



CYFLAWNI **TEGWCH** A **RHAGORIAETH** MEWN **ADDYSG** A **GWELL LLES** I BAWB  
**EQUITY AND EXCELLENCE IN EDUCATION AND ENHANCED WELLBEING FOR ALL**

Education and Inclusion Service

Access and Inclusion Service

Elective Home Education Policy

**This document is available in Welsh**  
**Mae'r ddogfen yma ar gael yn y Gymraeg**

April 2024

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## **1. Introduction**

### **1.1 Defining Elective Home Education**

Elective Home Education (EHE) is the term used to describe when parents choose to educate their children at home instead of sending them to school. EHE will reflect a diversity of approaches to learning experiences.

Children who are EHE are not required to follow the national curriculum or any other specified curriculum or meet criteria for the number of learning hours. The EHE approach can be anywhere on a continuum from a formal, structured, schedule-based approach and mostly within the home environment, through to autonomous or child-led education. Moreover, it can vary over time and subject. For example, a child might move from a more autonomous approach when younger to one that is more structured for GCSEs (if the child chooses to sit them).

'Our National Mission: high standards and aspirations for all' sets out the Welsh Government and the education system's priorities to ensure the success, high standards and wellbeing of all learners. The principles set out in 'Our National Mission' apply to all children, including those who are electively home educated.

The Well-being of Future Generations (Wales) Act 2015 promotes a more equal Wales by supporting an inclusive, equitable education system where all children are supported to overcome barriers to learning and participation.

### **1.2 Purpose of the Policy**

The purpose of this policy is to encourage good practice by clearly setting out the legislative position and the roles and responsibilities of the local authority, schools and parents/carers in relation to children who are electively home educated.

The local authority takes a supportive approach to ensure that all parties involved in elective home education should be aware of their roles, rights and responsibilities.

The local authority continues to promote mutual understanding, trust and respect as we build positive and effective relationships with home educators to safeguard the educational interests of children and young people.

## **2. Key Guidance and Legislation**

This policy takes into account Welsh Government, statutory guidance on elective home education (document 292/2023 issued in October 2023) and observes the principles of the Well-being of Future Generations (Wales) Act 2015. This policy also recognises the United Nations Convention on the Rights of the Child (UNCRC).

### 3. Definitions

- Throughout this document the term **parents** should be taken to include all those with parental responsibility, including guardians and carers.
- The term **child** used throughout this policy should be taken to include a child or children, a young person or young people.
- **Elective Home Education (EHE)** will be used throughout this document to refer to all variations of the process of home education.

### 4. Reasons for Elective Home Education

Elective Home Education is a term used to describe when parents choose to take a direct responsibility for educating their children instead of enrolling them in a school. This education may take place within a variety of community settings, as well as at home. The elective home educating community in Wales is a diverse population with families choosing to EHE for a variety of reasons. These may include:

- Ideological or philosophical
- Health (including emotional health, well-being and bullying)
- Cultural
- Religious
- Additional education provision
- Language choice
- Length of school journey
- Awaiting a place in the school of their choice
- Flexibility and tailoring of teaching approach.

### 5. The Law Relating to Elective Home Education

Parents have a right to educate their children at home. Section 7 of the Education Act 1996 indicates that:

*‘The parent of every child of compulsory school age shall cause him to receive efficient full-time education a) suitable to his age, ability and aptitude, and b) to any special educational needs or additional learning needs he may have, either by regular attendance at school or otherwise.’*

Article 2 of Protocol 1 of the European Convention on Human Rights states that:

*‘No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the state shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions.’*

Parents may decide to electively home educate their child from a very early age and so the child may not have been previously enrolled at school. They may also decide to electively home educate at any stage up to the end of compulsory education age. While parents must provide a full-time education, they do not need to follow school hours or term times as contact time is almost continuous and opportunities for learning can arise at any time. Elective Home Education does not need to look like school and may incorporate

a variety of different approaches, including more autonomous and child-led learning.

## **6. Children's Rights and The Voice of the Child**

The Welsh Government has adopted the United Nations Convention on the Rights of Child (UNCRC) as the basis for all its work for children and young people. Article 12 of the UNCRC provides a right for children to be able 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, however, give children authority over parents.

Wherever possible, when parents have chosen to electively home educate, the views of the child should be obtained. All children have a right to participate in decision making that affects their lives and their views relating to the suitability of their education should be given due weight in accordance with their capacity as per Article 12 of the UNCRC. This will help the local authority to meaningfully take into account the views of the child when making a judgment as to the suitability of education.

