

Croydon Council Elective Home Education Policy 2024

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Date: August 2024

Review date: August 2026

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Elective Home Education (EHE)

1.0 Introduction

- 1.1** Elective Home Education ('EHE') is the term used by the Department for Education ("DfE") to describe a parent's decision to provide education for their children at home instead of sending them to school. It is not home tuition provided by the Local Authority (LA), or where the LA provides education otherwise than at a school.
- 1.2** Home-educated children are those who, for a range of reasons, are being educated at home and in the community by parents / carers, or tutors, and are not registered full time at mainstream schools, special schools, Pupil Referral Units (PRUs), colleges, or children's homes with education facilities or education facilities provided by independent fostering agencies.

2.0 Principles

Croydon Council believes in the value of school-based education but respects the conditional rights of parents / carers to elect to educate their children at home. Parents / carers are responsible for ensuring that their children receive a suitable education. Where parents / carers choose to home educate, Croydon Council considers it to be desirable for parents / carers and the LA to work together, to find an appropriate balance between parental autonomy and the LA responsibilities for the education of children in its area.

- 2.1** Parents / carers are responsible for ensuring that their child receives an efficient full-time education suitable to his or her age, ability, aptitude and any special education needs, either by regular attendance at school or otherwise. (Education Act 1996 based on the wording of the 1944 Education Act.) Education is statutory, attendance at school is not. Many parents / carers make a success of home education and provide their children with at least a satisfactory provision. Home education needs a holistic approach to issues of suitability, attendance, welfare and safeguarding to ensure a good education outcome. LAs have the same safeguarding responsibilities for children educated at home as for other children.

3.0 Purpose

The purpose of this policy is to clarify for schools, parents / carers, guardians and related agencies, the framework by which the LA carries out its statutory responsibilities and to encourage good practice by setting out the legislative position and the roles and responsibilities of the LA and parents / carers in relation to children of compulsory school age educated at home. The policy sets out parents / carers' rights to educate their children at home, together with the legal duties and responsibilities of Croydon Council. It also sets out the arrangements Croydon Council will make in order to carry out its legal duties.

4.0 Who are the children and young people on EHE?

Over the last few years there have been between six hundred and seven hundred children being electively home educated in Croydon. Parents / carers have chosen to take this responsibility for a variety of reasons.

4.1 The main reasons given for children on the EHE register are:

- The parent has a desire to educate their child in a way that they think is best, in line with their own social or religious philosophy.
- The child has been unhappy at school. In these cases, schools may have failed the child.
- The child was not allocated a place at the school of choice. In these cases, parents / carers often want to access a school place and view EHE as a stop-gap measure or, possibly, a way of applying pressure on the LA to provide the place they seek.
- The parents / carers are dissatisfied in some way with the school the child was previously attending. This may be associated with bullying or a perceived failure on the part of the school to deal with concerns.
- The parents / carers wish to avoid a potential prosecution for poor attendance or non-attendance.
- Parents / carers seek to avoid a threatened permanent exclusion.

5.0 Choosing Home Education

5.1 Many families make a pro-active decision to home educate. Educating children at home works well when it is a positive choice and carried out with a proper regard for the needs of the child.

5.2 However, some families may feel that electing for home education is the only available option when it appears that school issues cannot be resolved or where personal circumstances mean that attending school regularly is problematic. **Pressure should never be put on parents / carers by a school to home educate and remove a child from a school to avoid a formal exclusion or because a child is having difficulty with learning or behaviour. This practice – sometimes called ‘off-rolling’ – is illegal.** This is particularly important for children in years 10 and 11 who are already preparing for public examinations.

5.3 If a parent/carer genuinely believe that your child’s current school is not suitable, then they should also discuss with the LA what alternatives might be available before taking any decision as to home education of your child.
([link to school admissions](#) / Missingmonday@croydon.gov.uk).

5.4 The LA has a duty under s.436A to make arrangements to find out so far as possible whether home educated children are receiving suitable full-time education. Where a family is found to be simply avoiding engaging with the school system, the LA should be in no doubt about the need move to formal procedures under s.437 & if necessary to consider safeguarding referrals.

