

**MANCHESTER CITY COUNCIL (MCC)
DIRECTORATE OF CHILDREN & FAMILIES**

**ELECTIVE HOME EDUCATION POLICY &
PROCESSES**

December 2024

This policy and procedure complies with relevant legislation and is in line with DfE (Department for Education) publications 'Elective Home Education: guidance for local authorities' and 'Elective Home Education: guidance for parents'. We have also taken account of further non statutory guidance published on the DfE's Education Hub.

We have requested comments from home educating parents, schools, Health partners, the MCC Legal Team, MCC Education teams and Children's Services teams and taken account of their feedback in this final version.

We aim to review this policy at least every two years or following changes to legislation or Government guidance.

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1. Policy Statement

- 1.1 We believe that education is a fundamental right of every child and we aim to work in partnership with all parents* to ensure that their children are able to achieve to their full potential, whether they are educated at home or at school.
- 1.2 We respect that parents have the right to home educate in conformity with their own philosophical or religious convictions.
- 1.3 We wish to work with parents who home educate in order to ensure that their children are provided with an enriching efficient, fulltime education which is suitable to their age, ability and aptitude and to any special needs they may have. We also wish to ensure that parents who choose to home educate their children do so for the right reasons and are prepared from the point they begin, which may be either from the decision not to send their child to any school or by the removal of their child from a school roll.
- 1.4 Please contact the EHE Team on ehe@manchester.gov.uk if you have any questions.
- 1.5 Once parents have taken the decision to home educate, we aim to meet and to complete all our informal enquiries in the shortest time possible. This is in order to minimise any time out of education should there be insufficient evidence that EHE is suitable.

2. Introduction

- 2.1 This document outlines our policy and procedures to enable MCC to comply with our responsibilities and duties towards children living in our city whose parents have decided to educate them at home. It is published for parents, schools and other agencies with an interest in EHE.
- 2.2. Elective Home Education (EHE) is the term used by the Department for Education (DfE) to describe a parent's decision to take full responsibility for the education of their child (of compulsory school age) instead of sending them to school.
- 2.3 EHE is different to home tuition and education other than at school provided by the local authority (LA). Children educated at home are not registered at mainstream special or independent schools, academies, free schools, Pupil Referral Units (PRUs), fulltime college courses or children's homes with education facilities.
- 2.4 EHE is different to flexi-schooling arrangements, which may be agreed to at the discretion of the headteacher of the school where the child is on roll.
- 2.5 EHE is different from 'home-schooling' or 'remote learning' such as during the pandemic when schools were closed to all but vulnerable children and children of key workers. Children then remained on their school roll and parents taught them using resources and online learning provided by the school.

**The term 'parent' is used in this document to apply to both parents and to carers who have parental responsibility*

- 2.6 EHE is different from when parents of children with an EHCP (Education, Care & Health Plan) are in receipt of a personal budget (EOTAS). In these cases, the EHCP Team has lead responsibility for agreeing and monitoring the use of the budget. See Section 12.
- 2.7 As stated in the DfE Guidance for parents (Introduction, p4) *, *educating children at home 'works well when it is a positive choice and carried out in a way that meets the needs of your child'*. We recognise that there are many approaches to educational provision and that what may be suitable for one child will not be for another, but all children should be involved in a learning process.
- 2.8 In line with the DfE guidance for LAs, this policy and our own procedures seek to build improved relationships with home educators, to ensure that all children resident in Manchester are in receipt of a suitable education and to provide a means of effectively protecting the educational and safeguarding interests of children where vulnerabilities are identified.
- 2.9 This document sets out:-
- Parents' rights and responsibilities if they choose to educate their children at home
 - The responsibilities and statutory duties of the LA and schools in relation to children who are educated at home.
 - MCC procedures in relation to EHE
 - Further information and links to sources of advice and resources are contained within Appendix 3 and on our website at:-
https://www.manchester.gov.uk/info/100005/schools_education_and_childcare/3575/educating_your_child_at_home.