Person centred approaches will underpin discussions with parents and children, but individual circumstances will be discussed on initial contact with the family.

Article 28 of the UNCRC states that all children have a right to an education and that primary education should be compulsory and free and that different forms of secondary education should be available and accessible to every child - Article 29 states that education should develop each child's personality and talents to the full. However, one of the underlying principles of the UNCRC is the best interests of a child, and Article 3 of the UNCRC requires all adults to think about how their decisions will affect children and to do what is best for the child.

## **7. Roles and Responsibilities of Parents**

Parents may decide to exercise their right to electively home educate their child from a very early age. This may mean that the child may not have been enrolled at school and therefore will not be known to the local authority. Parents may also elect to home educate at any other stage of their child's education up to the end of compulsory school age. Parents who choose to educate their children at home must be prepared to assume full financial responsibility, including bearing the cost of any public examinations. Examinations must be taken at an approved examination centre, identified by the local authority, to enable home educating families to access WJEC examinations.

Parents must also ensure that their child receives suitable education for as long as they are being educated at home. Parents do not need any qualifications to home educate. The first contact between local authorities and home educators often occurs when parents decide to electively home educate and approach the school (at which the child is registered) and/or the authority to seek guidance about withdrawing their child from school. Parents will need to state their intentions to home educate in writing to the school.

### **a. Efficient and suitable education**

Parents are required to provide an efficient, full-time education suitable to the age and ability of the child. The term 'efficient' refers to an education that achieves what it sets out to achieve. The approach home educating parents take to ensure their child is receiving a suitable education is likely to be dictated by their own philosophy or views, and in many cases, the absence of formal assessment may be a feature of the education provision. Progress, over the long term, may take a variety of forms.

There is currently no legal definition of 'full-time'. Children normally attend lessons between 22 and 25 hours a week for 38 weeks of the year, but this measurement of 'contact time' is not relevant to elective home education where there is often almost continuous one-to-one contact and education may take place outside normal 'school hours'.

Learning can take place in a range of locations, including the home. It can also be supplemented through other experiences such as visits to places of interest and facilities such as libraries, museums and galleries. A feature of home education is the ability to be flexible and adapt to events and circumstances on a daily basis.

## **b. Suggested characteristics of a suitable and efficient education**

The local authority's position on EHE is in line with that of the Welsh Government and UNCRC in that a suitable education aims to ensure that the child is able to develop the skills to participate and function in society.

Regardless of the approach taken to deliver a suitable education, it is important for all to consider whether the approach implemented is suited to the needs of the individual child which means efficient education suitable to the child's age, ability and aptitude and to any Special Educational Needs (SEN)/Additional Learning Needs (ALN) the child may have.

Home educating parents should provide education that offers opportunities for the child to develop their physical, intellectual, emotional, spiritual, moral, social and cultural development. It would include provision in numeracy, literacy and language skills, suitable to the child's age, ability and aptitude and to any SEN/ALN the child may have. Suitable education is not simply a matter of academic learning but should also involve opportunities to develop social skills in their interactions with others.

These are essential in preparing the child to participate and function in society. Some possible characteristics that a suitable education may provide, develop or include:

- Language, literacy and numeracy skills
- Consistent involvement of parents or other significant carers
- Responding to the needs and the best interest of the child, taking into account areas of learning that interest the child, and should enhance the child's potential
- Ensuring the child has opportunities to engage in a reasonably broad range of learning experiences
- Providing opportunities to develop personal and social skills to help prepare them for later life and become engaged citizens
- Ensuring the child has opportunities to develop basic skills (taking into consideration any SEN/ALN they have)
- A philosophy or ethos with parents showing commitment, enthusiasm, and recognition of the child's needs, attitudes and aspirations

- Opportunities for the child to be stimulated by their learning experiences
- Involvement in a broad spectrum of learning opportunities and activities appropriate to the child's stage of development
- Access to appropriate resources and materials
- Opportunities to develop digital literacy
- Opportunities for an appropriate level of physical activity and play
- Opportunities to interact with other children and adults.

There is no expectation that home educators will:

- Teach according to the Curriculum for Wales
- Have a timetable
- Have premises equipped to a particular standard
- Mark work done by their child
- Set hours during which education will take place
- Have any specific qualifications
- Cover the same syllabus as any school
- Make detailed plans in advance
- Observe school hours, days or terms
- Have formal lessons
- Reproduce school type peer group socialisation
- Match school age specific standards.

