Elective Home Education in Cumbria

Information for young people, Parents and carers

September 2018
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Introduction

This booklet is designed to explain the basics of elective home education and the specific role of the home education team. It should help you to understand what happens in Cumbria to promote partnership between the home education team and families who choose to provide their child(ren) with education “otherwise” than “by regular attendance at school”. You may already be an established elective home educator, with well thought-out ideas about an approach that works for your family. However, many parents have questions and sometimes doubts about how it all works. This booklet is mainly to help them.

If you have questions that are not answered here please contact either of the people below:

Marie Barnes  
Learning Improvement Service  
Bridge Mills  
Stramongate  
KENDAL  
Cumbria  
LA9 4UB  
Tel: 07929 164808  
marie.barnes@cumbria.gov.uk

Sarah Wright  
Inclusion Service  
Bridge Mills  
Stramongate  
KENDAL  
Cumbria  
LA9 4UB  
Tel: 07881 845565  
sarah.wright@cumbria.gov.uk

or via the Access and Inclusion Officers:

Allerdale and Copeland:  
Janice Ogilvie  
Inclusion Service  
Blencathra House  
PO Box 110  
WHITEHAVEN  
Cumbria  
CA28 0BN  
Tel: 01946 505558  
Mob: 07966 649190  
janice.ogilvie@cumbria.gov.uk

Barrow and South Lakes:  
Maria Bellis  
Inclusion Service  
Bridge Mills  
Stramongate  
Kendal  
Cumbria  
LA9 4UB  
Tel: 01539 713457  
Mob: 07881 008284  
maria.bellis@cumbria.gov.uk

Carlisle and Eden Area:  
Isobel Graham  
Inclusion Service  
Cumbria House  
Botchergate  
CARLISLE  
Cumbria  
CA1 1RD  
Tel: 01228 221430  
Mob: 07966 649188  
isobel.graham@cumbria.gov.uk

Alternatively, the websites and organisations attached to this booklet hold a lot of information and answers to the most frequently asked questions.
The authors of this booklet have drawn heavily on the information provided by other local authorities and the national and local organisations supporting and providing for elective home educating families.

**Elective home education**

A variety of people from all walks of life choose this way of learning for their children. Home educators and their children are a very diverse group. The practice of most home educating families tends to fall somewhere between being quite structured and formal, perhaps almost creating a sense of school-at-home, and being very informal, learning as opportunities arise and a young person’s interests change (often known as autonomous learning). A more formal approach may be chosen if a young person is quite likely to return to school in the foreseeable future, for example to take exams. This can give a family a useful sense of stability and structure, allowing them to build their confidence and know where they are going. Other families take advantage of the flexibility that home education allows.

Young people can continue right through their school age years being home educated, often taking the same kind of exams as their peers in schools. Some continue to home educate up to age 18 but many go on into higher education, and some spend periods in different forms of education. Some young people don’t take any exams but may move straight into work or training. A few, unfortunately, do not seem able to engage with any learning opportunities offered despite everyone’s best efforts. There are just as many possible outcomes for home educated young people as for those in schools.

There is a prejudicial perception that home educated children are missing out on “normal socialisation”, that they are somehow disadvantaged socially and developmentally. There is no evidence to support this view. There are many possibilities for social contact with other home educating families as well as the out-of-school activities that are available to all young people.

**The Law**

The law allows for diversity in education and parents have a right to have their child(ren) educated in accordance with their own beliefs and values, but the education must be efficient and full-time and must be suitable to the young person’s age, ability, aptitude and any special educational needs. The responsibility for a child’s education is the parents. Education is compulsory, school is not.

You don’t need permission to home educate (unless your child is registered at a special school) and you do not need to have formal qualifications yourself. National tests, such as SATs, do not apply to elective home education and you do not need to follow the National Curriculum, although it may be a useful reference. What you do need is the desire to help your child(ren) to learn, which may sometimes involve learning with them. What learning opportunities you provide and how your youngsters learns is up to you providing that the education you provide is “full-time”, “suitable” and “efficient”.

In England and Wales the main legislation relating to home education is the 1996 Education Act. Section 7 of this act imposes a duty on parents and carers:

> “the parent of every child of compulsory school age shall cause him to receive efficient full time education suitable to:

a) his age, ability and aptitude, and  
b) any special educational needs he may have,

either by regular attendance at school or otherwise.”
'Full time' does not mean school hours or the number of school days per year. There is no legal definition of full time for home education. The words “efficient” and “suitable” are not defined in the Education Act. However, the courts have established that education is efficient and suitable if it prepares young people for life in the community of which they are a part and if it does close options to adopt a different lifestyle if he/she chooses.

