

Peterborough City Council
Elective Home Education Policy and Guidance

January 2025

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Introduction to Elective Home Education (EHE)

All children, regardless of their circumstances, are entitled to an efficient, full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have. Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education.

The Elective Home Education team sits within the Attendance Service strand of the Education directorate within Peterborough. This team is responsible for responding to all referrals where it appears that a child, who is believed to be residing within Peterborough City Council jurisdiction, is not in receipt of a suitable education, either by attendance at school or otherwise than at a school (includes home education arrangements).

Local authorities have a duty under section 436A of the Education Act 1996 to make arrangements to establish the identities of children in their area who are not registered pupils at a school and are not receiving suitable education otherwise. This duty only relates to children of compulsory school age (children aged between 5 and 16 years old).

Parental duty under section 7 Education Act 1996:

Parents have a duty, under section 7 Education Act 1996, to ensure that their children of compulsory school age are receiving suitable full-time education. Some parents may elect to educate their children at home and may withdraw them from school at any time to do so, **unless they are subject to a School Attendance Order.**

Where a pupil is on roll at a Special School, parents/carers are not able to remove their child from the school roll until such time that the local authority, usually the Statutory and Assessment and Monitoring Service, have given permission for deregistration to be actioned. In order for permission to be granted in such cases, parents/carers will be required to share details and evidence as to how they will meet their child's educational needs.

Elective Home Education team staff will seek to consult the parents/carers of a child when establishing whether the child is receiving suitable education. Where children are identified as not receiving suitable education, the Elective Home Education team will support families to return these children to full-time education. Prompt action and early intervention are crucial to discharging this duty effectively and in ensuring that a child's right to an education is protected. The Elective Home Education team is committed to intervening early in the lives of vulnerable children to help prevent poor outcomes.

Referrals may be made to the Elective Home Education team by schools/academies, other professionals, local authorities, members of the public, etc. and all referrals will result in investigations being conducted to establish whether the child or young person concerned is in receipt of a suitable education.

This document seeks to set out the processes and protocols that are in place across Peterborough to safeguard our children and young people's right to receive an efficient, suitable education. This document should be read in conjunction with the following DfE guidance documents in respect of EHE:

[Elective Home Education – Guidance for Local Authorities](#)

[Elective Home Education – Guidance for Parents](#)

Section 1: Elective Home Education (EHE)

A decision to electively home educate can only be made by those with parental responsibility. Schools must not seek to persuade parents to educate their children at home. Where a parent decides that they wish to remove their child from a school roll in favour of elective home education, they should be asked to confirm their decision to the school, in writing via letter/email, so that the school has the necessary evidence/audit trail to conduct a legitimate removal from roll.

The Elective Home Education team require the school to offer to meet with the parent/carer to discuss the reasons for this decision, as sometimes the family may have a concern with the school, which the school is able to remedy.

If a pupil is to be deleted from a school roll following a parent/carer's decision to home educate, the school has a statutory responsibility to inform the local authority of this deletion from roll.

1.1 Notifying the local authority of a parental decision to electively home educate their child

In Peterborough, schools are required to notify the local authority via the Elective Home Education (EHE) referral form, available on the Learn Together website.

[Learn Together Peterborough](#)

Schools are required to share any concerns that they hold in relation to the child being home educated and where concerns are raised, the Elective Home Education team will carry out investigations to determine whether or not the child is in receipt of a suitable education. Where schools hold concerns about parental commitment to educate their child at home, it is important that such concerns are logged on the referral form to enable us to investigate whether parents/carers have taken the necessary steps to provide a suitable education for their child.

Where school staff have safeguarding concerns relating to the child's welfare, these should be referred to the relevant team via this link <https://www.peterborough.gov.uk/healthcare/safeguarding-children>

1.2 The Peterborough City Council website – Home Education Pages

Parents can access some useful information if they are considering elective home education for their child/ren. The relevant pages may be accessed via the following link:

[Home Education](#)

1.3 Elective Home Education – Frequently Asked Questions

Q: Why do parents elect to home educate?