The Welsh Government's Home Education: **Handbook for home educators for parents** ([Home education: handbook for home educators | GOV.WALES](#)) provides information and advice on all aspects of EHE. Parents will receive a copy of this from the Local Authority at the outset of EHE.

## 8. Roles and Responsibilities of Schools

### 8.1 Removing a child from the school admission register

When schools become aware that parents may be considering EHE it is good practice to meet with parents to discuss the reasons for their decision and notify the local authority. Parents must be informed that if they wish to electively home educate their child, they must confirm this in writing to the Headteacher of the school.

When a parent gives notification in writing to the school of their intention to electively home educate their child, the name of the child must be removed from the admissions register (Regulation 8(1) (d) Education (Pupil Registration) (Wales) Regulations 2010). The school (including those in the independent sector) must make a return (giving the child's name and address) to the local authority within 10 school days following the date of removal (regulation 12(3)).

If legal proceedings are already in process that relate to attendance concerns at school parents should be advised that removal from the school roll may not prevent the process from continuing. On no account should parents be encouraged to remove their child from the school register to avoid exclusion or prosecution for failing to ensure that their child has attended school or to improve school performance results.

**8.2** Where a child attends a special school, please see Section 9.

## **9. Roles and Responsibilities of the Local Authority**

### **9.1 EHE Process**

The local authority EHE process is attached as Appendix 1. The local authority will maintain a register of children who are electively home educated and complete an annual summary report, which includes a range of information including numbers of known pupils electively home educate over the academic year, breakdown of numbers of electively home educated pupils by gender and age and reasons given for EHE.

When a decision is made to electively home educate, a designated local authority officer will contact the parent(s) to discuss this and explain the support available, including advice on guidance on how families can access universal services.

Parents and children are not currently legally obliged to meet in person, but the local authority has a duty to establish that a pupil is receiving a suitable education. The local authority aims to work with parents to support a suitable education, should they so wish, whilst being open and sensitive to individual teaching approaches.

In order for a local authority to satisfy itself of the suitability of education provided by the parents, the local authority may request to meet with the child, though there may be occasions where it is not in the best interests of the child. In some circumstances, the local authority can conclude without seeing and communicating with the child that they are receiving a suitable education. It is for the local authority to decide in each individual set of circumstances whether it needs to meet with the child.

In some instances, it may be possible that the local authority can satisfy itself of the suitability of the education on the material provided by the parent/guardian on request. Where such a conclusion is reached, the local authority will set a date for a review to take place and inform the parents and the child. Parents may choose to communicate through other means, such as email, or in writing, to provide evidence of a suitable education. Seeing the child to discuss their education provision and access to resources accords with a number of articles in the UNCRC, such as a child's right to an education and to fulfil their potential, including their rights to express their views and to receive appropriate information in order to make informed choices, to support and provision, to play and leisure activities and to be kept safe.

Should a child decide that they do not wish to meet with a local authority EHE Officer, the local authority will need to decide whether it is satisfied of the suitability of the education provided by the parents / guardian on the information available. Where the local authority's request to meet with a child to make a decision regarding suitability has been refused the local authority may not be in a position to be satisfied that the education being provided is suitable.

The local authority will provide at least one EHE review and support meeting from a local authority officer per year. This meeting is designed to offer support to the family, as well as obtain details about the planned education and the pupil's progress. A summary report containing this information will be sent to the parent after the meeting. If a child has a Statement of SEN / Individual Development Plan (IDP), additional visits may be required to ensure the Additional Learning Provision (ALP) identified remains appropriate. The



review will be arranged in line with guidance in the appropriate SEN / ALN Code.

## **9.2 Children with Special Educational Needs/Additional Learning Needs**

Parents can electively home educate a child who has a Statement of SEN or an Individual Development Plan (IDP).

Where it is brought to its attention or otherwise appears to a local authority that an electively home educated child (other than a looked after child) for whom it is responsible, may have ALN, the local authority must decide whether or not the child has ALN that requires Additional Learning Provision (ALP) and, if appropriate, prepare and maintain an IDP and secure the ALP described in that plan (Section 18.21 of the Additional Learning Needs Code (ALN Code)), within a 12 week timescale. Refer to Appendix 2 – Request to Determine ALN.