5.5 A child is of compulsory school age from the school term after his/her 5th

birthday until the last Friday in June of the academic year in which they reach the age of 16. There is no obligation to provide education before or after this period.

6.0 EHE referral process

6.1 The Elective Home Education Team understand that there is no one 'correct' educational system. All children learn in different ways and at varying rates. It is vital that parents / carers and children choose a type of education that is right for them, and it is important the monitoring and support teacher for EHE understands and is supportive of the diversity of many differing approaches or 'ways of educating' which are all feasible and legally valid. The LA should not assume that because the provision being made by parents / carers is different from that which was being made or would have been made in school, the provision is necessarily unsuitable.

6.2 The role of the EHE team is not to tell parents / carers how to educate their children or to promote registration at school. It is to identify and address the needs of children who, for any reason and in any circumstances, are not receiving "an efficient suitable full-time education."

6.3 The team will always attempt to establish a positive relationship between the LA staff and the home-educating parent to allow the LA to better understand parents / carers' educational provision and preferences and offer them appropriate support.

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

6.5 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") for young people who exit school at this late stage.

6.6 Section 7 of the Education Act 1996 provides that:

"The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable –

(a) to his age, ability and aptitude, and

(b) to any special educational needs he may have, either by regular attendance at school or otherwise."

6.7 An "efficient" and "suitable" education is not defined in the Education Act 1996

but "efficient" has been broadly described in case law as an education that "achieves that which it sets out to achieve". Implicit in this is that parents / carers should know and articulate what they set out to achieve through the education they provide. A "suitable" education is one that should enable a child to participate fully in life in the UK by including sufficient secular education. The LA should be enabled by parents / carers to assess the overall time devoted to the home education of a child in terms of the number of hours per week and weeks per year when judging suitability.

- 6.8** It is essential to establish at an early stage what the parents / carers objectives are (what they set out to achieve). Only in this context can the **efficiency** of the provision be judged. The **suitability** of education is based on the particular circumstances of each child and the education provided. **In line with the European Convention on Human Rights that 'no person shall be denied the right to education', Croydon Council maintains an expectation to see evidence of literacy and numeracy objectives and outcomes in home education.**
- 6.9** Wherever possible, parents / carers should be encouraged to discuss an intention to home educate children before putting it into effect. Parents / carers will be offered support and advice based on the individual family's motivations, for example by explaining the very substantial time commitments involved in delivering home education properly and potential alternatives to home education should be explored.
- 6.10** Where parents / carers are looking to home educate due to a breakdown in relations at the school and the parents / carers are notifying of intent to home educate for these reasons, there should be a presumption that mediation will be explored prior to a final decision being made on whether to remove the child from the school roll. The LA would expect all Croydon schools to have had a discussion with parents / carers, signposting them to support and guidance before making any formal decision.
- 6.11** When a parent withdraws a child from school, the LA must be informed of the deletion from the admission register when this takes place at a non-standard transition time. The LA will ask for any further information which would suggest that a child may be home educated. Croydon Council must make arrangements to find out so far as possible whether home educated children are receiving suitable full-time education and is entitled to make informal enquiries of parents / carers to establish what education is being provided.
- 6.12** If a child attends a special school and this was arranged by the LA, then the permission of the LA must be obtained before the child's name can be removed from the admission register.
- Special schools should not automatically remove a child from their roll because a parent states that s/he intends to opt for home education.
 - Parents / carers must seek the consent of the LA before making arrangements to home educate. Until this is provided, and the LA has

approved the educational provision for the child, the child should be expected to attend school as normal. Failure to attend without reason should be treated as unauthorised absence.

