



Elective Home Education Assessment Framework

Hackney Education

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1. Introduction

Elective Home Education (“EHE”) is the term used by the Department for Education (“DfE”) to describe parents’ decisions to provide education for their children at home instead of sending them to school. This is different to home tuition provided by a Local Authority or education provided by a Local Authority other than at a school. It is recognised that parents may choose home education for a variety of reasons.

Home-educated children are those who, for a range of reasons, are being educated at home and in the community by parents, or tutors, and are not registered full time at mainstream schools, Academies, Independent schools, special schools, Pupil Referral Units (PRUs), colleges, or children’s homes with education facilities or education facilities provided by independent fostering agencies.

The Hackney education service (“HES”) assessment framework has been devised by the Pupils Out of School Team. It sets out the principles that apply to Elective Home Education assessments and the key judgements that assessment Officers will make when carrying out Elective Home Education suitability assessments within the local authority.

This framework reflects relevant DfE guidance and legislation for Elective Home Education settings.

2. Principles and purpose of Elective Home Education assessments

Parents have a right to educate their children at home. 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."

The local authority must ensure that every child within the local authority receives a sufficient and full-time education (as laid out by s.436A of the Education Act 1997). This duty forms the basis for the inspection and our regulation of elective home education.

Hackney education service believes in the value of school-based education but respects the conditional rights of parents to elect to educate their children at home. Parents are responsible for ensuring that their children receive a suitable education. Where parents choose to home educate, HES considers it to be desirable for parents 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.

The Department for Education (“DfE”) states that the local authority must have a basis on which to reach the decisions called for in s.437 of the Education Act 1996 as to whether or not the education being provided is suitable. Furthermore, s. 436A creates a duty to adopt a system for making such enquiries.

This assessment framework, therefore, fulfils part of this duty and forms the basis on which we make our judgements on suitability. The framework ensures consistency throughout the local authority and ensures that parents and assessment officers are clear on what constitutes ‘suitable’.

Hackney education service respect that there are no specific legal requirements as to the content of home education, provided the parents are meeting their duty in s.7 of the Education Act 1996. The local authority recognises that education does not need to include any particular subjects, does not need to follow the National Curriculum and there is no requirement to enter children for public examinations. There is no obligation to follow the 'school day' or have holidays which mirror those observed by schools.

Many home educating families do follow a clear academic and time structure, but it should not be assumed that a different approach which rejects conventional schooling and its patterns is unsatisfactory or constitutes 'unsuitable' education.

Hackney education service has a commitment to ensuring that judgements are based on individual circumstances, values, and motivations.

This framework has been developed to support HES to fulfil their statutory duties and discourages any judgements to be made on individual philosophies/approaches to education.

3. Expectations of EHE assessment officers

Any professional setting out to assess the suitability of education will hold Qualified Teacher Status and should have training and familiarity with educational approaches which are wider than conventional schooling.

Officers will receive regular training regarding cultural awareness and be respectful of the traditions and beliefs of different cultures. Every individual should be treated equally regardless of race and religion.

The role of the EHE Assessment Officer is not to tell parents how to educate their children or to promote registration at school. Instead, the EHE Assessment Officer will be assigned to offer support and advice and to gather any relevant information to assist in reaching a properly informed view that the education provided is suitable. Officers understand that there is no one 'correct' educational system. All children learn in different ways and at varying rates.

The EHE Assessment Officer will be transparent and share their evaluations with families. They will provide support and guidance based on what they have seen using their professional experience and judgement. They will be available to provide feedback and to follow up with families in a timely manner.

The EHE Assessment Officer will maintain an annual/biannual oversight, consistent with the local authority duty under s.436A, to be available and offer support and advice and if necessary intervention if a change in circumstances occurs.

4. Expectations of Elective Home Education Parents

Hackney Council will ask parents for information about the education they are providing. Parents 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 local authority to conclude that the child does not appear to be receiving suitable education.

Information provided by parents should demonstrate that the education being provided is suitable and will 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.

Evidence could include discussion of parent's plans, a written report, observation of the learning environment, the child's views, samples of the child's work and/or information about educational settings attended.

Parents would be expected to provide evidence of a suitable education that would, on the balance of probabilities, convince a reasonable qualified professional that a suitable education is being provided for the age and ability of the child.

Highly effective and definitive judgements can only be made where a parent grants permission to assess suitability taking the learning environment into account. It is difficult for assessment officers to make a clear judgement on the suitability of the education being provided or to provide effective advice and guidance without taking environmental factors into account.

Parents should share information about any additional involvement with other childcare professionals/settings to ensure consistency and coherence.

Tutors or individuals employed to support the education from outside the home should be appropriately trained and eligible to work with children.

Parents who choose to educate a child from home take on financial responsibility for the cost of doing so, including the cost of any external assistance used such as tutors, parent groups or part-time alternative provision.

5. Initial meeting – what to expect

Upon receipt of notification, the EHE Assessment Officer aims to carry out a suitability assessment within 9 weeks of the initial notification. An Officer will request to meet with the family and the child to discuss the education provision provided.

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' stated objectives.

Where applicable, the Assessment Officer may make enquiries, including from Social Care, the Health Authorities and any previous school/Early Years provision, to ensure that there are no concerns about the child's welfare or safeguarding.

HES welcome an opportunity to work collaboratively with families who educate children at home, and would encourage all parents to continue to remain in contact with the allocated Assessment Officer for future advice and/or guidance.