Home-educated young people often find that access to further and higher education or to employment is more flexible than generally supposed. It is useful to check what qualification requirements there may be for a particular career path, but it is possible to access further and higher education through other means, for example by providing a portfolio of work. Cumbria offers free access to U-explore.org, an online independent advice, careers and guidance tool. Further information about accessing exams can be obtained from the main support organisations for home educating families, which can be found in the appendices to this booklet.

How much does education at home cost?

When making a decision to provide education at home for your family you will need to recognise you will have to meet the full cost, including books and all other resources, exam and course fees.

Neither local authorities nor central government provide any financial assistance to home educators, so inevitably parents and carers will incur some expense. There are many sources of help and information available these days, especially via the Internet. Internet access and many other resources are available at libraries and community facilities throughout the county. If you can afford them, an extensive range of educational publications and work programmes can be bought from bookshops. Some suppliers and venues will offer discounts to home educators.

On the other hand home educators do not have to buy school uniforms, pay bus fares to and from school, or the other incidental expenses connected with school, currently estimated at around an average of £1,000 per year, and they can also link-up with other families to share resources. There is a wide range of informative public broadcasting and much can be learned from everyday experiences and projects that cost very little.

Parents’ rights and responsibilities

How to begin

Young people who are below compulsory school age or who have never been registered at a school

If your child has never been registered at a school then you are not legally required to do anything, although it would help us considerably if you were to complete Notification of Elective Home Education (Form HE2) in this pack. Alternatively, you may write to the Executive Director, People, Cumbria House, Botchergate, Carlisle, Cumbria CA1 1RD.
Pupils at school

If your child is registered at a school you must write to the school’s headteacher, saying that you are now educating your child at home and you wish your child’s name to be removed from the admission register. You could quote the regulation, 9(1)(c), The Education (Pupil Registration) Regulations 1995. The school must then remove the child’s name from the school roll. Please note that consent from the local authority is required to de-register from a special school (see Children with Special Needs section below).

The school must also inform the home education team that the child has been de-registered. It is important that you de-register your child in this way, otherwise they will still be expected to attend school regularly and you are at risk of prosecution if they do not. Once notification has been given to the school, the school must also inform the Education department within the Local Authority.

Completing the Notification of Elective Home Education (Form HE2) in this pack helps us to keep our records up to date and be ready to support you.

On receipt of the information that a family is to Home Educate, a courtesy phone call or visit may be made to offer general advice and support in relation to Home Education in Cumbria.

Home educating parents are not required to:

- have premises equipped to any particular standard;
- set hours during which education will take place;
- cover the same syllabus as any school;
- teach the National Curriculum;
- make detailed plans in advance;
- observe school hours, days or terms;
- have a timetable;
- give formal lessons;
- reproduce school type peer group socialisation;
- match age-specific, school standards.

Children with special educational needs (SEN)

Under Section 7 of the Education Act 1996 parents have the right to educate children, including children with special educational needs (SEN), at home irrespective of whether the child has a statement of SEN or an Education, Health and Care Plan (EHCP). The local authority should work in partnership with, and support parents to ensure that the SEN of these children are met where the local authority already knows the children have SEN or the parents have drawn the children’s special needs to the authority’s attention. The local authority retains a duty to maintain and review a statement/plan annually as set out in the Code of Practice for SEN.

Parents with children who are registered at a mainstream school, with or without a statement of SEN/EHCP, can elect to home educate without local authority approval. Home education must be suitable to the child’s age, ability, aptitude and special educational needs, but
parents do not have to arrange provision as detailed in the statement/plan. The local authority should fund the SEN needs of home educated children where it is appropriate to do so. Guidance is available from the Department for Education on funding provision for home educated children.

If your child is registered at a special school named in their statement of special educational needs, you cannot de-register them to be home educated without the agreement of the local authority. If your child has a statement of special educational needs, and particularly if they are registered at a special school, please contact the Special Educational Needs Service at the Children’s Services office nearest to where you live, before taking any action about home education.

Mobile families

Some families who are mobile, such as Travellers, may also choose to educate their child/ren at home. Mobile families who are home educating are asked to contact their local Access and Inclusion Officer (CME) when they arrive in or leave Cumbria. There are also some specific organisations to help Traveller families who wish to home educate their child/ren. Traveller families can also seek support through Traveller Education Support Services from around the country when they are mobile. A contact list can be obtained from the National Association of Traveller Teachers (see Appendix 2).

