrangement. (For further information regarding processes for EHE children known to Children's Services, refer to *appendix 8.2*).

Under Regulation 12 of the amended Education (Pupil Registration) (England) Regulations 2016 schools are now legally required to notify their LA of every new entry to the admissions register within 5 days of the pupil being enrolled. Schools should contact the EHE Team via secure email to [ehe@southend.gov.uk](mailto:ehe@southend.gov.uk) where they admit a child previously home educated to ensure the EHE register is current and up to date.

### **2.3 LA monitoring for children who are Electively Home Educated (EHE)**

The LA keeps a register of all children living within the borough who are known to be home educated, regardless of whether parents choose to register their details (*please refer to appendix 8.1 EHE process flow chart*).

The LA holds this information under their legal duty set out in section 436A Education Act 1996 requiring LAs to make arrangements to establish the identities of children in the area who are not registered pupils at a school and are not receiving a suitable education otherwise. This duty relates to children of compulsory school age.

Although the LA has no statutory duty in relation to monitoring the quality of home education, in order to satisfy s436A Education Act requirements parents will be

asked on a routine basis to provide evidence that supports their child is receiving an efficient and suitable education as described in 'Elective Home Education – Guidelines for Local Authorities', Department for Education (DfE) 2019.

Information provided by parents should demonstrate that the education being provided is suitable and evidences expected progression. Unless the home education has only just started, it should not be simply a statement of intent about what will be provided, or a description of the pedagogical approach taken as this would not enable the LA to reach a legitimate conclusion that a suitable education is being provided. *See Phillips v Brown 1980, DCSF Home Education Guidelines 2007.*

In order to comply with its duty to intervene if it appears that a child of compulsory school age is not receiving a suitable education and to adequately plan for support for families, the LA policy is to:

- Maintain a record of all children known to the LA being educated at home.
- Invite all parents to register their child as EHE. Two lists will be maintained, registered and unregistered. The LA encourages all families to register, including those children who have never been on roll at a school.
- Invite every parent(s) and their child/ren, within 5 working days who elect to home educate to meet with the LA's Pupil Access Lead at a mutually convenient time and place in order to satisfy the LA of the suitability of the proposed educational provision. Contact does not have to be in the child's home, although it is desired to see the place where education is delivered, as this will further support suitability.
- Following the first meeting, parents are then invited annually to meet with a member of the EHE Team at a mutually agreeable venue to share their child's views and educational progress. Alternatively, examples of work evidencing progress of suitable education can be sent into the LA.
- In addition to publishing as biannual newsletters, the LA arranges termly EHE information events to which all home educators are invited to attend..
- All parents will be reminded annually of the LA privacy notice for EHE children and asked to update the EHE team on changes relating to contact details.

Although parents are not required by law to respond to LA requests to provide evidence of suitable education, parents should consider carefully their reasons for not doing so, what action would be in the best interests of their child, and what is the most sensible approach. If parents do not provide sufficient evidence to satisfy the

LA about the education being provided at home, the LA is likely to conclude that the education does not meet the s.7 requirement.

If the LA is not satisfied the child/young person is receiving an efficient full-time education suitable to his/her age, ability and aptitude; or is not meeting any special educational needs; and there are no extenuating circumstances, the EHE Team aims to work with families to support re-engagement with education. This may involve a discussion and support strategies regarding suitable education; signposting to alternative educational provision within the local area open to home educating families; as well as supporting the child back into mainstream education, should this be the desire of the parent.

Where a child's education remains unsatisfactory, the EHE Team will refer the family to the Early Help Family Support - School Attendance Team who may serve a notice (known as a s.437(1) notice), requiring that parents satisfy the LA that their child is receiving a full-time and efficient education at home suitable to the child's needs. Continued failure to satisfy the LA that the child is receiving a suitable education will result in parents being served with a School Attendance Order (SAO), requiring parents to register their child at the school named in the order.

Failure to comply with a SAO is likely to initiate legal action and possible prosecution to ensure the child/young person has access to suitable education where parents have the right to defend their decision to home educate in a Court of Law. (Refer to *appendix 8.4 SAO process*).

### **Section 3. Voice of the Child**

The LA is committed to the principle that the right of a child or young person to be heard (UN Convention of Rights) is included in monitoring the provision of their education. Equally, the Children's Act 2004 emphasises the importance of speaking to the child or young person as part of any discussion around their provision.