There is no finite list which details all of the reasons for parents electing to home educate. Such decisions are often based on specific philosophical or cultural beliefs, or the individual needs of a child which indicate that home education may be of benefit to them. Parent/carers may opt to home educate on a short term or long-term basis, depending on the individual circumstances of the child or family. The approaches to home education also vary from one family to another and often reflect their own specific values. Some children are home educated from a very young age, others attend school and then engage in home education at a later stage within their compulsory education years.

Q: Does the law allow parents to choose to educate their child at home?

Yes, it is perfectly lawful for a parent to elect to educate their child at home. This is made clear within section 7 of the Education Act 1996 which applies within England and Wales and states:

The parent of every child of compulsory school age shall cause him (or her) to receive efficient full-time education suitable—

a: to his (or her) age, ability and aptitude, and

b: to any special educational needs he (or she) may have,

*either by regular attendance at school or **otherwise**.*

N.B. 'Otherwise', within this context, is intended to include elective home education arrangements.

Q: How many hours of education should a home educated child receive?

There is no definition of 'full-time'; however a child that receives an education within a school is expected to be engaged in educational activities for 23 to 25 hours per week – depending on their age. Parents who elect to home educate are not obliged to offer such education within 'school hours' or on 'school days'. The law and guidance relating to elective home education allows for a more flexible approach.

Q: What is 'suitable' and 'efficient' education?

The courts have considered home education arrangements and have provided some guidance on what can be considered 'suitable' and 'efficient' education. They have said that education is:

- **efficient** if it is "achieving that which it sets out to achieve" and
- **suitable** if it "prepares the child for life in a modern civilised society and enables the child to achieve his (or her) full potential".

Q: What does a parent need to do if they want to educate their child at home?

If a child is registered with a school, we suggest that parents arrange a meeting with the headteacher to discuss why they are considering deregistering their child for the purposes of elective home education. Parents have a duty to inform the headteacher, in writing, of their decision to electively home educate. Receipt of such written notification will allow the headteacher to lawfully de-register a child from their school registers. **Informing the headteacher verbally is not enough.** If parents fail to fulfil this duty and simply stop sending their child to school, they may face legal action for non-attendance under section 444 of the Education Act 1996.

Once the school has received notification, in writing, of a parental decision to home educate, the school has a duty to inform the Local authority of their reasons for removing the pupil from their registers. Peterborough City Council maintains a 'register' of all home education arrangements that are either shared with the Local authority by schools/academies or by parents who have registered with us directly.

Q: Can a child with an Education Health and Care Plan (EHCP) be home educated?

Yes. Section 7 of the Education Act 1996 does apply to parents of children with special educational needs and/or disabilities. Any child with an EHCP will have been assessed and a decision will have been taken about the most appropriate school for the child, based on their individual needs. An EHCP is a legal document. Where a parent decides that they would like to elect to educate their child 'otherwise', in other words not by regular attendance at the school named on the EHCP, they must de-register their child from the school by writing to the headteacher and notifying him/her of the decision that has been taken to home educate.

Please note that, **where a child is a pupil at a special school**, a parent is unable to de-register their child from the school to electively home educate, without the prior consent of the Local authority.

Where a child has an EHCP, the Local authority will continue to fulfil its duties in respect of annual reviews and will hold an annual review for as long as the EHCP remains in place for the child/young person. It is important for parents to understand the need for them to engage with this annual review process as failure to do so may result in their child being reported as a child missing from education.

Q: Will parents receive any funding from the local authority to support with the education of their child at home?

No. By electing to home educate, parents have chosen to accept full financial responsibility for the education of their child and will not receive any funding in this respect from the Local authority. Parents are advised to consider the full cost implications of elective home education when making a decision about the appropriateness of this for their child/ family. The cost of resources (e.g. exercise books, text books, educational visits/trips, writing equipment, computers/laptops, private tutors, online educational packages, etc.) should be factored in to such considerations, alongside any costs that may be incurred if they wish for their child to sit public examinations (e.g. GCSE qualifications).

Q: Will the local authority provide a tutor?