The rôle of the home education team in Cumbria

It may come to the attention of the home education team from a variety of sources that a young person may be being educated at home. The law allows home educators great diversity in how they educate their child(ren) and the home education team fully respects that. Cumbria accepts that children learn in different ways and there are many valid approaches to education. When the local authority becomes aware that parents have elected to home educate initial contact is made to ensure provision is being made. Many families find a support visit helpful either at home or another venue. The home education team believe that open, face-to-face discussion is the best way of building a useful relationship. Alternatively, a brief report could be sent to let us know what provision you are making. We understand that parents may need time to settle in order to fully respond to our enquiries and we are happy to agree reasonable timescales.

The local authority has no statutory right or duty to monitor the quality of home education on a routine basis. However, we contact parents annually to offer support and gain information to keep our database up to date. Many parents welcome the opportunity to discuss ideas but parents are under no duty to respond. Some parents seek more frequent support and this is available if requested.

The Home Education Team

In Cumbria home education sits within the Learning Improvement Service section of People, Education and Skills. Members of the Learning Improvement Service have a broad experience in education and have received additional training in elective home education with regular updates. All members have enhanced DBS (Disclosure and Barring Service) clearance.

The team will signpost other LA services and resources as required to ensure home educators gain access to support and facilities normally delivered through schools.

We understand there are many different ways to learn and that it’s vital that parents and children choose an approach that works for them. General Advisers are not there to tell you how to educate your youngster or to promote registration at school. We are here to provide support and information, and to respond when a child is not receiving a full time education suitable for their needs, age, ability and aptitude.
If it appears that a suitable education is not being provided, the local authority will seek to gain relevant information to make an informed judgement. This includes seeking further information from the parents explaining how they are providing a suitable education. Parents are given the opportunity to address any concerns raised. Whilst parents do not have a duty to respond, DfE guidance refers to case law (Phillips v Brown 1980) that ‘it would be sensible for them to do so’.

If it appears that a suitable education is still not being provided the authority will write to the parents to request further information. When you are asked for information about your child(ren)’s education, the authority would always prefer to meet with you. However, if you do not wish to meet either at your home or any other mutually convenient venue, information can be provided in any way that allows the authority to reach a conclusion about your provision, for example reports and diaries, examples of work, testimonials e.g from a tutor. You would be told in a report what the home education team is concerned about and why. Wherever possible you will have been informed of this beforehand and ways in which the provision can be improved will have been discussed with you. The authority may be able to suggest other services which may be useful to you and your child or may suggest asking other people for advice. The report will contain specific recommendations which would ensure that your child(ren) receive a suitable education. It will also suggest timescales and arrangements for future contact to ensure progress has been made.

The home education team have a statutory responsibility to ensure that all children have access to universal services and must act if it appears that children of compulsory school age in its area are not being suitably educated. Whilst there are no local authority duties to routinely monitor home education, there is a duty to intervene if parents are not providing suitable education under Section 437(1) of the Education Act 1996. This section states:

“If it appears to a local 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.”

Section 437(2) of the 1996 Act provides that the period shall not be less than 15 days beginning with the day on which the notice is served.

Section 437(3) of the 1996 Act provides for the serving of School Attendance Orders:

If –

a) a parent on whom a notice has been served under subsection (1) fails to satisfy the local authority, within the period specified in the notice, that the child is receiving suitable education, and

b) in the opinion of the authority it is expedient that the child should attend school, the authority shall serve on the parent an order (referred to in this Act as a “school attendance order”), in such form as may be prescribed, requiring him to cause the child to become a registered pupil at a school named in the order.

If progress has not been made in providing a suitable education the authority may conclude that a young person is not being suitably educated and will refer the matter on to the Access and Inclusion Officers (CME).

Throughout this process any parent or carer would always have the opportunity to avoid any legal proceedings by satisfying the authority that they are providing a suitable education.
These formal proceedings are a last resort and rare event and will only happen if the authority has to conclude that you are not educating your child according to the requirements of the 1996 Education Act or their needs as set out in a statement of special educational needs.

Access and Inclusion Officers may also be helpful to you in other circumstances, such as if you wish to seek a return to school for your child(ren), or if you are considering elective home education because of unresolved difficulties or disputes at school.

**Child welfare**

Local authorities have a duty to promote and safeguard the welfare of all young people.

It is a sad and disturbing fact that a small number of people in our society abuse children and young people. It is also unfortunately true that some of those people will get access to the young people they abuse through their employment and they are very expert at concealing their intentions and their acts. All adults who work with children and young people should now have checks made about them with the Disclosure and Barring Service (formerly the Criminal Records Bureau) before they can be employed.