To ensure that the voice of the child is heard and to establish education suitability the LA request that both the child and evidence of learning are seen. Children are also invited to EHE information events where there are a number of different opportunities for children and young people to share their views on both the



suitability of their education and areas where the LA could further support access to different experiences, as well as socialise with other home educated children and young people.

## **Section 4. Safeguarding**

The LA has general duties to make arrangements to safeguard and promote the welfare of children (see section 175 of the Education Act 2002 and sections 10 and 11 of the Children Act 2004). The EHE Team, along with all employees of the local authority, have a responsibility to ensure all children are safeguarded and their welfare promoted throughout their work. Section 175 (1) provides:

*“A local authority shall make arrangements for ensuring that their education functions are exercised with a view to safeguarding and promoting the welfare of children”.*

Officers must act upon any concerns that a child may be at risk of harm, in accordance with the LA’s child protection procedures, which can be accessed through the Southend-on-Sea Local Safeguarding Children’s Board (LSCB) website <https://www.safeguardingsouthend.co.uk/children/>.

In pursuit of its safeguarding duties the LA will check all new children known to be accessing EHE against the Social Care case management system. Where a child is known either historically or currently open to Children’s Services contact will be made by the EHE Team to Social Care to consider whether the child’s needs are likely to be impacted or exacerbated by an EHE arrangement (refer to *appendix 8.2*).

Equally, if at any time there are concerns with regards to an existing home educated child that places concern around the welfare and safety of the child, the EHE Team will request a consultation discussion with MASH+ and follow Southend Children’s Services procedures. Where possible, the EHE team will inform the family of any concerns and that they have passed information to children’s social care, unless it is believed to be detrimental to the child to do so. The LA has a moral and social obligation to ensure that a child is safe and being suitably educated. If it is not clear that that is the case, the LA will act to remedy the position. The child’s right to a suitable education is confirmed in case law and where denied falls under the

category of neglect. The welfare of children is paramount and the LA will take any necessary action to protect the children and young people of Southend-on-Sea; including seeking to withdraw the right to home educate where a child is deemed at risk or in need of protection.

The LA will closely monitor applications for EHE that follow the instigation of legal proceedings in respect of school non-attendance.

For full details of how the LA EHE team and Children's Social Care work together refer to *appendix 8.2*.

## **Section 5 15+ Year Olds and Connexions**

Where young people are entering EHE during Key Stage 4, particular attention will be given to ensuring appropriate learning pathways are discussed with relevant parties. There is an expectation that clear plans will be in place for securing progression to post 16 learning or employment with training, and, recognising the vulnerability of becoming NEET ("not in education, employment or training"). This is particularly pertinent for young people who exit school for EHE in years 10 or 11 and might include opportunities to continue to take examinations in school or otherwise.

Southend Connexions is a leading provider of Careers, information advice and guidance for young people in Essex. Connexions will make contact with all Year 11's who are home educated at ages 15/16 to plan their next steps and support them to make decisions about employment, training, and apprenticeships; as well as further and higher education, for example A levels and other post 16 study.

## **Section 6 Southend-on Sea EHE Principles and our Commitment to the Five Year Road Map 2023:**

- The LA seeks to ensure that its' policy and procedures on Elective Home Education are clear, consistent and effective.
- We will endeavour to maintain successful and sustained engagement with families.
- We wish to create a resilient, effective and supportive partnership with parents/carers.

- We respect what families know and do to educate their child/ren across all aspects of their provision.
- We value home educator's views, opinions and expectations of our service.
- We celebrate home educated children and young people's achievements.
- We value all individuals equally.