3. The Law & DfE Guidance

- 3.1 The legal responsibility for a child's education rests with their parents. In England, education is compulsory, but school is not. The law is set out in the European Convention on Human Rights 1953 and in the Education Act 1996.
- 3.2 Compulsory school age begins on the next prescribed day following a child's fifth birthday (or on their fifth birthday if it falls on a prescribed day). The prescribed days are 31st December, 31st March and 31st August each year. A child continues to be of compulsory school aged until the last Friday of June in the school year that they reach age of sixteen.
- 3.3 Young people who do not already hold sufficient Level 3 qualifications need to then comply with the Raising Participation Age (RPA) legislation, 2013, and remain in education or training up until the age of eighteen. For further information see:-
[Participation of young people: education, employment and training - GOV.UK \(www.gov.uk\)](#)
- 3.4 Article 2 of the Protocol of the European Convention on Human Rights, 1953, states that *'no person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions.'*

- 3.5 Section 7 of the Education Act, 1996, states that: *'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'*.
- 3.6 See the DfE Guidance for Parents, Section 2, for further information about the legal position of parents who home educate and explanation of the terms - extracts below:-
- 3.7 *'There is no definition of 'efficient education' in legislation. However, it is often explained as meaning education which "achieves what it sets out to achieve". This is not the same as the education being suitable, because it is possible to deliver an education efficiently which is not suitable for the child. Equally it is possible to deliver a suitable education very inefficiently'*.
- 3.8 *'There is no legal definition of "full-time" in terms of education at home, or at school. You may find it useful as a benchmark that children attending school normally have about five hours of tuition a day for 190 days a year, spread over about 38 weeks. For registration of an independent school, the Department considers "full-time" to be 18 hours or more of education per week.'*
- 3.9 Education:-
- *'must be suitable to the age, ability and aptitudes of the child, and any SEN the child may have'*
 - *'even though there is no requirement to follow the National Curriculum or other external curricula, there should be an appropriate minimum standard which is aimed at'*
 - *The education should include sufficient secular education enabling your child, when grown up, to function as an independent citizen in the United Kingdom beyond the community in which they were brought up.'*
 - *'education at home should not directly conflict with the Fundamental British Values, which are "democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs'*
 - *'education may be deemed unsuitable if it leads to your child being isolated from their peers, and therefore hinders their social development'*
 - *'education may not be considered suitable even if it is satisfactory in terms of content if it is delivered in circumstances which make it very difficult to work (for example in excessively noisy or unsafe premises)'*
 - *'it is likely to be much easier for you to show that the education provided is suitable if the curriculum is broad, and you are monitoring and assessing the progress in relation to your child's ability'*.

4. Parental Rights and Responsibilities

- 4.1 Parents may decide to exercise their right to home educate their child from a very early age and not enrol the child at a school. They may also elect to home educate at any stage up to the end of compulsory school age and may continue post 16 in order for their child to participate in education and training until the age of 18.
- 4.2 We recommend that parents think carefully about EHE before they withdraw their child from a school. See the DfE Guidance for Parents, Section 3 for things to

consider. EHE is unlikely to be suitable if parents withdraw the child from a school without a clear plan for what they intend to put in place instead.