A local authority preparing or reviewing an IDP for an electively home educated child, should work with the child and child's parent to identify the appropriate ALP and then secure it. This involves identifying the type of ALP called for by the child's needs and whether the parent will be able to deliver it (either directly or by arranging for someone else to deliver it). Subsequently, if the parent is to deliver it as part of the child's home education, in order to secure the ALP set out in the IDP, the local authority will need to satisfy itself that it is being delivered. Refer to Appendix 3 – IDP Process

Where parents are not able to provide all of the ALP called for by the child's needs, the local authority will need to consider how the ALP can be secured. This may involve specific training to parents, advice and guidance or the local authority exercising its functions to secure education for the child at a particular school (Section 18.23 of the Additional Learning Needs Code (ALN Code)).

EHE Officers and Access & Inclusion Services will work collaboratively to ensure electively home educated pupils with ALN receive the support they need.

If a child is registered at a Special School under arrangements made by a local authority and parents wish to electively home educate, they should write to the school stating that they wish to educate their child otherwise than at school. The school will inform the local authority of the parents' wishes but will not remove the child's name from the register until agreement is received from the local authority.

The local authority may only stop maintaining a Statement of SEN / IDP if it is no longer necessary for them to maintain it in respect of a child receiving EHE. The determination of whether or not this is the case will depend on whether the parents are able to make suitable provision for the child's additional needs. That provision may be different from that outlined in the Statement / IDP. Parents need only provide an efficient education suitable to the child's age, ability and aptitude, and to any SEN /ALN the child may have, as set out in Section 7 of the Education Act 1996.

While the Statement / IDP is maintained, it must be reviewed annually, following the procedures set out in Chapter 9 of the Special Educational Needs Code of Practice for Wales / Section 23 of the ALNET (Wales) Act 2018

If it is satisfied that the parents' arrangements are suitable, the local authority may be relieved of its duty to arrange the provision specified in the Statement / IDP. If, however, the local authority is of the view that the parents are not making suitable arrangements the local authority is not absolved of its responsibility to arrange the provision in the Statement / IDP. At any point in this process, once the young person transitions to post-16 provision, they can withdraw their consent to the IDP.

### **9.3 Truancy Sweeps**

No further action should be taken where a child's record indicates they are home-educated unless there is a reason to doubt that this is the case. Home educating parents need to be made aware that professionals involved in truancy sweeps may need to verify any information given to them in these circumstances. The local authority maintains a list of all school age children who are in receipt of EHE where details can be checked by local authority staff as part of a truancy sweep.

### **9.4 Support for Electively Home Educated Children**

Parents who choose to home-educate their children must be prepared to assume full financial responsibility, including bearing the cost of any public examinations.

In line with Welsh Government guidance RCT recognises that home educating parents can adopt a rich and diverse range of approaches to home education and use a variety of philosophies and methods. RCT provides a package of support to electively home educated children to access a range of activities. Information regarding home education is available on the Access & Inclusion Service and Ty Gwyn Education Centre websites. Please refer to Appendix 4 for the links.

EHE Officers promote access to a wide range of support services available to electively home educated children such as careers advice and Youth Support Services.

Please refer to Appendix 4 for useful information/websites.

## **10. Privacy Notices**

Information received by the local authority (including Attendance & Wellbeing Service), together with any additional information received from schools, pupils, parents/cares or other organisations, will be recorded and processed by the local authority in accordance with the legal obligations placed on RCT Council and our duties under the Education Act 1996, Education and Inspections Act 2006 and The Children Act 1989.

To learn more about how the Access & Inclusion Service processes personal information, please visit our service privacy notices here <http://www.rctcbc.gov.uk/serviceprivacynotice>.

RCT will consider sharing information where a child's wellbeing is at risk.

## **11. Monitoring Arrangements**

As indicated in Section 8, the local authority will undertake at least annual monitoring visits

to children who are electively home educated. If it appears that parents are not providing a suitable education the local authority has powers under Section 437(1) of the Education Act 1996 to intervene. This section states that: *'If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that the child is receiving such education.'*

If the local authority considers that a suitable education is not being provided, then a written report of the findings will be made and copied to the parents within 10 days of the contact with the designated local authority officer. The report will specify the grounds for concern and any reasons for concluding that provision is unsuitable. Parents will be given a reasonable opportunity to address the identified concerns and report back to the authority.

The local authority is expected to make all reasonable efforts to provide help and/or support to the family. This may include providing parents with information about preventative services and where appropriate gaining parental consent for a referral to those preventative services available locally. This is an offer of support, and the parents are under no obligation to accept it.

If the local authority has continued concerns about the suitability of education, it will need to consider whether to see the family on a more frequent basis to assure itself that the child is receiving a suitable education. The local authority may need to liaise with other relevant partners of the local authority dependent upon the circumstances of the child when deciding on the frequency of meetings with the family.