 <b>PRIDE &amp; JOY</b>	 <b>SAFE &amp; WELL</b>	 <b>ACTIVE &amp; INVOLVED</b>	 <b>OPPORTUNITY &amp; PROSPERITY</b>	 <b>CONNECTED &amp; SMART</b>
<p>Home educated children and young people are proud of where they live. The towns museums, galleries, libraries, open spaces, seafront and leisure facilities support the all-round learning of children, inspiring a culture of high aspiration, creativity and individualism. The Council actively celebrates the achievements of home educators.</p>	<p>Home educated children and young people feel safe and secure. They have a voice and can express their views. Children have access to appropriate advice and support from health practitioners and are well enough to enjoy fulfilling lives. The welfare of children and young people is paramount.</p>	<p>Home educating families are enabled to get involved in community events and be influential in local policy and guidance for home educated children. There are opportunities for families to come together and share in their achievements as well as access support and guidance from peers, parents and Council officers</p>	<p>Home educated children and young people feel valued, nurtured and invested in. Children have a sense of curiosity and high aspirations. Their learning enables them to readily access and transition to school and/or post 16 learning and training (should they wish), as well as prepare them for employment and opportunity pathways as an adult.</p>	<p>Home educated children and young people are able to easily get around the borough, via a variety of good transport links, to enjoy the various opportunities that support a child's learning experiences and independence. Children have access to digital technology through local libraries and a world class infrastructure that enables access to a fibre network for every home</p>

## Section 7 Complaints procedure

SBC seeks to work in partnership with parents who choose to home educate their child/ren and to develop good working relationships. However, if a complaint should arise, in the first instance contact should be made with the Lead Officer for EHE either by telephone or in writing:

Lead Officer for Elective Home Education

Access and Inclusion, Learning Service

Southend-on-Sea Borough Council

Civic Centre

Victoria Avenue

Southend SS2 6ER

Tel: 01702 215909; Email: [ehe@southend.gov.uk](mailto:ehe@southend.gov.uk)

Alternatively, complaints can be made in the following ways:

Email: [council@southend.gov.uk](mailto:council@southend.gov.uk)

Via our website: [www.southend.gov.uk/complaints](http://www.southend.gov.uk/complaints)

Phone 01702 215 000

In person, Customer Services in the reception area at the Civic Centre, Victoria Avenue, Southend-on-Sea, Essex, SS2 6ER

You can download a complaints form from our website

file:///C:/Users/Cathy/Downloads/Comments\_Complaints\_\_Compliments\_Leaflet.pdf

Or write to us: Southend-on-Sea Borough Council Customer Services, PO Box 6, Civic Centre, Victoria Avenue, Southend-on-Sea, Essex, SS2 6ER

## **Section 8 Appendices**

Appendix 8.1 Elective Home Education (EHE) Process Flow Chart EHE

Appendix 8.2 Process for Children's Services and Elective Home Education

Appendix 8.3 Process for SEND Team and the Elective Home Education Team

Appendix 8.4 School Attendance Order Time Frame for EHE

## Appendix 8.1 Elective Home Education (EHE) Process Flow Chart

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*For a copy of the EHE Business Process Flow Chart please email [ehe@southend.gov.uk](mailto:ehe@southend.gov.uk)*

## **Appendix 8.2 Process for Children’s Services and the Elective Home Education Team when a notification is received that a child is going to be home educated**

When Children’s Services receive information that identifies that a child is being home educated they should contact the Elective Home Education (EHE) team in Southend to identify what information the team hold and the details of their involvement. They have a dedicated e-mail address - Elective Home Education [ehe@southend.gov.uk](mailto:ehe@southend.gov.uk).

When a parent, school or other professional informs the EHE team that a child is to be home educated the EHE team will visit each family to share information, provide registration forms and assess the situation in terms of the education being provided, unless the family refuse a visit. The EHE team will also send a safeguarding form to the current school for the Head teacher to complete and return within 5 working days.

Prior to visiting, the EHE team will check with Early Help Family Support (EHFS) front door to see if the family were previously known to them or currently open. Where a family are known or open to EHFS, the EHE team will discuss with the EHFS school attendance team to agree who is best placed to visit the family to discuss the home education arrangement and provide the EHE registration forms or whether a joint visit is required.

The EHE team will also check the children’s services case management systems (LCS on Liquid Logic) to see if the family are open to Children’s Social Care (CSC), or if they have been known previously. The EHE team and CSC will take the following action:

- 1) Where a family are open to CSC, the EHE team will pass the information via email to the Multi-Agency Safeguarding Hub Plus (MASH+) [mash@southend.gov.uk](mailto:mash@southend.gov.uk) who will open a contact and pass this to the team manager for the allocated social worker to consider in terms of the child’s needs and any current concerns that may be impacted or exacerbated by an elective home education arrangement – the allocated social worker and EHE worker should liaise and share any relevant information before and after the EHE team visiting the family

