

Home education

Guidance and local arrangements

Parents have a duty to ensure that their children receive a suitable full time education either by regular attendance at school or otherwise (under Section 7 of the Education Act 1996). Some parents decide, as they are entitled, to provide suitable education by educating their children at home.

When parents withdraw their child from school to do this, and the child is of compulsory school age, the name of the child can only be deleted from the admissions register of the school where the parents inform the school in writing as provided by section 8 (1)(d) of the Education (Pupil Registration) Regulations 2006: 'That he/she has ceased to attend the school and the proprietor has received written notification from the parent that the pupil is receiving education otherwise than at school'.

It is then the duty of the school to inform the Local Authority as soon as the ground for deletion is met, and no later than deleting the pupils name from the roll under section 12 (3): 'the proprietor shall make a return to the Local Authority for every such pupil giving the full name of the pupil, the address of any parent with whom the pupil normally resides and the ground upon which their name is to be deleted from admission register as soon as the ground for deletion is met in relation to that pupil, and in any event no later than deleting the pupil's name from the register'. Government guidance indicates that two days is a reasonable period for a notification letter from the school to arrive at the Local Authority and then for deletion to take place. In the interim the register must be marked, 'authorised absence' once notification of de-registration has been received from the parents. A form is attached to this document for use by schools. The Local Authority recommends that the school retains the student file unless requested otherwise.

Milton Keynes Council does not have a duty to monitor the quality of the home education on a regular basis, however under section 437 (1) of the Education Act 1996, there is a duty to intervene if it appears that a suitable education is not being provided. The Local Authority will therefore send a Planned Programme of Education form to be completed by the parent within 4 weeks of commencing home education. If it appears that a suitable education is not being provided, the Local Authority '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 a parent fails to satisfy the Local Authority within the specified period that the child is receiving suitable education, the authority shall serve on the parent a school attendance order, requiring the child to be registered at a school named in the order.

Should schools have any safeguarding concerns these should be highlighted at the earliest opportunity and detail provided so that an appropriate investigation can take place.

Although children and young people with statements of special educational needs or Education, Health and Care Plans (EHC Plan) can be home educated, the Local Authority remains responsible for ensuring that the child's needs are met. The statement or EHC Plan must stay in force and be reviewed annually. The Local Authority must ensure that parents can make suitable provision, including providing for their child's special educational needs. If the parent's arrangements are suitable, the Local Authority is relieved of their duty to arrange the provision specified in the statement directly, but it still remains the duty of the Local Authority to ensure the child's needs are met.

If the child is a pupil at a special school, the school must inform the Local Authority before the child's name can be deleted from the school roll and the Local Authority needs to consider whether the elective home education is suitable (section 8 (2) of the Education (Pupil Registration) Regulations 2006). De-registration cannot take place without the Local Authority's consent.

The views of the designated medical officer for special educational needs should be sought by the Local Authority where a child with a statement or EHC Plan is educated at home because of difficulties related to health needs or a disability.

Registering home education

The Local Authority maintains a record of children known to be home educated. The senior officer responsible for home education policy and procedures is:

Simon Sims, Strategic Lead of the Children Missing Education Team

Simon.sims@milton-keynes.gov.uk

Telephone: 01908 253919

For further advice and to forward home education referrals, please contact:

The Children Missing Education Team

homeed@milton-keynes.gov.uk

Telephone: 01908 253338

Template letter for schools (Standard)

[Date]

[Address]

Dear [parents]

Re: [Student Name and Date of Birth]

Thank you for your letter of [date] informing us that you are taking responsibility for educating your child at home.

[School name] is committed to working with parents to ensure the best education for students registered at the school. In line with your request I can confirm that we have removed [student name] from our roll as of today's date and, in accordance with Pupils' Registration regulations, we have notified the Local Authority of [his/her] removal. I would also strongly advise you to make contact with the school to discuss this matter and to ensure that this is an appropriate way forward.

In requesting home education you will be responsible for providing an efficient, full time education suitable for the age, ability and aptitude of your child. The Local Authority has a responsibility to identify those children in its area who are not receiving a suitable education. It is the role of the Local Authority to obtain information from those parents who are home educating about the education that is being provided and they will be in touch shortly to check the arrangements you have made. Where the school believes that this request is a means to circumvent your responsibility to ensure your child attends school we will report this to the Local Authority. Where a request leaves us with concerns regarding safeguarding of children this will also be reported to the Local Authority.

A decision to home educate is an important one which will have significant implications for your child, particularly if, as a consequence, your child is unable to achieve the qualifications of which [he/she] is capable. Indeed parents have a responsibility to ensure that decisions about home education do not adversely affect the long term prospects of their child.

Yours sincerely

[Name]

[Title]

Template letter for schools (for children with Special Educational Needs)

[Date]

[Address]

Dear [parents]

Re: [Student Name and Date of Birth]

Thank you for your letter of [date] informing us that you are taking responsibility for educating your child at home.

[School name] is committed to working with parents to ensure the best education for students registered at the school. In line with your request I can confirm that we have removed [student name] from our roll as of today's date and, in accordance with Pupils' Registration regulations, we have notified the Local Authority of [his/her] removal. I would also strongly advise you to make contact with the school to discuss this matter and to ensure that this is an appropriate way forward.

In requesting home education you will be responsible for providing an efficient, full time education suitable for the age, ability and aptitude of your child. Children and young people with Education, Health and Care Plans (EHC Plan) or statements of special educational needs can be home educated, although the Local Authority remains responsible for ensuring that the child's needs are met. The EHC Plan or statement must stay in force and be reviewed annually. The Local Authority must ensure that parents can make suitable provision, including providing for their child's special educational needs. If the parent's arrangements are suitable, the Local Authority is relieved of their duty to arrange the provision specified in the EHC Plan or statement directly, but is still remains the duty of the Local Authority to ensure the child's needs are met. It is the role of the Local Authority to obtain information from those parents who are home educating about the education that is being provided and they will be in touch shortly to check the arrangements you have made. Where the school believes that this request is a means to circumvent your responsibility to ensure your child attends school we will report this to the Local Authority. Where a request leaves us with concerns regarding safeguarding of children this will also be reported to the Local Authority.

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Yours sincerely

[Name]

[Title]