Although this gives no absolute guarantees, it does provide an additional safeguard that the people who are entrusted with the welfare and safety of children and young people do not present any known risk to them. Parents are responsible for the safety of their children at all times, and while not wishing to raise undue alarm, it is recommended that anyone who you engage to help in your child(ren)’s education who has not been subject to a recent check, should complete the declaration form attached to this booklet (HE5).

The home education team will have the necessary checks made free of charge for one person.

While education law is primarily written in terms of the rights of parents and carers, the 2004 Children Act is clear in its expectation that children and young people will be involved in decisions about them and that age-appropriate weight will be given to their views. Where they are of sufficient age and understanding it is important that they should have given informed consent to decisions affecting their health, education and welfare.

**Confidentiality and Data Protection**

Cumbria County Council abides by the Data Protection Act and the Human Rights Act and the home education team respects your right to confidentiality. Information can only be shared without your consent in exceptional circumstances and where there are statutory grounds to do so, for example to prevent serious harm or to detect or prevent crime.

**What if I feel the authority has acted unreasonably?**

If you are unhappy about any aspect of the communication or contact with you, please let the authority know and all efforts will be made to resolve your concerns. Please use the names and addresses in this booklet.

Alternatively you may write to:

**The Executive Director, People, Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD**
If parents or guardians continue to feel that the authority has acted unreasonably in relation to home-educated young people, they can appeal to the Secretary of State for Education, under Section 68 or 69 of the 1944 Education Act, or to the Ombudsman.
National and regional organisations

The organisations listed below are only a sample of the available resources. Please note that Cumbria County Council carries no responsibility for the content or quality of the materials or resources from the listed organisations or websites noted here. It is for home educators to judge the suitability and quality of all the materials.

**Education Otherwise**
PO Box 7420
LONDON
N9 9SG

[http://www.education-otherwise.org](http://www.education-otherwise.org)

Largest UK membership organisation which provides support and information for families whose children are being educated at home. General information and contacts for local support groups.

**Home Education Advisory Service**
PO Box 98
WELWYN GARDEN CITY
Herts  AL8 6AN

[http://www.heas.org.uk](http://www.heas.org.uk)

HEAS is a support group which offers information for home educators including advice about educational materials, resources, GCSE examinations, special educational needs, information technology, and legal matters.

**Free Range Education**


Resources, links, information, legal help and an email support service.

**Home Education**


Legal guidelines, mailing lists, chat, articles, events calendar, research questionnaire, FAQs, support group listings, Northern Ireland section, scrapbook, games, quizzes and other resources.

**HE Special UK**

[http://www.he-special.org.uk/](http://www.he-special.org.uk/)

Provides information, articles, resources and mailing lists for parents of children with special needs who would like to educate at home.

**Christian Home Education**

[http://www.homeschool.co.uk/](http://www.homeschool.co.uk/)

Tips and resources for Christian home schooling.
Muddle Puddle
http://www.muddlepuddle.co.uk/
Home education resources and ideas for parents with younger children.

Educational Heretics
http://edheretics.gn.apc.org
Articles and books about home-education and alternative learning systems.

Friends, Families and Travellers
http://www.gypsy-traveller.org/
Tel: 01273 234777
FFT is an advice, information and training organisation providing a range of services, including educational advice, to all Travellers – whether traditional, new, settled or on the road.

The Travellers’ School Charitable Trust
http://www.travellersschool.org.uk/
The Trust exists to support Travellers and their children to access opportunity, freedoms and choice, through education.

The National Association of Traveller Teachers
www.natt.org.uk
NATT works to promote and improve the education of Travellers. They provide a national list of educational contacts for Travelling families.

Inspira
http://www.inspira.org.uk/
Gillan Way
Penrith 40 Business Park
PENRITH
Cumbria CA11 9BP
Phone: 01931 711300
Support and advice on education, training and careers for all young people throughout Cumbria of 13 years and older. Please phone the number above for your nearest office.