- 6.13** If a child is registered at a school as a result of a school attendance order the parents / carers must get the order revoked by the LA on the ground that arrangements have been made for the child to receive suitable education otherwise than at school, before the child can be deleted from the school's register and educated at home.
- 6.14** The LA may also receive information that a child is either not attending schools and/or being home educated from other agencies. These include: the Admissions team, Social Care, Truancy Patrols, GP and Health services, Housing or other LAs.
- 6.15** 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, Croydon Council will act to remedy the position.
- If it is unclear whether a parent is simply absenting a child from school or providing education, the situation should be explored and clarified as a matter of urgency.
 - While a child remains on a school roll, the school should treat any ambiguous failure to attend as an unauthorised absence. On this basis an Attendance Officer can legitimately visit the home to explore the reasons for the absence. Schools are advised to seek this service where any ambiguity over education provision exists.
 - If a child is not on roll at a school, the Children Missing Education Officer will investigate.
 - It will not be assumed that home education is being provided until a parent states that this is the case.
- 6.16** A child with an EHCP/statement of special educational needs can be educated at home. Any assessment of the home education will be linked with the process of keeping a child's special needs provision under review. The EHCP will simply set out the type of special educational provision which the authority thinks the child requires but will state in a suitable place that parents / carers have made their own arrangements under s.7 of the Education Act 1996.

7.0 EHE referral process

If a child is registered at a school and the parents / carers withdraw to home educate, the school should notify the LA of children removed from its admission register giving the child's full name and address of the parent with whom the child normally resides and give home education as the reason, if notified of this by the parent.

- 7.1** There is no legal requirement for parents / carers to discuss home education with the school, however if a parent does approach the school to discuss the possibility of home educating, Croydon Council expects the school to respond

constructively and to offer a formal discussion involving the parents / carers and the child. If parents / carers are considering home education because of a dispute with the school, the LA expects the school to take all necessary steps to resolve the issue. The school should signpost the parent to the Croydon EHE team for further advice & guidance.

- 7.2** The Elective Home Education Team will monitor data and highlight schools considered to have larger than average numbers of children leaving to EHE and report the findings of this data.
- 7.3** If a parent feels that the child's current school is not suitable, then the school and the parents / carers should meet to discuss and explore what alternatives might be available before taking any decision to home educate. Once a parent has withdrawn a child to home educate, if they change their mind there is no guarantee that a place will still be available at the school; an application would have to be made in the usual way through the LA's process for in-year admissions. Both schools and families should be aware that home educated children receive no priority with regards to allocation of schools.

8.0 Oversight of EHE

The LA is entitled to make informal enquiries of parents / carers to establish what education is being provided and contact will be made with parents / carers if the LA becomes aware that a child is being educated at home – or may be so:

- Initial contact will be made by the monitoring and support teacher for EHE. This will be aimed at establishing the position, gathering initial information and providing help if the parent is actually seeking a school place.
- Where parents / carers intend to continue to home educate, the case will be monitored regularly by the Elective Home Education Team

- 8.1** A home educated child may return to school at any time. Parents / carers should discuss this directly with the school admissions team – SCHOOLADMISSIONS@croydon.gov.uk
- 8.2** Where parents / carers confirm they no longer wish to home educate, **the LA will close their record with immediate effect**, notifying CME / School Admissions depending on the young person's application status, **who will then proceed the next stages.**
- 8.3** Parents / carers are advised to notify the LA in writing of their decision to cease home education and the desire for immediate return to registered education.
- 8.4** The type of educational activity can be varied and flexible and the LA will make a judgement based on outcomes rather than on a different way of educating a child. It is recognised that home-education does not need to have any reference to the National Curriculum; and there is no requirement to enter

children for public examinations. Parents / carers are **not** required to:

- acquire specific qualifications for the task
- provide a broad and balanced curriculum
- have premises equipped to any particular standard
- set hours during which education will take place
- make detailed plans in advance
- give formal lessons
- mark work done by their child
- formally assess progress or set development objectives
- reproduce school type peer group socialisation
- match school-based, age-specific standards

8.5 Full time does not mean being bound by school hours and terms, as this measurement of contact time is not relevant to home education where there is often almost continuous one-to-one contact. However, education which is not occupying a significant proportion of a child's life will probably not meet the s.7 requirement.