- 2) Where a family have been previously known to CSC, the EHE team will contact the MASH+ team via [mash@southend.gov.uk](mailto:mash@southend.gov.uk) to request any relevant information about the previous history prior to them completing a visit to the family. Once the EHE team have visited the family they will contact the MASH+ team via email to update on the visit; request a consultation discussion if there are any queries, or to make a referral, if they have any safeguarding concerns or questions about the parent's ability to meet the child's needs that could be exacerbated via a home education arrangement
- 3) MASH+ will open a contact and assess the information available to decide if a referral needs to be opened to CSC (Child in Need or Child Protection), following the receipt of information from the EHE team where the EHE team believe there may be information to suggest a home education arrangement may be of concern or may have a negative impact on the child's social, emotional and educational needs
- 4) The EHE team will need to inform the family that they have passed this information to children's social care, unless they believe it would be detrimental to the child to do so.

Where the family are not known to either CSC or EHFS, the EHE team will follow their usual processes.

Once the EHE team have established if the family are known to CSC or EHFS, they will contact the family within 5 working days and seek consent to visit to discuss the EHE process and assess the situation. The family can refuse a visit. If this is the case, and the family have not previously been known to CSC or EHFS, the EHE team will decide if there is any information to suggest a level of unmet need or concern for the child and make a referral to MASH+ if required. If at any point safeguarding concerns are identified, the officer will follow SET procedures and refer the case to MASH+. All families will be sent an information pack and registration forms by the EHE team.

Following the home visit by the EHE team, they will identify one of the following outcomes:



- Parent wishes to proceed with EHE and the EHE team have identified no concerns – no further action taken with CSC, EHE monitoring visits agreed and family invited to termly EHE events.
- Parent does not want to proceed with EHE – EHE team refer them back to the current school (school should notify EHE team if child does not return)
- Parent either wishes to proceed with EHE or does not wish to proceed and the EHE worker identifies with the parent that they have some low level needs and would like some support – EHE team refer to EHFS with parental consent
- Parent either wishes to proceed with EHE or does not wish to proceed and the EHE worker identifies possible Child in Need (CiN) or safeguarding concerns – EHE team seek a consultation with, or refer to, MASH+ with parental consent (unless it would be detrimental to the child to seek this)
- Parent wishes to proceed with EHE but the EHE team identify concerns that education will not be provided and the parent is not willing to return the child to school – EHE team advise the parent that they will initiate a formal process via EHFS team for a school attendance order and also pass any concerns to MASH+ team if required
- CSC and EHFS workers will liaise closely with the EHE team and share information as required, when the family are known to them.

The EHE team will liaise closely with the CSC or EHFS allocated workers (for open cases), or the MASH+ team, to share the information provided in the school safeguarding forms and any other relevant information they have collated via their contact with the family.

In our considerations about what actions we may need to take in relation to a contact or referral about an EHE arrangement, we need to ensure that we address any concerns raised about the elective home education arrangement and also identify what professionals/agencies have contact with the young person outside of the family unit and how their social, emotional and educational needs will be met.

*For a copy of the Children's Services EHE Process Flow Chart please email [ehe@southend.gov.uk](mailto:ehe@southend.gov.uk)*

### **Appendix 8.3 Process for SEND Team and the Elective Home Education Team when a notification is received that a child with an EHCP is going to be home educated**

When the SEND Team receive information that identifies that a child with an Education Health and Care plan (EHC) is being home educated SEND will contact the Elective Home Education Business Support Team (EHE BS) to identify change in circumstance. EHE BS have a dedicated e-mail address - ehe@southend.gov.uk

When a parent, school, SEND or other professional informs the EHE team that a child with an EHC plan is to be home educated the EHE BS and SEND teams will undertake the initial following actions:

#### **Child on roll at a SEND Special School**

**1a.** Parent contacts EHE BS regarding desire to home educate - EHE BS refers case to the SEND Casework Manager to make contact with the school and parent and call an early Annual Review to review current situation and consider parent request to home educate.