No. Elective home education is different to home tuition, which is paid for and provided, on a temporary basis, by the local authority when a child is not able to attend school, for example due to medical reasons. However, parents can choose to employ a tutor to assist them in meeting their duty to ensure that their child receives an efficient, full-time education which is suitable to his/her age, ability and aptitude. The local authority would advise parents to ensure that any tutors that are employed hold a valid Disclosure and Barring Service (DBS) certificate, formally known as CRB clearance.

Q: How can parents arrange for their child to sit public examinations?

There is no specified approach to elective home education, no set curriculum that parents are expected to follow or requirement on parents to arrange for their child to sit public examinations. Where parents are keen for their child to sit public examinations e.g. GCSEs, then it is advisable that they cover the relevant curriculum to enable their child to have the best possible chances of success in such examinations. Where parents are hoping for their child to engage in further education, e.g. at a sixth form college/college of further education, they should seek advice from their chosen college on the subjects that may need to cover and any entry requirements that may be in place, in respect of their child's preferred course.

There is no financial support available from Peterborough City Council, for home educating parents who are seeking to have their child sit public examinations (e.g. GCSEs). Parents are advised to contact the various examination boards who will be able to advise on the availability of local examination centres where their child could sit their public examinations and also to seek advice about the potential cost implications.

Q: Will parents be contacted by the local authority in the future about their child's education?

Updated guidance, issued to local authorities by the Department for Education in April 2019, states that local authorities should make arrangements to contact home educating parents/carers, on at least an annual basis, to seek an update regarding the home education arrangements that they have in place for their child.

In addition to the above expectation, Section 437(1) Education Act 1996 stipulates that:

"if it appears to a local education 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 (or her) to satisfy them within the period specified in the notice that the child is receiving such education."

If concerns are shared with the local authority which indicate that a child may not be in receipt of a suitable education, the Elective Home Education team will make informal enquiries to ascertain if these concerns are justified. If no response is received to the varying attempts to make contact with the parent/carer the Elective Home Education team will refer the child/children to the children missing education team for this team to begin their investigations into the whereabouts of and the education in place for the child.

Q: What will happen if the education that parents are providing is deemed unsuitable?

The local authority has a statutory duty to instigate formal School Attendance Order proceedings if a parent, after informal enquiries and warnings, is unable to satisfy the local authority that they are providing a suitable education for their child. This means that if it appears that the education is not suitable, we will work with parents to support them to find a suitable school that they may register their child with, without delay.

The Elective Home Education team may refer the child onto the children missing education team for them to support with finding a school place. If a parent then fails to enroll their child at a school of their choice, or fails to take up a local authority offered school place, the local authority will issue a School Attendance Order (Section 437, Education Act 1996) which will name a specific school at which parents must register their child. This Order will remain in place for the remainder of the child's compulsory school age entitlement/until such time that they finish their current education phase (primary/secondary). If parents do not comply with the School Attendance Order, the case will be presented before the Magistrates Court and parents/carers may each face a fine of up to £1000.

Q: Where can parents access more information about Elective Home Education?

By visiting the Peterborough City Council website (www.peterborough.gov.uk) and searching for 'Home Education'. Here, parents/professionals will find advice and guidance relating to elective home education.

Section 2: What will the local authority do on receipt of a notification that a pupil has been removed from roll in favour of elective home education?

The Elective Home Education team will use all available information (received from the school and from our own local authority internal intelligence) to establish if there is cause for concern surrounding the parental decision to electively home educate the child/young person in question.

Where all available information does not highlight any cause for concern, the Elective Home Education team will send a letter to the family to confirm that their child will be registered as home educated and relevant information, including some frequently asked questions, will be shared with parent/carers for their information/future reference. Parents should be prepared to share an annual update with the local authority which covers how their home education arrangement and child is progressing.

Where concerns have been shared via the EHE referral form (or where no concerns are raised by school-based colleagues, but local authority intelligence shows that home education arrangements may need to be investigated to ensure that parent/carers can meet their child's needs) the Elective Home Education team will contact the family and arrange to meet with them to discuss home education arrangements.