8.6 If an EHE child decides to take GCSEs, then parents / carers should make their preparations as early as possible. It is sensible to start planning when their daughter/son is in Year 9 (the school year in which they become aged 14).

8.7 It is essential to find out where their daughter/son can sit the examinations. This must be an accredited centre. They should contact their local school or further education college to see if it will accept external candidates. Parents / carers will have to use the same syllabus/exam board as the school/college. They can also look on the internet for accredited examination centres under the chosen examination board.

8.8 Parents / carers will need to ask how much the school/college/ examination centre will charge, as they will also, under current legislation, have to pay the exam board fees. The LA is currently unable to provide this funding for GCSEs if a child is receiving EHE.

8.9 Croydon offer information, advice and guidance to EHE young people about pursuing IGCSE examinations as private candidates through an alternative learning provision. It is the parents / carers responsibility to identify exam boards and syllabus material and to prepare their child for the IGCSE exams. Parents / carers are responsible for meeting deadline dates and the costs for registering for the IGCSE exams through the alternative learning provision.

8.10 LAs have a duty to try and identify children not receiving a suitable education. Section 436A of the Education Act 1996:

“A local education authority must make arrangements to enable them to establish (so far as it is possible to do so) the identities of children in their area who are of compulsory school age but —

(a) are not registered pupils at a school, and

(b) are not receiving suitable education otherwise than at a school. “

- 8.11** Section 437 (1) Education Act 1996 provides that “if it appears to a LA 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 (which must be no less than 15 days) that the child is receiving such education.” This is because where no other information suggests that a child is being suitably educated and where the parents / carers have refused to answer, the only conclusion which the LA can reasonably come to, if it has no information about the home education provision being made, is that the home education does not appear to be suitable.
- 8.12** The LA may make enquiries of parents / carers who are educating their children at home to establish that a suitable education is being provided. This was established in case law (Phillips v Brown, Divisional Court [20 June 1980, unreported] Judicial review by Lord Justice Donaldson) which said ‘an LEA is entitled, though not required, to make **informal** enquiries of parents / carers. However, parents / carers will be under no duty to comply. In his judgement, Lord Donaldson said, however, that it would be ‘sensible for them to do so’. If parents / carers ‘give no information or adopt the course of merely stating that they are discharging their duty without giving any details of how they are doing so, the LEA will have to consider and decide whether it ‘appears’ to it that the parents / carers are in breach of Section 36 of the 1944 Act [now Section 7 of the 1996 Education Act]’
- 8.13** Information provided by parents / carers should demonstrate that the education actually being provided is suitable and address issues such as progression expected. It should not be simply a statement of intent about what will be provided, or a description of the pedagogical approach taken. Croydon Council expects parents / carers to offer satisfactory home education from the outset and to have made preparations with that aim in view. The LA recognises that time lost in educating a child is difficult to recover.
- 8.14** Section 437(3) Education Act 1996 provides that if a parent fails to satisfy the LA within the specified period that their child is receiving a suitable education, it has the power to issue a “School Attendance Order” requiring that their child become a registered pupil at the school named in the order.
- 8.15** 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 Monitoring and Support Teacher for EHE, along with all employees of the LA, has 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”.

- 8.16** Sections 17 and 47 of the Children Act 1989 provide the LA with a power to insist on seeing children in order to inquire about their welfare where there are grounds for concern, although such powers cannot be used in order to establish whether the child in question is receiving suitable education at home.
- 8.17** Officers must act upon any concerns that a child may be at risk of significant harm, in accordance with Croydon Council’s child protection procedures. A failure to provide suitable education is capable of satisfying the threshold requirement contained in s.31 of the Children Act 1989 that the child is suffering or is likely to suffer significant harm.
- 8.18** The LA will do all it can to provide some oversight of each case of home education which comes to its attention. This is viewed as important in order to safeguard children and to ensure that a suitable educational experience is provided, so children are enabled eventually to take their place in society and to contribute to it. Oversight also provides the opportunity to offer parents / carers advice and to signpost opportunities available, particularly if a change in the child’s circumstances occurs.