Department for Education
https://www.gov.uk/
Government department responsible for education and a host of other matters relating to young people.
**Learning Improvement Service**

**HOME EDUCATION**

**NOTIFICATION OF HOME EDUCATION – HE2**

<table>
<thead>
<tr>
<th>Name(s) of child(ren):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child 1:</td>
</tr>
<tr>
<td>Ethnicity:</td>
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<tr>
<td>Child 2:</td>
</tr>
<tr>
<td>Ethnicity:</td>
</tr>
<tr>
<td>Child 3:</td>
</tr>
<tr>
<td>Ethnicity:</td>
</tr>
</tbody>
</table>

**Do any of the children named above have a statement of special educational needs?**

<table>
<thead>
<tr>
<th>Yes / No</th>
<th>Child(ren):</th>
</tr>
</thead>
</table>

**Parents/carers intending to educate child(ren) at home:**

<table>
<thead>
<tr>
<th>Name: Mr/Mrs/Ms/Miss</th>
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</table>

<table>
<thead>
<tr>
<th>Name: Mr/Mrs/Ms/Miss</th>
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</table>

<table>
<thead>
<tr>
<th>Home address:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Postcode:</th>
<th>Telephone number:</th>
</tr>
</thead>
</table>

<table>
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<tr>
<th>Email (optional):</th>
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</thead>
</table>

**Last school attended (if any):**

**What made you decide to home educate?**

*Continued overleaf*
Please give us as much detail as possible about how you intend to ensure your child(ren) will be suitably educated. For example, what will you teach and how? Who will be responsible for teaching the various components, the methods to be used and the allocation of time? How will you measure progress? How will you ensure they have opportunities for social and physical development?

Please attach additional sheets as required

### Details of any other person(s) with parental responsibility:

<table>
<thead>
<tr>
<th>Name:</th>
<th></th>
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<tbody>
<tr>
<td>Address:</td>
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### Signatures of all those with parental responsibility:

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<th></th>
<th>Date:</th>
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</table>

Thank you for your co-operation.

Please return the completed form within two weeks to:

**Helen Wills, Learning Improvement Service, Bridge Mills, Stramongate, KENDAL, Cumbria LA9 4UB**
HOME EDUCATION

DECLARATION FOR EDUCATION PROVIDER – HE5

Children’s Services Directorate recommends that anyone other than parents and carers who is involved in educating children and has unsupervised contact with them, either in a paid or voluntary capacity, should agree to an enhanced disclosure (with barred list where applicable) from the Disclosure and Barring Service.

If you are having contact with children through home education in Cumbria and are agreeable to an enhanced disclosure being made, please answer the questions below as fully as possible.

<table>
<thead>
<tr>
<th>Surname:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Forename(s):</td>
<td></td>
</tr>
<tr>
<td>Have you ever been known by any other names?</td>
<td>Yes / No</td>
</tr>
<tr>
<td>If yes, please give details:</td>
<td></td>
</tr>
<tr>
<td>Date of birth:</td>
<td></td>
</tr>
<tr>
<td>NI number:</td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td></td>
</tr>
<tr>
<td>Postcode:</td>
<td></td>
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<tr>
<td>How long have you lived at this address?</td>
<td></td>
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<tr>
<td>Child(ren) being home educated:</td>
<td></td>
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<tr>
<td>Name:</td>
<td></td>
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<tr>
<td>Name:</td>
<td></td>
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<tr>
<td>Name:</td>
<td></td>
</tr>
<tr>
<td>Address where the education will be taking place:</td>
<td></td>
</tr>
</tbody>
</table>

I agree to an enhanced disclosure (with barred list if applicable) from the Disclosure and Barring Service.

Signed:  Date:

Thank you for your co-operation.

Please return this form to:

Helen Wills, Learning Improvement Service, Bridge Mills, Stramongate, KENDAL, Cumbria LA9 4UB

ES/LIS/MB/HW
September 2018
Learning Improvement Service

HOME EDUCATION

NOTIFICATION OF RETURN TO SCHOOL – HE6

Please complete this form if your child is returning to school after being home educated or removed from a previous school.

<table>
<thead>
<tr>
<th>Name(s) of child(ren) returning to school:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child 1:</td>
</tr>
<tr>
<td>Date of birth:</td>
</tr>
<tr>
<td>Child 2:</td>
</tr>
<tr>
<td>Date of birth:</td>
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<tr>
<td>Child 3:</td>
</tr>
<tr>
<td>Date of birth:</td>
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| Address:                                  |

<table>
<thead>
<tr>
<th>New school name:</th>
</tr>
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<tbody>
<tr>
<td>Address:</td>
</tr>
<tr>
<td>Date returning to school:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Signed:</th>
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<tr>
<td>Date:</td>
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</table>

Thank you for your co-operation.

Please return this form to:

Helen Wills, Learning Improvement Service, Bridge Mills, Stramongate, KENDAL, Cumbria LA9 4UB

ES/LIS/MB/HW
September 2018