Where a child/family has been known/is known to social care, the Elective Home Education team will arrange to meet with the family to ensure that their decision to home educate does not exacerbate or trigger the vulnerabilities which led to the historical/current involvement of key statutory services.

N.B. The first meeting with a family will aim to be informal in nature and will, ordinarily, take place four weeks after the pupil's deregistration from the school roll. This practice is in line with Department for Education guidance and allows families a period of time to settle into their home education routine and to build up a bank of evidence/samples of work to share with Elective Home Education officers at the first meeting. However, where intelligence suggests that home education poses a significant risk to the child/increases their known vulnerabilities, officers within the Elective Home Education team, in the interests of safeguarding, may seek to arrange to meet with the family sooner (e.g. within two to three weeks).

We will only investigate cases where the address of the child falls within Peterborough City Council jurisdiction. Where a child does not reside within our jurisdiction, we will ensure that the relevant 'home' local authority is contacted so that they may use their own elective home education procedures to assess and safeguard the child's right to a suitable education.

Section 2.1 Moving from ‘informal’ EHE investigations to ‘formal’ EHE investigations

Where, during the first informal investigation meeting, a parent/carer fails to satisfy the Elective Home Education team that a suitable education is in place for their child, advice will be provided to enable parents/carers to make the necessary adjustments/take the necessary steps to address any concerns which have been identified during the meeting. A further meeting will be arranged, usually four weeks after the initial meeting has taken place, to enable parents/carers the opportunity to share updates regarding their home education approach and how they have addressed the concerns that were previously discussed.

Where, during either the first or second meeting, it becomes clear that parents/carers are unable to offer a suitable home education, the Elective Home Education team will advise parent/carers that their child is to be returned to their previous school roll, without delay. The Elective Home Education team will also notify the relevant school that home education arrangements have been assessed and deemed unsuitable and that the pupil will need to be reinstated to the school roll, without delay. Schools are encouraged to proactively seek to engage such families to secure a return to education to minimise any further disruption to the child/young person’s educational journey.

Section 2.2 What will happen if parents fail to engage with the Elective Home Education team?

Where parents choose not to engage with the Elective Home Education team and fail to make themselves available for pre-arranged meetings OR where parents do not re-enrol their child at the last school at which they were on roll following a ‘failed’ home education assessment, the Elective Home Education team will refer the child to the children missing education service.

The children missing education service will either: -

- a) support the family to complete the elective home education outline form to confirm the education that the child is receiving.
- b) Support the family to submit an application form to the School Admissions team to return the child to education.
- c) Refer the child to the Fair Access Panel, for vulnerable or hard to place children to ensure that the child has the right offer of the right school with the right support in place to achieve.
- d) instigate the School Attendance Order process by serving a notice on parent(s)/carer(s) formally requiring them to satisfy the local authority that the child is receiving a suitable education – this notice is issued in line with section 437(1) Education Act 1996.

Section 2.3 What about children/young people who need to return to school after months/years of being registered as home educated?

Where a child/young person has been electively home educated for some time and PARENTS DECIDE that they wish to return their child back to the roll of a mainstream school, parents may make applications/submit appeals to try to secure a school place at their preferred school.

However, where the local authority is asked to investigate the home education arrangements of a child/young person who has been registered as home educated for some time OR where, as part of our annual contact with families, we determine that home education arrangements are no longer suitable and the child concerned needs to be enrolled at a local school, the Elective Home Education team will, in the first instance, advise parents how they may make applications to secure a school place. Where the child was previously on the roll of a Peterborough school/academy, advice will ordinarily require the family to re-enrol the child concerned at the last school at which they were on roll, unless one/more of the following statements applies:

- the child came off roll from an infant school and now falls within either the junior/secondary phase of their education;

- the child came off roll from a primary school and now falls within the secondary phase of their education;
- infant class size legislation would prevent the child from being re-admitted to their previous school roll;
- the family have moved home and the distance from their new home to the last school at which the child was on roll is not considered to be within 'reasonable distance.'
- If following an application being received if a place is not available at a preferred school, parents can follow the appeal process [School Admission Appeals](#)

Where parents fail to comply with the advice to apply for school places/re-enrol their child at the last school at which he/she was on roll, the Elective Home Education team will, as a last resort, if all other options fail, instigate the SAO process by serving a notice, as set out in [section 2.2](#) above.