If parents fail to address concerns the local authority is required to consider sending a formal notice to the parents under section 437 Education Act 1996 before moving on, if needed, to the issuing of a School Attendance Order (SAO).

A SAO will only be served after all reasonable steps have been taken to try to resolve the situation. At any stage following the issue of the order, parents may present evidence to the local authority that they are now providing an appropriate education and apply to have the order revoked.

## **12. Safeguarding Children and Young People**

According to the Welsh Government, there is no evidence to suggest that electively home educated children are at greater risk of neglect or abuse than children who are educated at school. Schools and education settings play an important role in safeguarding children. It is important, therefore, that all children enjoy the right to be safe, regardless of how and where they receive their education.

A parent's decision to electively home educate is not considered, in itself, a ground for concern about the safety and well-being of the child. However, as with any child regardless of where they are educated, there may be circumstances which, individually or combined, give practitioners cause to seek further information about a child.

There may be circumstances where a child has not had direct contact with universal public services for a significant period of time. This is not in itself evidence that a child is at risk of harm but should make practitioners think about what further action they may need to

take in discussion with the senior officer responsible for home education.

'Harm' can include the impairment of health or development, and development means physical, intellectual, emotional, social or behavioural development, so the provision of unsuitable education clearly can amount to this. The causing of significant harm need not be intentional or deliberate, but case law indicates that it must be 'considerable, noteworthy or important'. This is a key point for local authorities in considering whether the use of safeguarding powers is appropriate in a case relating to a child who is not receiving a suitable education.

The welfare and protection of all children is of paramount concern and is the responsibility of the whole community. In accordance with EHE statutory guidance, the EHE Officer will ensure they comply with All Wales procedures.

### **13. Elective Home Education and Gypsy, Roma and Traveler Communities**

The local authority is sensitive to the distinct culture, ethos and needs of Gypsy, Roma and Traveler (GRT) communities. GRT parents have the same right to educate their children at home as other families and will be treated in exactly the same way as any other families.

The local authority will take a broad and holistic view of the education being provided with reference to their communities' culture and lifestyle, when considering the suitability of the education. The local authority will therefore seek to positively assist traveler families (in the same way as other families) who do not appear to be providing a suitable education for their children, before taking action.

### **14. Child Employment**

Regulations regarding child employment apply to all children of compulsory school age, whether they attend a school or are electively home educated. Children may not work until they reach the age of 13 years and even then, they cannot work during school hours. Before a child commences any form of employment, they must be in possession of a work permit, which the child's employer should apply for.

### **15. Children in Entertainment**

Regulations regarding children in entertainment apply to all children of compulsory school age whether they attend a school or are electively home educated. A performance license is required if a child is engaged in paid work in modelling, sport, or in theatre, film or television performances outside of school hours. A license is also required if the engagement is unpaid and takes place during normal school hours, whether this is a one-off event or an on-going commitment.

### **16. Flexi Schooling**

Flexi-schooling or flexible school attendance is an arrangement between the parent and

the school, where the child is registered at school in the normal way but attends the school on a part-time basis. The remainder of the time the child is home- educated but remains on the school roll.