- 4.3 We expect that all schools in Manchester will invite parents in for a meeting if they are aware of their intentions. It may be helpful to discuss such things as the child's strengths and any areas of support they may need, as well as if there any unresolved issues which have led to the parent's decision.
- 4.4. Parents may also contact the EHE Team direct at ehe@manchester.gov.uk if they would like further information or advice. See also Appendix 2 for things parents should consider and Appendix 3 for links to useful websites.
- 4.5 If the child is attending a school, then parents should notify the headteacher, in writing, that they are withdrawing their child. They do not have to give a reason. However, as stated in the DfE Guidance, it would be sensible to do so, both in order to avoid any future misunderstanding about how they plan to fulfil their parental responsibilities and also to facilitate access to advice and support.
- 4.6 If the child attends a special school which is named in their Education, Health & Care Plan (EHCP), parents must seek approval from the local authority in writing. See Section 11 for further information regarding children with Special Educational Needs (SEND). There is more information about all aspects of SEND on the following websites:-
- [Children with special educational needs and disabilities \(SEND\): Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/topics/special-educational-needs-and-disabilities)
[About SENDIASS Manchester \(iasmanchester.org\)](http://iasmanchester.org)
- 4.7 Parents of a child who is not enrolled at a school have no current obligation to inform the LA that they are home educating. However, the DfE strongly recommends that they do so, both in order to access any support/advice that is available and also to ensure that their child is not mistakenly identified as not receiving a suitable education (DfE Guidance Section 4)
- 4.8 If the LA becomes aware of a child who is being home educated, we have a legal duty to get in touch to ensure that suitable provision is in place (DfE Guidance Section 5). In all cases we ask parents to complete our voluntary EHE registration form. This ensures that we have correct contact details and also gives parents the opportunity to indicate the reasons for their decision and to share any relevant information.
- 4.9 Parents do not need to be qualified teachers to home educate and, as detailed in the DfE Guidance for parents, there is no requirement to teach the National Curriculum, match age-specific standards, observe schools hours, days or terms, make detailed lesson plans, give formal lessons or reproduce school type peer group socialisation.
- 4.10 As is clear in the 1966 Education Act, Section 7, parents must however ensure that their child receives an efficient and suitable full-time education. See 3.6 - 3.9 above and Appendix 2 for areas to consider.
- 4.11 Learning may take place in a variety of settings, not just the family home e.g. museums, art galleries, sports venues, parks or in groups with other home educators. Parents can also choose to commission online courses, engage private tutors/other adults or register their child at a tuition centre to assist them in providing a suitable education.

- 4.11 It is strongly recommended that parents ensure that they make appropriate checks on any settings that they use, as there may be no external assurance that they comply with basic standards such as vetting of staff and up-to-date policies and procedures around safeguarding children. Similarly it is recommended that parents ensure that any tutors they employ are qualified and suitable, including whether they have a clear Disclosure & Barring (DBS) Service check and recent references.
- 4.12 Parents who home educate assume the full financial responsibility for their child's education. This includes the costs of learning resources, equipment, private tuition, courses and public examinations.
- 4.13 Children who are Year 10 and above **may** be able to access free part-time college courses as part of their home education. These arrangements would be negotiated individually between parents and the college. See Section 9.4 . KS4 for further information.
- 4.14 In Manchester we routinely offer a meeting to parents, which can be face to face or online. This gives an opportunity for the officer to learn about the family's approach, especially in relation to building on the child's strengths and interests and meeting any additional needs they may have. It is helpful for us to be able to discuss educational plans, offer signposting or advice and to identify possible issues as early as possible.
- 4.15 LAs do have a duty under the Education Act 1996 to establish whether home educated children are receiving efficient and suitable fulltime education and the DFE Guidance for Parents is clear that it would be sensible for parents to respond to enquiries:-

'if you fail to do so, or provide minimal information, it is highly probably that the local authority will conclude that it appears that your child is not receiving a suitable education'
(Section 5.4)

5. Listening to Children

- 5.1 The United Kingdom has ratified the United Nations Convention on the Rights of the Child (UNCRC), November 1989, which includes the right to be safe, the right to an education, the right to express their views and for due weight to be given to those views.
- 5.2 MCC actively promotes children's right to be heard, as stated in the UNCRC and in the statutory guidance 'Listening to and involving children and young people', January 2014. We are currently working with residents and partners towards recognition as a UNICEF UK Child Friendly City and we want to ensure that home educated children have opportunities to contribute. Find out more about this at:- [UNICEF UK's Child Friendly Cities and Communities programme](#).
The majority of schools in Manchester are accredited with UNICEF as 'Rights Respecting Schools'. This is about putting children's rights at the heart of their ethos. There are many useful free resources which parents as well as schools can access on the website:- [About the Rights Respecting Schools Award - UNICEF UK](#)
- 5.3 All KS3 & 4 children and young people, whether educated at a school or at home are able to join the MCC Youth Council and contribute to consultations. For further

information see Appendix 3.

- 5.4 It is helpful if officers from the EHE Team are able to speak directly to the child to understand their experience of home education and to gather their views in order to help inform decisions about suitability and whether the Section 7 requirements are met.

6. School's Responsibilities

- 6.1 Sections 8(1) (d), 12 (3) and 13(3) of the Education (Pupil Registration) Regulations 2006 place a duty on head teachers to inform the LA when a parent notifies them of their decision to withdraw their child from the school roll.