Section 3: The School Attendance Order Process

The School Attendance Order (SAO) process is used in cases where a parent chooses not to engage or comply, enables the local authority to evidence that it has utilised all available statutory powers to try to return a 'missing', therefore vulnerable, child to an efficient, full-time education. The definition of 'missing' within this context includes those children whose home education arrangements have been deemed 'unsuitable.'

The process is carried out by the Elective Home Education and the Children Missing Education team and the onus, throughout the process, is on parent/carers to be proactive in securing a school place OR evidencing a suitable education for their child. Any school which is identified to be named within a SAO simply needs to await contact from the parent/carer on whom the SAO is to be served and, where a parent/carer complies, be prepared to admit the child in question to the school roll, **without undue delay**.

Where parent(s)/carer(s) fail to comply/engage, the Attendance team will progress the case in line with the process and timeframes that are outlined below. Where a school receives formal notification of the local authority's intention to name the school within a SAO for a child, the school should consider this child as a possible admission when responding to requests for numbers on roll from colleagues in the Admissions team and School Place Planning team.

The Attendance team will take the following approach when identifying a suitable school to name within a SAO for a child/young person:

- Where a pupil was previously on roll at a Peterborough school and was subsequently deregistered in favour of elective home education, the Attendance team will seek to name the last school at which the pupil was on roll in any SAO which becomes necessary as a result of home education arrangements being deemed unsuitable. It is important for secondary school colleagues to note that this approach is taken in the interests of fairness and consistency.

N.B. Only where the family have moved home and the last school at which the pupil was on roll cannot be considered as within reasonable distance, will the Attendance team seek to identify an alternative school to name within a SAO.

- In cases where the child/young person in question was not on roll at a school within Peterborough previously, we will seek to name the school nearest to the home address that we believe is in a position to accommodate the child, should parent choose to comply with the SAO.

N.B. Only where we believe that there are compelling reasons not to name the nearest school OR infant class size legislation applies OR where a parent has made applications to the nearest school but, due to a lack of

spaces, has had their application formally declined, will the Attendance team seek to name the next nearest available school within any pending SAO.

- Where a child/young person has been the subject of a permanent exclusion or is the subject of an active Education, Health and Care Plan, the Attendance team will liaise with colleagues within the Statutory Assessment & Monitoring Service to identify a suitable school to name within any SAO which is to be issued.

The SAO process provides parents with several opportunities to satisfy the local authority that their child is in receipt of a suitable home education. If the parent/carer submits an application for a school place after the SAO process has been instigated, the process will be placed on hold pending the outcome of any such application(s)/subsequent appeal(s).

3.1 The steps and timeframes that apply during the SAO process are as follows:

- Parent is issued with a warning letter under section 437(1) Education Act 1996, notifying them that the local authority believes that their child is not in receipt of a suitable education.
 - **Parents have 15 school days within which to apply for a school place or evidence that a suitable home education is in place for their child.**
- The local authority, at the same time as issuing the above-mentioned warning letter to parent(s)/carer(s), will consult with the named school which has been identified as suitable to name within any pending SAO. The factors listed within [Section 3](#) above will have been considered when determining which school should be in receipt of this consultation.
- Where parents fail to comply/engage upon receipt of the above-mentioned warning letter, a Formal Notice is sent to the school (addressed to the Head/Chair of Governors) notifying them of the local authority's intention to name their school within a SAO for the child in question.
- At the same time, a further letter, known as the Notice of Intention to Issue a School Attendance Order, is issued to parent(s)/carer(s), notifying them that the local authority intends to issue a SAO naming a particular school.
 - **Parents have 15 school days to apply for a school place or evidence that a suitable home education is in place for their child.**

N.B. It is important to note that at this stage parent may apply for a place at ANY of their preferred schools.