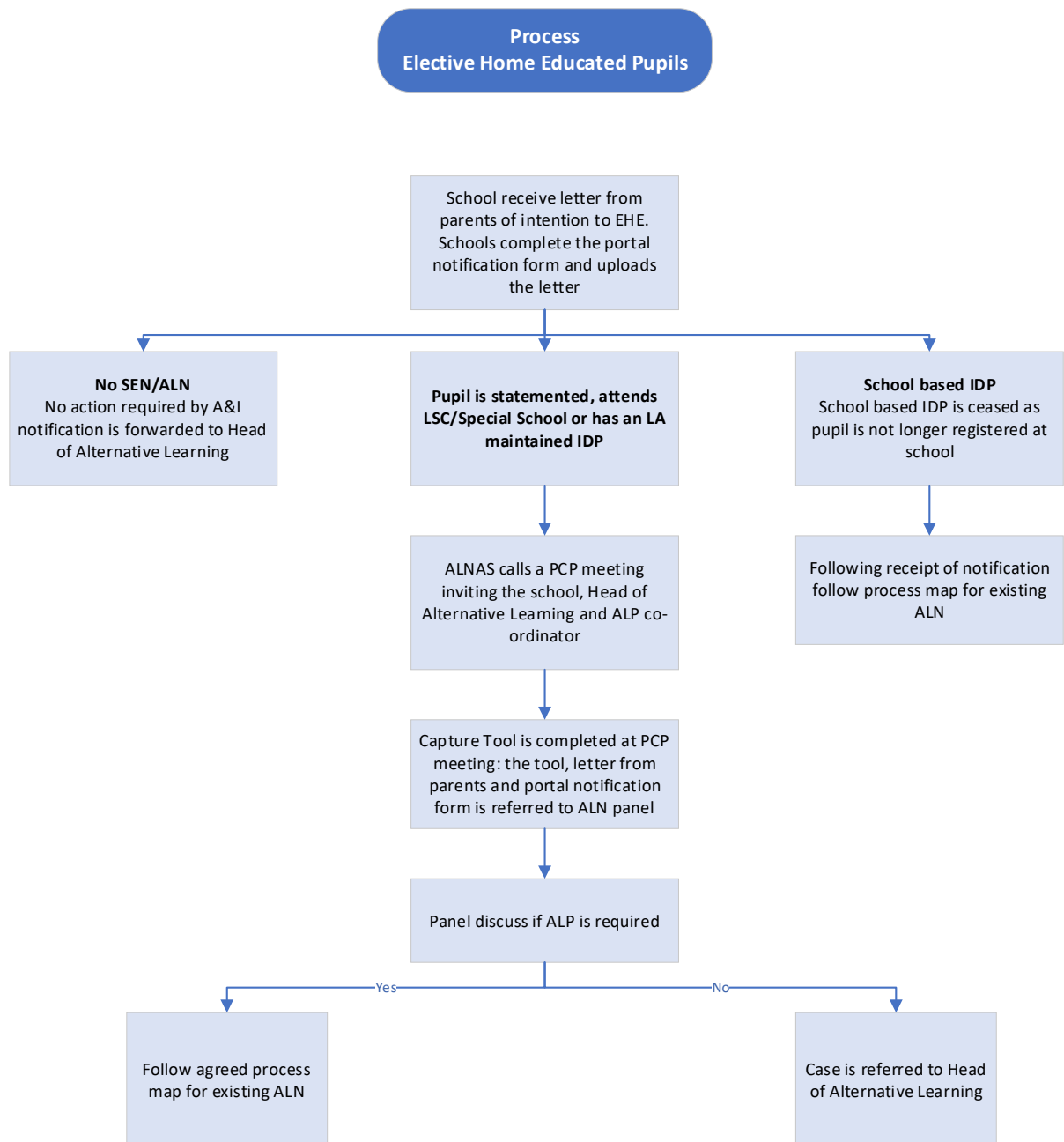
Flexi-schooling is generally a short-term measure to address a particular issue or concern, with the best interests of the child at the heart of decision making and may address potential challenges with:

- Reintegration into mainstream education
- Transition into school for the first time
- Emotionally Based School Avoidance (EBSA)
- Anxiety related to school attendance
- Pervasive neurodiversities and / or social communication
- Physical / medical conditions