'the proprietor (Headteacher) of the school must make a return to the local authority for every such pupil giving the full name of the pupil, the address of the parent with whom the pupil normally resides and the ground upon which their name is to be deleted from the admission register as soon as the ground for deletion is met in relation to that pupil, and in any event no later than deleting the pupil's name from the register'.

- 6.2 Schools, including academies, special and independents, should follow MCC's off-rolling procedures informing the LA prior to removing the child from the school's register and forwarding any written notification from the parents. The child should be deregistered immediately after receipt of the parent's notification of intention to home education.
- 6.3 If the child is on the roll of a special school, their name may not be removed from the school register without the LA's consent. It remains the duty of the LA to ensure that the child's special educational needs are met if parents choose to home educate.
- 6.4 There is no legal requirement for parents to discuss home education with the school, but when a parent informs the school of their intention, schools should respond positively and constructively. If it is helpful, schools could signpost parents to sources of information on EHE, including the MCC Website and the EHE Team to enable them to make an informed decision.
- 6.5 This is particularly important if it appears that the decision to home educate may be related to a dispute with the school e.g. regarding attendance, behaviour or alleged bullying. It would be helpful if the school invites the parents and, if appropriate, the child to discuss the decision and takes all necessary steps to resolve any issues. Parents' attendance at such a meeting should be entirely voluntary. The EHE Team can provide further information to both schools and parents and can be contacted by emailing ehe@manchester.gov.uk.
- 6.6 Schools must not seek to persuade parents to educate their child at home as a means of avoiding exclusion or because of poor attendance. This is known as 'offrolling' and is unlawful. See 3.4 and 3.5 of the DfE Guidance for Parents.
- 6.7 If the child is registered at a school as a result of a school attendance order (SAO), the parent must obtain the permission of the LA on the grounds that arrangements have been made for the child to receive suitable education otherwise than at school, before the child can be removed from the school's register and educated at home.
- 6.8 Schools will be asked to share with EHE Team officers any recent concerns or risks

they are aware of that may impact on the suitability of home education, as well as relevant information about attainment and attendance.

- 6.9 However, we are clear that Elective Home Education in itself is not a safeguarding concern.** The expectation is that, if schools are aware of any issues and have any concerns, they will have previously made efforts to support the family e.g. through Early Help and through Social Care.

Following the Manchester Safeguarding Partnership (MSP) policy, they will also have discussed concerns with the parents (unless to do so would have put the child at risk e.g. where there is evidence of domestic abuse). See website for further information:- [Manchester Safeguarding Partnership](#)

- 6.10 Schools should retain the child's school file. Parents can request a copy of this in order to assist with planning their children's education.
- 6.11 If EHE is considered unsuitable, the expectation is that the child will return to their former school, either through the In Year Access Protocol (IYFAP) or through the statutory EHC Plan arrangements. If the child has not previously attended a school, the Admissions Team will liaise with the parent and an appropriate offer will be made (See Section 11).

7. The Local Authority's Responsibilities

- 7.1 The LA has a statutory duty under Section 436 (A) of the Education Act 1966 to make arrangements to enable us to establish (so far as it is possible) the identities of children of compulsory school age in their area who are not receiving a suitable education.

- 7.2 The LA has a statutory duty under Section 437(1) of the Education Act 1996 to intervene if it appears that a parent is not providing a suitable education to the age, ability, aptitude and special educational needs of the child. This section states that:

'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.'

If evidence of a suitable education is not received, the LA may then commence statutory action, including the issuing of a School Attendance Order (SAO), penalty notices and fines.

- 7.3 The LA has no legal power to monitor home education on a routine basis, although it does have a duty, as 4.7- 4.8, to make enquiries if it not clear that a child is receiving a suitable education. In line with the DfE Guidance, the MCC process is to engage with new home educating families and then at least annually (See Sections 8 & 9)
- 7.4 The LA, in partnership with other agencies, including Social Care and Health, has a statutory duty to safeguard and promote the welfare of all children resident in the city under Section 175 (1) of the Education Act 2002 and under the statutory guidance 'Working Together to Safeguard Children', (December 2023).
- 7.5 The LA monitors trends in EHE in a wider strategic context and has a key role in

identifying any shortcomings in local school provision and in challenging failures by schools to manage attendance and behaviour properly.