3.2 Right of appeal: All schools have a right to appeal against being named within a SAO for a child that has been identified as 'missing from education.' However, due to the fact that the local authority seeks to return such vulnerable children back into education without any undue delay, any such appeals should only be submitted where a parent chooses to comply and seeks to have their child admitted to the school that is named/is to be named within the SAO **and** where there are significant safeguarding concerns linked specifically to the child in question being placed on roll.

The appeal process differs depending on whether the school is a maintained school or whether the school has academy status. However, in all cases where an appeal is submitted, the Attendance team will liaise with colleagues who oversee the Fair Access Protocol and the School Admissions Team across Peterborough so that they may consult with local schools to seek agreement on which school is best-placed to be named within an SAO and to admit the child in question, should the parent choose to comply/engage with the SAO process.

Right of appeal – maintained schools: where the Head/Governing Body of a maintained school believes that they have justified reasons to appeal against the local authority's intention to name their school within a SAO, they should submit their formal appeal directly to the Attendance team, within 15 working days of receipt of the aforementioned Formal Notice.

Right of appeal - academies: Where the Head/Governing Body of a school with academy status wishes to appeal against being named within a SAO for a child who has been identified as 'missing' from education, they should submit their appeal directly to the Secretary of State, providing the Attendance team with a copy of their appeal.

The appeal should only be submitted if the parent to whom the SAO is issued/is to be issued, chooses to comply with the Order and seeks to have their child admitted to the school that has been identified as part of the SAO process.

- In cases where parents fail to respond to the Notice of Intention to Issue a School Attendance Order, and where the local authority has not been satisfied that the parent is fulfilling their duty under section 7 Education Act 1996, the Attendance team will go ahead and issue a SAO, naming the identified school. The local authority may issue a SAO without being required to attend court.
- ***N.B. The issuing of a SAO effectively removes the parent/carer's right to apply for any school and instructs the parent to make an application, within 15 school days, to the school which the local authority has named within the SAO.***
 - **Parents have 15 school days within which to apply for a place at the school named within the SAO or to evidence that a suitable home education is in place for their child.**
- Failure to comply with the SAO will lead to court action, under section 443 Education Act 1996, for Breach of the SAO. Parent/carers will be liable to a fine of up to £1000.

Upon completion of any court action following the Breach of a SAO, the child in question remains out of school and continues to be deemed a child missing from education. The Attendance team will therefore be required to begin the SAO process again in the hope that parent/carer will choose to comply/engage with the process and enrol their child at a school or put a suitable home education in place for the child in question.

3.3 What happens if the SAO process fails to resolve the child's 'missing from education' status?

The local authority will follow the SAO process for as long as is necessary to secure engagement from the family which resolves the child's 'missing from education' status.

The Local Authority may consider a referral to Children's Social Care citing "educational neglect" for continuous breaches of a School Attendance Order.

Section 4: Contact details for the Elective Home Education team

If you would like to make contact with the Elective Home Education team, please find relevant email contact details below (or alternatively you may wish to call our generic team line on **01733 863683** or email the team at homeeducation@peterborough.gov.uk)

Tom Wilkin – Elective Home Education Officer – tom.wilkin@peterborough.gov.uk

Emma Wilson – Elective Home Education Officer – emma.wilson@peterborough.gov.uk

Mandy Hallam – Elective Home Education Support Officer – mandy.hallam@peterborough.gov.uk

Section 5: Contact details for the Children Missing Education team

If you would like to make contact with the Children Missing Education team, please find relevant email contact details below email the team at:-

cme@peterborough.gov.uk

Claire Carrington – Children Missing Education Lead Professional – claire.carrington@peterborough.gov.uk

Rebecca Whomes – Children Missing Education Monitoring Officer – Rebecca.whomes@peterborough.gov.uk

Rosie Whaley – Children Missing Education Tracking Officer – rosie.whaley@peterborough.gov.uk

Kelly Shelton – Children Missing Education Tracking Officer – Kelly.shelton@peterborough.gov.uk

Section 6: Contact details for the Attendance team

If you would like to make contact with the Attendance team, please find relevant email contact details below (or alternatively you may wish to call our generic team line on **01733 863681** or email the team at

asadmin@peterborough.gov.uk