

What is Elective Home Education?

Elective Home Education (EHE) is when parents/carers take on the legal and financial duty to educate their child at home instead of sending them to school full-time. Under the Education Act 1996, Section 7, parents/carers have a legal duty to ensure that their child receives an education that is full-time, efficient, suitable for their age, ability and aptitude, any special educational needs. Educating a child at home is a significant commitment. Parents should attend a pre-decision meeting with the EHE Advisor & school & any wider services involved prior to making a final decision. Parents/carers should never feel pressured to EHE & it should not be used to avoid exclusions or attendance fines.

Pre-Decision Meeting

EHE Advisors hold pre-decision meetings with parents/carers & schools who are considering EHE & any wider services involved. The purpose of this meeting is to ensure parents/carers are aware of all support services available to them before making a decision and have an informed understanding of the **full legal and financial responsibility** they would take on if they were to EHE. The following areas should be discussed:

- If the criteria has been met has a SEND Hub referral been made?
- If health is a barrier to school attendance has a referral been made?
- Is there a need for a Team Around Family meeting to discuss school engagement & any support parents/carers may need from wider services?
- Have all alternatives been explored?

Key Considerations for Elective Home Education

- ❖ The time commitment required for home educating a child can be a significant challenge. From the moment a child is de-registered, parents/carers must assume full responsibility for their education.
- ❖ Parents/carers are legally responsible for ensuring that the education they provide is full-time, efficient & suitable. Parents/carers do not need to follow school hours or term time; however, the education must take up a substantial part of the child's day.
- ❖ Parents/carers must take on full financial responsibility for their child's education, including sourcing & paying for any public examinations. These must be entered via an external examinations centre, which may be some distance from home & are very difficult to source. A child's previous school has no duty to accept a child as a private candidate.
- ❖ If parents/carers later decide to re-enrol their child in school there is no guarantee that a place at the previous school will be available. Parents/carers would need to apply through the Local Authority's usual in-year admissions process. Please be aware that being home educated does not give any priority when applying for a school place.
- ❖ If parents/carers choose to use tutors as part of the child's education, parents/carers are advised to carry out safeguarding checks including DBS. The Local Authority does not hold a list of tutors & does not provide tuition to electively home educated children.
- ❖ Parents/carers must be aware that children & young people are not legally allowed to work during school hours even if they are EHE. There are regulations regarding child employment (even if outside of school hours) which include employers applying for a work permit- for more information please see [Child employment licences | North Yorkshire Council](#)
- ❖ The law defines work experience to be an arrangement by either the young person's School or the Local Authority & which takes place in the last two years during which the young person is of compulsory school age. In North Yorkshire, the Local Authority do not arrange work experience for EHE & therefore all 'voluntary work' will need a child employment permit in place as otherwise it is illegal child employment please see [Child employment licences | North Yorkshire Council](#)
- ❖ NB if a child is on the roll of a special school, parents cannot EHE without consent of the LA. Special schools must contact the SEN caseworker to arrange a pre-decision meeting.

Once all other options have been exhausted & parents elect to home educate the Local Authorities have a duty to ensure they make arrangements to find out so far as possible whether home educated children are receiving suitable full-time education. As part of this duty the EHE Advisors complete informal enquiries. The Local Authority would value meeting with parents/carers in person to find out more about the education plan & delivery.

NYC use the following factors taken from the Department for Education (DfE)'s guidance Elective home education - GOV.UK (www.gov.uk), when considering the suitability of the education:

- ❖ Where the education takes place
- ❖ When the education takes place
- ❖ Resources/ Materials used
- ❖ Educational Content
- ❖ Evidence of Learning & Progress
- ❖ Appropriate for child's ability including any SEN, interests & future choices
- ❖ Access to accreditation as appropriate
- ❖ Access to learning that will benefit adulthood
- ❖ Opportunities for socialisation & interaction

If the Local Authority is not satisfied that a suitable education is place the Local Authority will proceed to send parents/carers a formal notice under S437 (1) Education Act1996. Such notice will require parents/carers to satisfy the Local Authority within a specified time (as specified within the notice) that the child is receiving suitable education. If the Local Authority remains unsatisfied parents/carers will be served a School Attendance Order (SAO) where they will have a legal duty to enrol at school. If the SAO is breached parents/carers will face prosecution.

Useful Links

EHE NYC Local offer website:

<https://www.northyorks.gov.uk/education-and-learning/elective-home-education-ehe-local-offer>

Elective Home Education Guidance for parents:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791528/EHE%20guidance%20for%20parentsafterconsultationv2.2.pdf