- 7.6 The LA is monitored by Ofsted, which looks at the way that LAs identify children who may not be receiving a suitable education and what steps they take to deal with this. Information about any upcoming inspections and any input home educators can have will be shared by the EHE team through the regular newsletters.

8. MCC Processes - Initial Informal Enquiries, Contact & Assessment of Suitability

- 8.1 We recommend that parents gather as much information as possible about elective home education and ensure that they speak to home educators, their child's school, and the EHE Team before making the decision to withdraw them from school.
- 8.2 On receipt of a notification of EHE, an EHE officer will contact the parents by phone and/or email to confirm their decision, to request completion of the MCC voluntary registration form and to ensure that they are aware of their responsibilities, the DfE guidance and the MCC EHE policy and process.
- 8.3 If parents change their mind at this stage, the Admissions Team will be informed and the child will be placed back on roll at their school.
- 8.4 Otherwise a check will be made on the LA's Education Database and the child's base will be amended to EHE. An EHE record will be created, which enables the LA to record any involvement with the family.
- 8.5 An officer from the EHE Team will be assigned to liaise with the parents, to offer support and advice and to gather any relevant information to assist in reaching a properly informed view that the education is suitable. Evidence could include discussion of parent's plans, a written report, telephone conversations, the child's views, samples of the child's work, information about educational settings attended and tuition sessions, a home visit or a meeting at another venue.
- 8.6 The EHE Team officer will offer a home visit, an online visit or a meeting at another venue by telephone, email or post, together with offers of information/advice. The aim of the visit/meeting is to build a positive and constructive relationship with parents, to ensure that EHE is a positive choice and that the educational needs of their child are being met. See Appendix 2 for areas which it will be helpful to have considered before the meeting.
- 8.7 The EHE Team officer will wish to see the child as well as the parent so that their views can be gathered and contribute to the assessment of suitability. See Section 5 above.
- 8.8 Parents are not obliged to respond to LA enquiries, to accept a visit or to allow LA officers to meet with their child. However it would be sensible to do so. See 4.15 above.
- 8.9 The EHE Team officer will make enquiries, including from Social Care, the Health Authorities and any previous school/Early Years provision/LA to ensure that any concerns about the child's welfare or safeguarding that may impact on the provision of a suitable education are taken account of.

- 8.10 In order to minimise any time out of education, should EHE be deemed unsuitable, the EHE Team aims to complete enquiries within 20 days of notification.
- 8.11 The EHE Team will prioritise any families where there are identified concerns and a risk that EHE may be deemed unsuitable. This includes if:-
- EHE has previously been deemed unsuitable
 - child has had previous disrupted education with periods missing education
 - it appears that the decision may have been taken to avoid statutory action for poor or non attendance at a school
 - child has been excluded or is at risk of exclusion
 - child is subject to a Child Protection or Child in Need Plan
 - serious concerns have been raised by Social Care, Health or school.
- 8.12 Parents will receive a letter/email summarising the outcomes of discussions with the EHE Team Officer and/or other evidence taken into account in the decision about suitability of elective home education and will have opportunities to provide further information if they wish.
- 8.13 For the majority of Manchester 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. The child's name remains on the EHE base and an officer from the EHE Team is allocated as the main contact for the family.

9. MCC Processes - EHE Suitable

- 9.1 The LA has made arrangements to ensure it carries out its statutory duties in relation to children educated at home, to build positive partnerships with parents and to safeguard and to promote the welfare of children. These arrangements include:
- A named senior officer with responsibility for elective home education policy and procedures
 - Availability of information to parents who are considering home educating their children and to parents who already do this, through the MCC Website, schools and the EHE Team - whose role is to offer advice, signpost to sources of support and build positive relationships with the families and communities who home educate
 - Organisation of regular events to ensure parents and communities who home educate have the opportunity to meet with each other, hear from useful organisations and also have the opportunity to discuss EHE policy and procedures with LA officers.
 - Ensuring that all agencies and LA teams are aware of their responsibility to report to the named senior officer if they have any concerns about the safety and welfare of a child who is being home educated.
 - Provision for LA officers who have contact with families who home educate to be trained in home education law, policies and practices
- 9.2 Following the initial agreement that EHE is suitable, an officer from the EHE Team will maintain contact with the family on a regular basis. This will usually be annually but could vary by agreement. The EHE Team can be contacted at any time if parents have any questions or wish to discuss any educational matters.