6. Suitability Criteria

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

- The education should enable the child to participate fully in life in the UK by including sufficient secular education. The home education should not foreclose the child's options in later life to adopt some other mode of living, and to be capable of living on an autonomous basis so far as he or she chooses to do so.
- The curriculum and teaching produces attainment suitable to the child's age, ability, aptitude and to any special educational needs they may have.
- The child's social and emotional needs are being met. 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 considered in assessing suitability. The educational environment should be safe, free from hazards and allows the child to develop and learn effectively.
- 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 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.

Where one or more of the conditions listed above are not met and should the offer of a meeting be declined by parents, HES will not be able to state that a suitable education is being offered.

If it appears that a child is not receiving a suitable education, the Assessment Officer will in the first instance address the situation informally by offering advice and support to help enhance the education being provided and seek to agree a follow up meeting to monitor progress.

7. What assessment officers will consider

When assessments are being made to determine whether the suitability criteria are met, assessment officers will consider the following:

Intent and values

Is the education designed to give learners the knowledge and skills they need to succeed in life?

Are the family's reasons to choose to educate from home clear?

Does the family understand the full responsibilities of educating from home?

Does the education set out clear goals and mark their achievements?

What are the core values and principles that underpin approaches to learning?

Implementation

Even if there is no specific link with the National Curriculum or other external curricula, is there an appropriate minimum standard which is aimed at?

Is the child provided with effective support in order to achieve what the curriculum targets?

Does the child have opportunities to use and apply the knowledge and skills taught?

Does the child have opportunities learn in ways which allow them to develop their knowledge and skills and make progress?

Are approaches to teaching consistent and suitable to the child's age, ability and aptitude?

Impact

Has recognisable progress been made in the areas set out for study?

Is the child prepared for their next stage in life (education, employment or training)?

Behaviour and attitudes

Are there high expectations set for the child?

Does the child feel positive about their education?

Does the child take pride in their achievements?

Does the child feel prepared for their next stage in life?

Personal, social and emotional development

Are the child's wishes and views taken into account?

Does the child have opportunities to engage in social activity outside of the family home?

Does the child feel happy, confident and fulfilled?

Does the child feel safe and well supported?

Is the child encouraged to pursue their personal interests?

Education may not be 'suitable' even if it is satisfactory in terms of content and teaching, if it is delivered in circumstances which make it very difficult to work (for example in very noisy premises), or leads to excessive isolation from the child's peers, and thus impedes social development.

8. Grading

Hackney education service will carry out Elective Home Education assessments using the following grading system:

Suitable

The Educational Provision meets all of the suitability criteria laid out in the elective home education framework.

For the majority of Hackney families who home educate, EHE is suitable and they continue to home educate for as long as they feel it meets the needs of their child. When the Assessment Officer has no concerns that a parent is not complying with their Section 7 of the Education Act 1996 duty, the Officer and family will agree a date for the next annual review of educational provision. The child's name remains on the EHE database and the Assessment Officer is allocated as the main contact for the family.

Requires Improvement

The education provided does not meet all of the suitability criteria laid out in the Elective Home Education framework.

Where the provision is deemed to require improvement, the Local Authority will provide feedback, guidance and support in order that the family can work to improve the educational provision.

The Officer will follow up within a specified time frame in order to assess the improvements made and whether the education can then be considered as suitable.

Unsuitable

The education provided does not meet the suitability criteria laid out in the Elective Home Education framework.

Where the provision is deemed unsuitable, a child will be moved to the Children Missing Education Register and the Local Authority will carry out the departmental procedures for Children Missing Education.

If it appears that a child is not receiving a suitable education, the Assessment Officer will in the first instance address the situation informally by offering advice and support to help enhance the education being provided and seek to agree a follow up meeting to monitor progress.

If it then appears to the officer that a child is still not receiving a 'suitable' education, the officer will write formally to the parent requiring them to satisfy HES that their child is receiving a suitable education (section 437 (1) Education Act 1996). This letter will state the reasons for Hackney education service's opinion that the child is not receiving suitable education. Parents will be given 15 working days to reply. Their reply should address the question of whether they are providing a 'suitable education' with reference to their own philosophy, and/ or educational provision.

If this is not forthcoming, then HES will consider whether the local authority ought to take action under education or safeguarding law.

9. Children with SEN or an Education, Health and Care Plan

Parents' 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.

A child with an EHCP 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 have made their own arrangements under s.7 of the Education Act 1996

10. Arrangements for different types of provision

In some circumstances, parents may choose to utilize additional services or settings to support their child's education.

During a suitability assessment, parents will be asked to specify details of these additional arrangements. The EHE Assessment Officer aims to support the family in ensuring that any additional adults working with the child have undergone the appropriate safer recruitment checks.

We also aim to look at the education undertaken in these settings with the same considerations that are applied to education taking place at home with parents.

11. Safeguarding in Elective Home Education

Unsuitable or inadequate education can impair a child's intellectual, emotional, social or behavioural development, and may therefore bring child protection duties into play.

Hackney 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.

Where assessment steps have not been, or seem unlikely to be, sufficient to address a risk to a child's welfare, Officers will work in collaboration with partner agencies to ensure the safety of the child.

If the child is known to be vulnerable and being educated at home, 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.

12. Reviewing procedures and practices

Hackney Education Service will review this policy and practice in relation to EHE on an annual basis.

13. Contact details

For enquiries relating to this policy, please contact the Elective Home Education Team at ElectiveHomeEducation@hackney.gov.uk