

# Milton Keynes Home Education Guidance

September 2023

[Home education \(schools\) | Milton Keynes City Council \(milton-keynes.gov.uk\)](#)



## Contents

- Context
- Relevant statutory guidance
- Adding or removing children from the school roll
- Local process
- Children with SEN
- Contact details for reporting

### Context

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). Home education is a choice by parents to provide education for their children at home instead of sending them to school full-time.

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 (under section 8 of the Education (Pupil Registration) Regulations 2006).

### Relevant statutory guidance

The guidance should also be read in conjunction with the following document:

[Elective home education - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

<https://www.gov.uk/government/publications/children-missing-education>

[The Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2006](#)

### Adding or removing children from the school roll

Statutory guidance regarding children missing education means that **all schools** (including academies and independent schools) **must** notify the local authority of all lawful deletions from roll in accordance with the Education (Pupil Registration) Regulations 2006.

When removing a pupil from roll for home education, schools are required to inform the local authority by sending a copy of the parents' written request to deregister along with the home education referral form.

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.

## **Local process**

Local authorities do not have a duty to monitor the quality of the home education on a regular basis although there is a duty to intervene if it appears that a suitable education is not being provided. This means that all local authorities must enquire what home education is being provided for all children of compulsory school age and Milton Keynes City Council has established a local process to support these investigations, and any subsequent steps.

### Informal enquiry

A pro-forma called 'Planned Programme of Education' is sent to the parent / carer to enable them to provide details of their child's home education plan. The completed pro-forma will either show sufficient information regarding the education plan in place or highlight areas for further clarification. An informal enquiry can include a request to meet in person, either in the home or in another location, and whilst the parent is under no legal obligation to agree to this, a refusal can in some circumstances justify taking formal action.

### Formal enquiry

A formal request will be sent asking for information within 15 days. If we do not receive information, we will use our local Fair Access Protocol to identify a school which the child must attend (usually the last school the child attended or was allocated), and a second letter will be sent naming this school and will give a further 15 days for enrolment. Failure to enrol, or provide sufficient details of the home education, will result in the issue of a School Attendance Order. If breached, parents will be prosecuted in the Magistrates court and could lead to a fine of £1,000 per parent and a criminal record.

## **Children with SEN**

Although children and young people with an Education, Health and Care Plans (EHCP) can be home educated, the Local Authority remains responsible for ensuring that the child's needs are met. The EHCP 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. 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 an EHC Plan is educated at home because of difficulties related to health needs or a disability.

## **Reporting home education withdrawals**

The senior officer responsible for ensuring that duties towards home education are met is, Simon Sims, Head of Service, Access to Education, Employment and Training

[Simon.sims@milton-keynes.gov.uk](mailto:Simon.sims@milton-keynes.gov.uk)

Telephone: 01908 253919

For further advice and to forward Home Education referrals, please contact the CME team:

[homeed@milton-keynes.gov.uk](mailto:homeed@milton-keynes.gov.uk)

Telephone: 01908 253338

Access to Education, Employment and Training

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