**1b.** Notification of parental intention to home educate is received by SEND team – SEND inform EHE BS

1. EHE BS checks Children's Social Care LCS and Capita One systems for children's social care and EHFS involvement. Any involvements are reported to the SEND Casework Manager and processes for Children's Services involvement followed in conjunction with SEND.
2. EHE BS sends out SEND introductory letter, EHE information pack, and privacy notice to parent. Parent is advised that the Local Authority need to formally consider a parent request for Home Education through the annual review process to determine if the provision would be suitable to meet the child's special educational needs.
3. If the LA agrees that EHE would be suitable then the EHCP will be amended to reflect this in Section I.
4. If EHE is not agreed as suitable, then the school remains named in Section I of the child's EHCP and the child should continue attending the school.
5. If agreed, the SEND Service advises EHE BS of change of education status. EHE BS request EHE safeguarding forms from current school and share with the SEND Service on receipt.
6. EHE BS open EHE involvement on Capita One

At any point during the above, safeguarding concerns are identified, SEND to follow SET Procedures and refer to MASH+

### **Child on roll at mainstream provision**

1. EHE BS open EHE involvement on Capita One and alert the SEND Casework Manager of possible change of circumstance
2. EHE BS send out EHE information pack, registration form and privacy notice to parent
3. EHE BS checks Children's Social Care LCS and Capita One system for children's services involvement. Any involvements are reported to the SEND Service and processes followed for children's service involvement (appendix 8.2) in conjunction with the SEND Service.
4. EHE BS request EHE safeguarding forms from current school and share with the SEND Service on receipt
5. EHE BS open EHE involvement on Capita One
6. The SEND Service contact parent within 5 working days for face to face contact to assess suitability for home education and arrange early Annual Review. The SEND Service inform EHE if a joint visit with the Pupil Access Lead (PAL) is required.

If at any point during the above, safeguarding concerns are identified, SEND to follow SET Procedures and refer to MASH+.

Where a child with an EHC plan attends a mainstream school and parent requests the school remove them from the registers to home educate, the school must remove the child from roll and alert the EHE and SEND Service no later than the day removed from roll.

Where the child attends a special school, the school must inform both the SEND and EHE teams of the parent's intentions but keep the child on their roll and inform the parent that their child must continue to attend school until agreed by the SEND Service. The SEND Service will hold an early Annual Review to ensure they are satisfied that the education provision proposed by parents is suitable, before agreeing to change the named provision in the plan to home education (EHE) and removing the child from the register of the special school.

### **Assessing Suitable Education, Safety and Welfare**

Whether the child attended a special or mainstream school, the SEN Service are required to hold an early Annual Review of the child's current EHCP. Contact with the parent should be made within 5 working days with an appointment for a face to face contact. The SEND Service will

communicate with the Pupil Access Lead whether it would be beneficial for a joint visit. Usually the latter would be appropriate if the PAL has had previous involvement with the family.

Although the LA does not have right of entry to the family home to check that the provision being made by the parents is suitable, parents are encouraged to see this process as part of the authority's overall approach to home education of pupils with SEND, including the provision of appropriate support. Contact does not have to be in the child's home (although it is desired to see the place where education is delivered). Contacts can be carried out in public places if this is preferred by the child and parent, however parents are reminded that they need to bring sufficient evidence to demonstrate that the child's education is suitable to their age, ability, aptitude and special educational needs as identified in their EHC plan; and continues to make progress. It is important the SEND Service have contact with both the parent and child and that the child's views regarding their education are heard and considered, when assessing if the education is suitable.

In cases where the EHC plan gives the name of a school or type of school where the child will be educated and the parents decide to educate at home, the local authority is not under a duty to make the special educational provision set out in the plan provided it is satisfied that the arrangements made by the parents are suitable (10.32 SEN Code of Practice).

The SEND Service must review the plan annually to assure itself that the provision set out in the EHCP continues to be appropriate and that the child's SEN continues to be met.

In addition to an Annual Review, the parent and child are invited to termly EHE events where a member of the SEND Service will be in attendance to review progress being made against the EHCP and assess any increased vulnerability. Any changes in circumstances increasing vulnerabilities may require further referrals to health, care and early help services in agreement with the parent. Equally if the education is deemed to be unsuitable, then an early annual review will be called to assess the suitability of home education in meeting the child's special educational needs.

If no service has had contact with the child during this period and the family do not attend the EHE event, the SEND Service will agree a practitioner to make immediate contact with the child and family to attempt to assess the safety and welfare of the child.