9.3 As in 8.2 - 8.7 above, The EHE Team officer will arrange a mutually convenient visit/meeting, either face to face or virtual, and gather evidence to confirm the ongoing suitability of the education that parents are providing.

9.4 **Transitions**

- **Nursery**

We will not usually formally assess suitability until the child reaches their 5th birthday - unless older siblings are already suitably home educated and they can be included in a review meeting or if there are concerns.

Parents must apply for a primary school place a year before their child can start school. The school starting age is 4. The child will be 3 or have just turned 4 when parents need to apply, the Local Authority will write to parents at this time with information on how they can apply for a place at a preferred school.

Parents will be sent a letter with the decision about their child's school. If their child is refused a place at a preferred school, parents can appeal against the decision. The letter will tell parents how.

Parents may consider EHE, and need to inform the School Admissions and EHE Teams if they decide to do this, rather than accepting the offered school place. The child will then be registered as home educated. and they can be included in a review meeting or if there are concerns.

- **Reception**

Parents of children coming up to Reception age will be sent a letter from The School Admissions Team about enrolling at a school and are able to apply for their preferred school. If a place is not offered at their preferred school, they are able to appeal, but also may consider EHE.

Parents need to inform the Admissions and EHE Teams if they decide on EHE, rather than accepting the offered school place. The child will then be registered as home educated.

- **Year 6/7**

Parents of Year 6 children will be sent a letter about transitioning their child to a secondary school a year before they are due to start school in Year 7. The Local Authority will write to you at this time with information on how you can apply for a place at a preferred secondary school.

Parents will be sent a letter with the decision about their child's school. If their child is refused a place at a preferred school, parents can appeal against the decision. The letter will tell parents how to do this.

Parents may consider EHE, and need to inform the School Admissions and EHE Teams if they decide to do this, rather than accepting the offered school place. The child will then be registered as home educated.

- **KS3**

Many parents are confident to deliver a suitable education when their child is primary aged, but can start to find it more challenging when their child becomes a teenager. This is when it's important to plan in more detail for their future and ensure that they are able to develop relevant skills and gain appropriate accreditation for the careers they're interested in.

Parents may decide to consider enrolling their child at a school at this point, especially to enable children to access a full range of GCSE courses. As well as mainstream schools, parents could also look at university technical colleges (UTCs) and studio schools which admit pupils from Yr 10

- **KS4 and GCSEs**

Parents of Year 10 and 11 aged children may decide to apply for a secondary place or a UTC at this stage to facilitate their child gaining accreditation, but need to apply in good time and be aware that a place may not be available at their preferred school. Parents are advised not to leave this decision too late.

EHE Officers will signpost parents to exam boards and centres where home educated children may be able to sit GCSEs or other exams as private candidates.

The LA has a partnership with The Manchester College which offers a part-time course for Year 10 and 11 home educated children focussing on English and Maths

Home educated children are entitled to careers information and advice. All Year 11 children are referred to CareerConnect who will make contact to offer support

- **Post-16**

In line with the legislation around Raising the Participation Age (RPA), information will be sent out to parents and children of Year 11 age advising them of their options and responsibilities for post 16 education provision. If parents choose to continue with home education post 16, their named officer will continue to maintain contact as in 9.2 until the child turns 18.

10. MCC Processes – Change of Circumstances

10.1 Parents can apply for a school place at any time whilst continuing to home educate.

Follow the link below for information about schools, the application process, what happens if preferred offer is not received, waiting lists and appeals.

[School admissions | Manchester City Council](#)

10.2 If parent's circumstances have changed e.g a new baby in the family, a change of job or if they feel they can no longer meet their child's educational needs, it would be helpful to contact the EHE Team to discuss.

10.3 If it is then agreed that EHE is no longer suitable, the processes described below in

Section 11 will apply. Their child will receive an offer, but parents need to be aware that this may not be at their preferred school.