9.0 EHE procedures

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 children known to Croydon Council being educated at home. This is a list of the children known to Croydon Council only and therefore not an exhaustive list of all children educated at home in Croydon. Families who have children who have never been on roll may also register to access advice and support.

- 9.1** In all cases where it is not clear as to whether home education is suitable, the LA will attempt to resolve those doubts through informal contact and enquiries. The LA’s 436A duty forms sufficient basis for informal enquiries and Croydon Council has a duty to make arrangements to identify children not receiving education.
- 9.2** Croydon Council will ask parents / carers for information about the education they are providing. Parents / carers are under no duty to respond to such enquiries but if a parent does not respond, or responds without providing any information about a child’s education, then it is reasonable for the LA to conclude that the child does not appear to be receiving suitable education. Parents / carers can respond to a request for information about their child’s education provision by writing to or by meeting a member of the Elective Home Education Team and presenting examples of work. Many people find a home visit helpful, but parents / carers may wish to meet at another venue.
- 9.3** The first meeting will be used partly to establish a positive relationship with the family and the child. The main priority is to gain a picture of what has been done so far and what the parent’s objectives are for the future (what they set

out to achieve). Subsequent judgements will be made in the light of parents / carers stated objectives.

9.4 Parents / carers may welcome the opportunity to discuss the provision that they are making for their child's education during a home visit, but parents / carers are not legally required to give the LA access to their home. They may choose to meet a LA representative at a mutually convenient and neutral location instead, with or without the child being present, or choose not to meet at all. Parents / carers will be asked to provide evidence that they are providing a suitable education. Parents / carers might prefer to write a report, provide samples of work, or have their educational provision endorsed by a third party (such as an independent home tutor).

9.5 Croydon Council has identified a criteria for judgement on which to reach the decisions as to whether or not the education being provided is suitable:

- Education should enable a child to participate fully in life in the UK.
- Education should not be in conflict with 'Fundamental British Values' as defined in government guidance.
- No person shall be denied the right to education, and this assumes effective teaching of literacy and numeracy.
- Education is suitable to a child's ability and aptitude. It is reasonable to assume that this would entail making progress between reviews at a rate which appears to be in line with a child's apparent ability.
- Suitable education is not simply a matter of academic learning but should involve socialisation. Contact with peers and the development of emotional resilience should be regarded as essential elements of equipping a child to his/her place in modern civilised society.
- The environment in which education is being provided will be taken into account in assessing suitability.
- Education should promote the fulfilment of learning potential through the provision of some challenge to a child across a reasonably wide range of learning.
- Parents / carers should be able to quantify and demonstrate the amount of time for which a child is being educated, indicating how education is occupying a significant proportion of a child's life.

Whilst the National Curriculum and national standards provide a benchmark for schools, these do not apply to EHE. The Monitoring and Support Teacher for EHE must be cautious about making assumptions that particular skills or knowledge should be gained by particular ages. There should be awareness, for instance, that in most European countries, children do not start formally to read, write or calculate until at least the age of seven and emerging literacy pedagogies vary vastly and do not necessarily equate to SEND needs and/ or evidence of concern around the suitability and efficiency of education provision.

9.6 If it appears to the LA that a suitable education is not being provided, the LA will seek to gather any relevant information that will assist reaching a properly informed judgement. This will include seeking from the parents / carers any further information that they wish to provide which explains how they are providing a suitable education.