If contact has been made but there has been no oversight and review of the suitability of education, the parent will be requested to provide evidence to the SEND Service. If evidence is

not shared that provides the LA with assurance that education is suitable, the SEND Service will call an early annual review to reassess educational placement within the plan.

If at any time safeguarding concerns are identified, the SEND Service will follow SET Procedures and refer to MASH+.

The SEND Team will liaise closely with the EHE BS team and share information regarding all contacts with the child and parent, in order to keep the EHE involvements on Capita up to date.

**If at any time the education is deemed unsuitable, the SEND Service will call an early annual review to reassess educational placement within the plan.**

*For a copy of the SEND EHE Process Flow Chart please email [ehe@southend.gov.uk](mailto:ehe@southend.gov.uk)*

## Appendix 8.4 School Attendance Order Time Frame for EHE

Letter reference	Purpose	Lead
SAO1	Elective Home Education (EHE) raises concerns Re: suitable education – 4 - 6 weeks	EHE
SAO2	2 <sup>nd</sup> EHE contact no evidence of education provision	EHE
SAO3	EHE letter informing parent education provision deemed unsatisfactory & detailing options available including current school vacancies.	EHE
SAO4	EHE letter informing parent of intention to refer to EHFS School Attendance	EHE
	Letter sent to parent with visit a date in 5 working days	EHFS Day 1
	Home visit to look at next steps. Information sheet given	EHFS
	No answer card left with visit date in 2 days & information sheet	EHFS
	Home visit support parent / No answer card left advising of legal implications, contact number left	EHFS
	Unannounced home visit support parent / no answer card left advising Pupil Planning meeting to be arranged.	EHFS Day 10
SAO5	Pupil Planning Meeting arranged, letter of invite to parents. JL/KH to attend. Formal Notice (FN) to be handed to parent. If parent does not attend, FN to be hand delivered. Parent to be made aware that Parenting Order/ESO/prosecution may be applied for should full-time education not be provided. DNA SAO6-9 process to start	Approx. 20 working days to this point
SAO6	Letter of consultation sent to school(s) requesting school to hold place - 5 Working days	EHFS
SAO7	Formal notice to the school that is to be named on SAO	EHFS

SAO8	If LA not satisfied education is suitable and believes child should attend school, LA serves SAO on parent - <a href="#">10 calendar days</a>	EHFS
SAO9	If child not sent to school i.e. non-compliance with order, LA decides to take legal action. Inform parent of intention to breach SAO.	EHFS
	Case taken to Transfer meeting to decide possible Court Action. DfE guidance advises LA must decide whether to prosecute or consider Education Supervision Order (ESO).	EHFS

### School Attendance Order Time Frame for Non-Compliance with SAO

Letter reference	Purpose	Lead
SAO11	Re-consult with schools. PPM – options outlined to parent i.e. school place; EHE (evidence required) or college placement. Formal Notice to be handed to parent.	EHFS
SAO12	15 days follow up establish if child receiving a full-time education. SAO process to begin	EHFS
SAO13	S437(1) notice to be served	EHFS
	Flowchart continues as above, with the difference that if the child remains missing from education, discussion is taken place at Transfer Panel for consideration for Social Care Intervention under neglect, and consideration of Parenting Order or ESO as previous SAO was not effective.	

## Section 9 Links:

Elective Home Education Guidance for Local Authorities

[www.gov.uk/government/publications/elective-home-education](http://www.gov.uk/government/publications/elective-home-education)

Elective Home Education Guidance for Parents

[www.gov.uk/government/publications/elective-home-education](http://www.gov.uk/government/publications/elective-home-education)

Southend-on-Sea Elective Home Education Guidance for Parents

[www.southend.gov.uk/homeeducation](http://www.southend.gov.uk/homeeducation)

Southend Local Offer

[www.livewellsouthend.com/kb5/southendonsea/directory/localoffer.page?localofferchannel=0](http://www.livewellsouthend.com/kb5/southendonsea/directory/localoffer.page?localofferchannel=0)

Information for Southend Local Safeguarding Children Board (LSCB) can be found on

[www.safeguardingsouthend.co.uk/children/downloads](http://www.safeguardingsouthend.co.uk/children/downloads)

LA guidance for schools and Deregistration Form

<http://www.southendlearningnetwork.co.uk/Services/4834>

*This policy will be reviewed annually by Southend-on-Sea Borough Council and Southend parents who electively home educate.*