- 10.4 The suitability of EHE may be re-assessed at any time if concerns are raised with the EHE Team e.g. from Social Care.
- 10.5 Parents are asked to inform the EHE Team if they move away from Manchester or if their child is due to start at a school to ensure that the child's records are accurate and up to date.

11. MCC Processes - EHE Unsuitable

- 11.1 If, despite their parent's intentions and best efforts, a child's home education is deemed to be unsuitable, it is important for parents to comply with the processes below in order to support the child to access a suitable education as quickly as possible and to help them settle.

Parents will receive written notification if the LA considers that suitable education is not being provided, specifying the grounds for concern and the reasons which have led to the conclusion.

- 11.2 If parents disagree with the EHE Officer's decision, they will have the opportunity to supply further evidence to address the identified concerns, reporting back to the LA within an agreed timeframe. See Section 18 below.
- 11.3 The child will be moved from the EHE base to the Child Missing Education (CME) base on the LA's system. The LA will then identify suitable provision for the child through their CME procedures and In Year Fair Access Protocol (IYFAP) or through the statutory EHCP arrangements.
- 11.4 An LA officer from the Schools Admissions Team will be allocated to liaise with the parents and child to discuss options and preferences. However, if the child was recently withdrawn, the expectation is that the child will return to their former school.
- 11.5 If parents do not take up the offer of a suitable school place and the child remains out of education, an officer from the Attendance Team will be in touch and statutory procedures will be followed which could lead to a School Attendance Order (SAO), a fine or prosecution.
- 11.6 EHE will not be re-assessed within 6 months of an unsuitable decision except in exceptional circumstances.

12. MCC Processes - Children with Special Educational Needs (SEND)

- 12.1 Under Sections 7 and 19 of the Education Act 1996, parents have the right to educate their children, including children with SEND, at home. EHE must be suitable for the child's age, ability, aptitude and SEND.
- 12.2 If the child is on the roll of a special school the child's name may not be removed

from the school register without the LA's consent. It remains the duty of the LA to ensure the child's special educational needs are met.

- 12.4 Home educating parents who consider that their child has additional needs have the right to request an EHC assessment, but should be aware that the LA does not have a duty to agree to all requests and that the assessment may not lead to the child being given an EHCP (Education, Care & Health Plan). Parents are responsible for liaising with relevant agencies e.g. Health and for gathering evidence to support their application. If an EHCP is agreed and EHE is named as the provision, no funding will be allocated.
- 12.5 Where a child already has an EHCP and parents withdraw them from a school roll, if EHE is deemed to be suitable, at the next annual review the plan will be amended to name the type of school that would be suitable for the child, but state that the parents have made their own arrangements under Section 7 of the Education Act 1996. As above, no funding will be allocated.
- 12.6 In cases where the EHCP is maintained, the LA has a statutory duty to review it annually to provide assurance that the provision set out in it continues to be appropriate and the child's SEND continue to be met.
- 12.7 The EHE Team includes a specialist officer who is responsible for the assessments of suitability of EHE for children with EHCPs and for signposting parents to appropriate resources.
- 12.7 Where EHE is suitable, this officer works closely with the EHCP Team to carry out the statutory annual EHCP Review meetings with families as well as the annual EHE engagement visits. Parents will be invited to the Review by the LA EHE Team officer, together with agreed representatives from any other agencies/teams eg Health, Social Care and the EHCP Team. Any amendments will be confirmed in writing within 20 working days of the meeting and parents informed of their right to appeal.
- 12.8 The LA will not assume that because the provision being made by parents is different from that which was being made or would have been made in school, the provision is necessarily unsuitable. However, in some cases, the EHE Officer may conclude that elective home education does not meet the child's SEND. Where EHE is not suitable, the EHCP Team will liaise with the family to discuss an appropriate educational placement which usually be a return to the school already named in the plan.
- 12.9 If the LA decides to maintain an EHCP, it would be expected that this would cease when the child reaches the end of compulsory school age (the of Year 11).
- 12.10 EHE is not the same as when parents of children with an EHCP are in receipt of a personal budget (EOTAS). In these cases the EHCP Team has lead responsibility for considering applications and, if agreed, for monitoring the use of a budget.
- 12.11 There is more information about SEND at:-
[Children with special educational needs and disabilities \(SEND\): Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/children-with-special-educational-needs-and-disabilities-sen-d-2015) and from the independent Advice & Support Service at this link [IAS website](https://www.ias.gov.uk/)