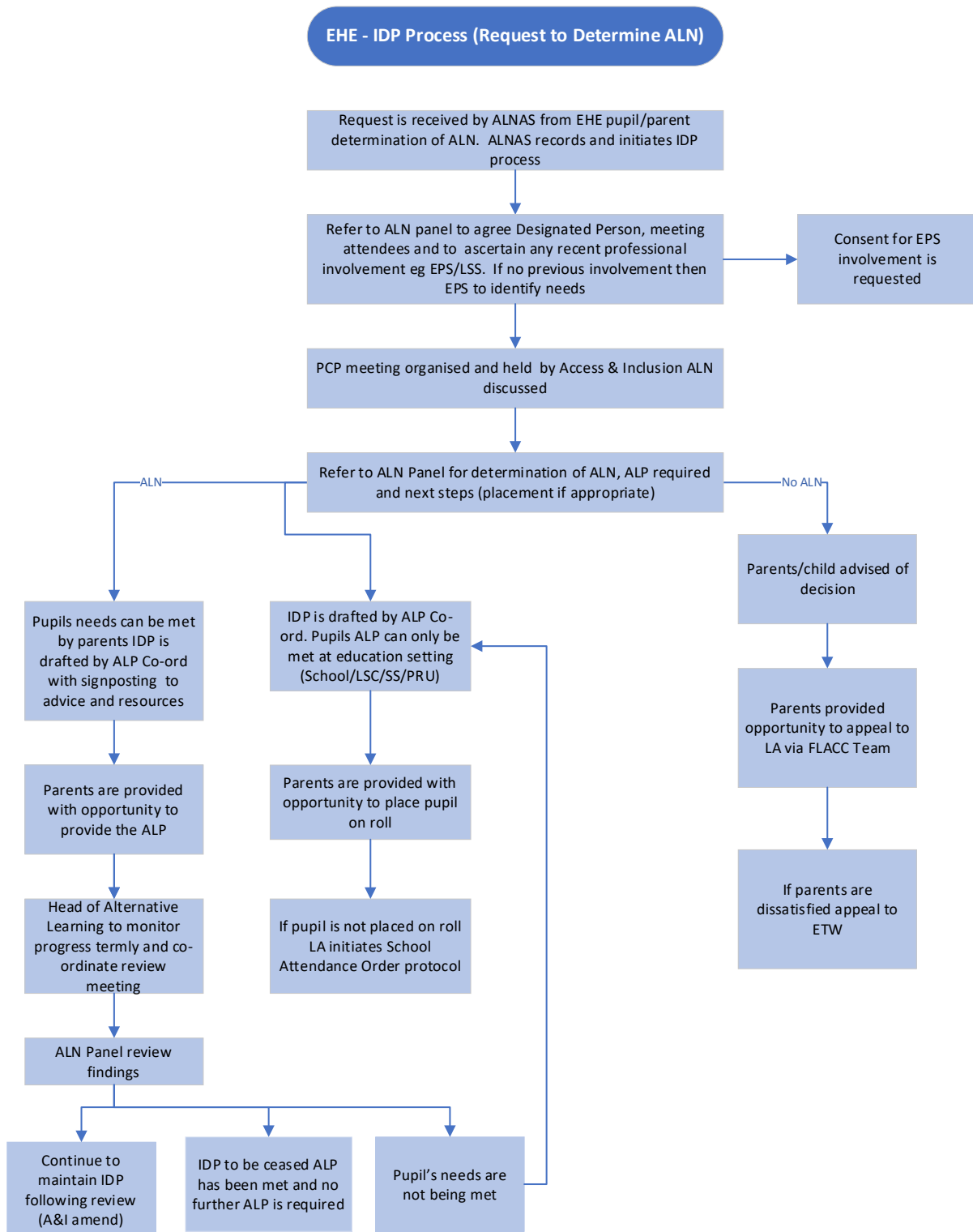
The decision and provision of flexi-schooling is an arrangement between the parents and the school. It is the Head Teacher's decision whether this arrangement is made and the local authority may work with Headteachers for them to consider whether this could be in the best interests of the child.