- 9.7** In considering whether it is satisfied by the parent it is open to the LA to consider any other relevant information available to it, including information provided by other agencies and other sources.
- 9.8** An evaluation report will be made and copied to the parents / carers confirming whether a child is receiving suitable full-time education. It is legitimate to offer advice on realistic objectives for the next period of learning. Parents / carers are not obliged to accept this advice.
- 9.9** Review records will be kept centrally in the named child's file. They are to be written after each review. A running record of contact dates and actions will be kept centrally.
- 9.10** The Elective Home Education Team will maintain an annual/biannual oversight, consistent with the LA duty under s.436A, to be available and offer support and advice and if necessary, intervention if a change in circumstances occurs.
- 9.11** If it appears to the LA that a child is not receiving suitable full-time education the LA will send parents / carers a formal notice asking them to satisfy the LA that their child is receiving suitable education and will look to work with the family to ensure a swift return to school. If this is not forthcoming, then the LA will serve a School Attendance Order requiring parents / carers to send their child to school. Once the School Attendance Order is issued it can only be revoked (cancelled) if evidence is presented to the LA that a suitable education is being provided.
- 9.12** The LA's role is confined to situations where it is not satisfied that the education is full-time and suitable to the child's age, ability and aptitude. Croydon Council does not think this means that the authority should do nothing until evidence of failure by the parent materialises, but it does mean that the approach should be proportionate. Once the LA is satisfied that a child is receiving a suitable education, Croydon Council maintains an oversight through informal enquiries annually/biannually and if the outcome is satisfactory, continue to oversee that regular level of contact and assurance.

10.0 Safeguarding in EHE

Unsuitable or inadequate education can impair a child's intellectual, emotional, social or behavioural development, and may therefore bring child protection duties into play. Croydon Council makes arrangements for ensuring that their educational functions are exercised with a view to safeguarding and promoting children's welfare and this includes children educated at home as well as those attending school.

- 10.1** If the child is known to be vulnerable, a refusal to cooperate is more serious in view of the potential safeguarding risks. A failure to provide suitable education is capable of satisfying the threshold requirement contained in s.31 of the Children Act 1989 that the child is suffering or is likely to suffer significant harm.

'Harm' can include the impairment of health or development which means physical, intellectual, emotional, social or behavioural development. If the authority cannot obtain sufficient information to determine whether the significant harm threshold is met, Croydon Council will consider employing its powers under Part 5 of the Children Act 1989. To establish education suitability the LA will request that both the child and evidence of learning are seen.

- 10.2** Croydon Council strongly encourages parents / carers to participate in a meeting in order that they receive the full support available. However, unless there is any other matter which suggests that the child is not receiving a suitable education otherwise than at a school, there is no requirement for such a meeting.
- 10.3** Looked After Children – it is the LA's opinion that a Looked After Child should not be home educated as they are the responsibility of the LA as the corporate parent.
- 10.4** Child Protection Plan (CPP) – home education cannot be seen as a protective factor for a child. A child being educated at home is not necessarily being seen on a regular basis by professionals such as teachers and this logically increases the chances that any parents / carers who set out to use home education to avoid independent oversight may be more successful by doing so. Services are less likely to become aware of the signs of abuse or neglect.
- 10.5** Where a child is made subject to a Child Protection Plan or is already subject to a Child Protection Plan, the conference chair will make clear that if the parent has already declared EHE, or states an intention to do so, the risk will be re-considered in light of this information with the likelihood that the child is considered unsafe as a consequence. The chair will therefore immediately ensure that the plan is changed or reviewed to protect the child which will include a stop to EHE with immediate effect. The chair will outline what harm is likely, what the risk is and how it is increased as a result of continuing to educate the child at home. The resulting plan will reflect the necessary actions that need to be taken including the immediate review of the EHE declaration.
- 10.6** Where an education provision is not immediately available, the child protection conference chair and allocated Social Worker will ensure that the plan will include increased home visits to regularly check that the child is safe whilst not in education.
- 10.7** Child in Need (CIN) – for a child who is EHE and judged as a Child In Need, the CIN review chair will make clear that continuing EHE is a worry and put in their plan a requirement to convene a strategy meeting. This strategy meeting will include representation from education colleagues to inform the risk assessment. The strategy meeting will review whether continuing EHE is a factor to any further impairment to the child's health, wellbeing and development. Where it is reasoned so, at the next review meeting, the chair will make it clear that if EHE continues, the likely harm is increased and outline the reasons why. Where EHE continues this may include escalation to child protection status where the above child protection arrangements for children

who are EHE will be implemented.

- 10.8** The Elective Home Education Team will undertake monthly checks to ensure that they are aware of any child that has become open to a CP or CIN Plan.

11.0 Special Educational Needs

Parents / carers right to educate their child at home applies equally where a child has Special Educational Needs (SEN). This right is irrespective of whether the child has an EHCP or not. However, educating at home a child who has an EHCP leaves the parents / carers responsible for all provision in the EHCP including all related funding and resourcing. Any previous LA funding will cease at the point of parental declaration of intent EHE.

- 11.1** If a child has an EHCP/statement of SEN and the parent chooses to home educate, information will be shared between the SEN Casework Officer and the Monitoring and Support Teacher for EHE. Copies of annual reviews and any reports around the home education provision will be copied to the SEN Casework Officer and the Monitoring and Support Teacher for EHE.
- 11.2** Parents / carers of any child subject to the statutory provisions of an EHC Plan (or Statement) who are considering whether to make their own arrangements should discuss this with their child's named SEN Caseworker to ensure that they are fully aware of alternatives (amended provision and/or change of placement) and their SEN statutory rights of appeal.
- 11.3** LA approval for removal from roll is not required for children with an EHCP who are registered at mainstream schools. Where parents / carers elect to home educate a child with an EHCP who is registered at a mainstream school the school will remove the pupil from roll in the same way as for children who are not subject of an EHCP.
- 11.4** If a child is registered at a special school under arrangements made by Croydon Council, the child may not be removed from the admission register without the consent of the LA. In deciding whether to give consent, Croydon Council will consider whether the home education to be provided will meet the special educational needs of the child. That consideration will take into account the additional difficulties of providing education at home to a child whose special educational needs are significant enough to warrant a place at a special school.
- 11.5** 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 / carers decide to educate at home, the LA 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 / carers are suitable. The LA **must** review the plan annually to assure itself that the provision set out in it continues to be appropriate and that the child's SEN continue to be met. Where the LA has decided that the provision is appropriate, it should amend the plan to name the type of school that would be suitable but state that parents / carers have made their own arrangements

under Section 7 of the Education Act 1996.

11.6 In some cases, a LA will conclude that, even after considering its power to provide support to home-educating parents / carers, the provision that is or could be made for a child or young person with an EHC plan does not meet the child or young person's needs. The LA is required to intervene through the school attendance order framework 'if it appears...that a child of compulsory school age is not receiving suitable education'. 'Suitable education' means efficient full-time education suitable to the child or young person's age, ability and aptitude and to any SEN he or she may have.

11.6 Any queries or concerns around a child with an EHCP from a parent/carer considering EHE should be directed to the child's SEND co-ordinator via the SENenquiries@croydon.gov.uk

12.0 If a child is not on a school roll

The Elective Home Education Team will explore the options for access/signposting to other Council services and facilities for parents / carers, within available resources, and to also seek to ensure EHE children have appropriate access to services and facilities from other agencies that would generally be delivered via school.

12.1 The EHE team will advise and assist families who request support with returning children to school or with identifying a school place.

12.2 If a parent is waiting for a school place at their preferred choice of school, they can elect to home educate whilst the child's name remains on the waiting list for their preferred school. School Admissions will inform the Elective Home Education Team of this decision, and the parents / carers will be sent EHE guidance notes, and the young person will be registered as EHE. It is the parent's responsibility to provide suitable and efficient education and to ensure that they understand the process involved to remain on the waiting list of their preferred school.

13.0 Elective Home Education Team Contact:

Elective Home Education Team
Access to Education
Children, Young People & Education
4th Floor, Annexe
Bernard Weatherill House
8 Mint Walk
Croydon. CR0 1EA
email: ElectiveHomeEducation@croydon.gov.uk

Further information can be found on the Elective Home Education page of Croydon Council's website www.croydon.gov.uk

14.0 Reviewing procedures and practices

Croydon Council will review this policy and practice in relation to EHE on a regular basis.

August 2024

Compiling Officer: Elective Home Education Lead

Reviewing Officer: Head of Access to Education Service