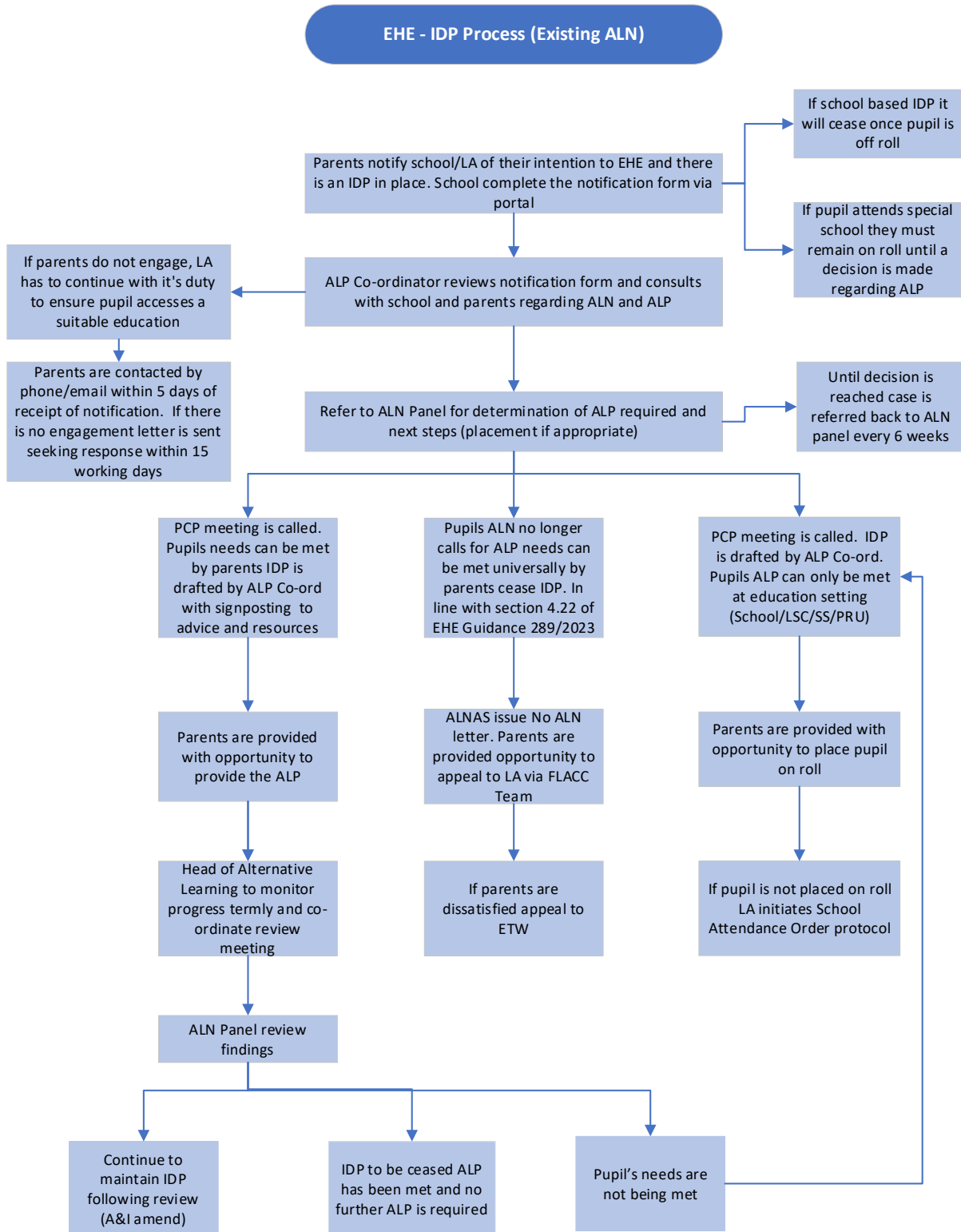
## **17. Review of the EHE Policy**

This policy and associated documents will be reviewed regularly to ensure that current legislative requirements are reflected and if improvements can be made to further develop efficient and effective working practice. The review will be achieved through the involvement of key stakeholders including home educating parent.



## Appendix 2







### Useful Websites

- Briteschool (British E-School) [www.briteschool.co.uk](http://www.briteschool.co.uk)
- Care and Social Services Inspectorate Wales (CSSIW) [www.cssiw.org.uk](http://www.cssiw.org.uk)
- Careers Wales [www.careerswales.com](http://www.careerswales.com)
- Children's Commissioner for Wales [www.childcomwales.org.uk](http://www.childcomwales.org.uk)
- Children's Rights Wales [www.childrensrights.wales](http://www.childrensrights.wales)
- Education Otherwise [www.education-otherwise.org](http://www.education-otherwise.org)
- Elective Home Education Wales [www.waleshomeeducation.co.uk](http://www.waleshomeeducation.co.uk)
- Forest School Wales [www.forestschoolwales.org.uk](http://www.forestschoolwales.org.uk)
- Home Education UK [www.home-education.org.uk](http://www.home-education.org.uk)
- Hwb [www.hwb.wales.gov.uk](http://www.hwb.wales.gov.uk)
- Learning Wales [www.wales.gov.uk/learning](http://www.wales.gov.uk/learning)
- Section 7 The Education Act 1996  
[www.legislation.gov.uk/ukpga/1996/56/section/7](http://www.legislation.gov.uk/ukpga/1996/56/section/7)
- The Open University [www.open.ac.uk](http://www.open.ac.uk)
- Wales Accord on Sharing of Personal Information (WASPI) [www.waspi.org](http://www.waspi.org)
- Welsh Government Guidelines on EHE. Elective Home Education:- Non Statutory Guidance for Local Authority –  
[www.gov.wales/docs/dcells/publications/160106-ehe-guidance-en.pdf](http://www.gov.wales/docs/dcells/publications/160106-ehe-guidance-en.pdf)
- Access & Inclusion Service [Equality, Inclusion and Additional Learning Needs | Rhondda Cynon Taf County Borough Council \(rctcbc.gov.uk\)](http://Equality, Inclusion and Additional Learning Needs | Rhondda Cynon Taf County Borough Council (rctcbc.gov.uk))
- Ty Gwyn Education Centre [Home | Ty Gwyn Education Centre](http://Home | Ty Gwyn Education Centre)