13. MCC Processes - Deaf or Visually Impaired Children

- 13.1 The Sensory Support Service can offer advice to families of deaf or visually impaired children who are home educating them and the service may include them in other relevant elements of their offer. For further information visit:-
[Manchester Sensory Support Service | Help & Support Manchester](#)

14. MCC Processes - Our Children (LAC)

- 14.1 Children and young people in the care of Manchester have asked to be referred to as 'Our Children & Young People'.
- 14.2 In most cases, the LA would not expect them to continue to be home educated. However, their Personal Education Plan (PEP) will be taken account of and advice sought from Social Care and from the Virtual Head for LAC.

15. MCC Processes - Young Carers

- 15.1 If a child regularly helps to look after their parent or anyone else in the family, they are a Young Carer. The situation will be taken account of by the EHE officer and **could** mean that elective home education is not suitable. However, all Young Carers are entitled to support which could help them and also their family to manage. Find out more about what is on offer in Manchester at: www.manchestercarers.org.uk

16. MCC Processes - Private Fostering

- 16.1 If a child is under 16 (under 18 if they're disabled) and they go to live with someone who's not a close relative or legal guardian for 28 days or more, it counts as 'private fostering'. The adults concerned must notify Children's Services, who will visit to ensure that the care arrangements are suitable for the child and whether the child needs any additional support. For advice, information and how to find out about possible support, call: 0161 234 5000 or email: mcsreply@manchester.gov.uk.
- 16.2 Foster parents should follow the same processes as other parents and will need to consider carefully whether EHE is in the best interests of the child they are caring for, especially if it is unclear how long the arrangement will last for.

17. MCC Processes - Safeguarding

- 17.1 The LA, in partnership with other agencies, including Social Care and Health, has a statutory duty to safeguard and promote the welfare of all children resident in the city under Section 175 (1) of the Education Act 2002 and under the statutory guidance 'Working Together' (December 2023).
- 17.2 LA officers follow the agreed Manchester Safeguarding Partnership's (MSP) procedures at all times and work with partner agencies to proactively safeguard and promote the welfare of all home educated children.
- 17.3 LA officers follow the guidance set out in Section 8 of the DfE Guidance for LAs.

This recognises that :-

- *some parents who educate at home are doing so on the basis of safeguarding the child from risk in the school system (e.g. through serious bullying)*

17.4 It also states that:-

'unsuitable education can be a form of educational neglect and can impair a child's intellectual, emotional, social or behavioural development'

It advises that LAs *'should approach all cases where the suitability of EHE is in doubt using their powers'* in the 1996 and 1989 Acts. An example of Case Law is given where lack of suitable education has amounted to significant harm. It also advises LAs to consider employing powers under part 5 of the Children Act if unable to gain sufficient information to determine whether the significant harm threshold has been met.

17.5 In the event of any concerns, in line with MSP procedures, LA officers will discuss them with parents (provided that this does not pose an increased risk to the child) and signpost/link the family into sources of support, including the Early Help Hubs.

17.5 If the concerns appear to present an immediate and serious risk of harm to the child, LA officers will discuss with the Advice & Guidance Service, which may lead to an assessment by Social Care.

17.6 LA officers do not have an automatic right to access the home to discuss home education. However, under the safeguarding duties held by the LA and our commitment to the UNCRC, it is helpful if the EHE Team officer is able to talk with both the parent and the child and ideally see the home, as this is usually the main venue where education is taking place.

17.7 The DfE states in its Guidance for parents:-

'This duty does not entitle a local authority to insist on visiting your home, or seeing your child, simply for the purposes of monitoring the provision of EHE. However, a local authority may take such steps as are reasonable to gain access to your child if they have significant concerns (See section 47 Children Act 1989)

17.8 EHE may not be considered suitable if this is refused **and if there is any reasonable cause for concern.**

17.9 In most cases if a child is on either a Child Protection (CP) or Child in Need (CiN) Plan, the LA would not expect home education to be suitable. However, this will be on the agenda at core group meetings which parents are part of. Their views will be considered carefully as well as those of relevant partners before any decision is made.

18. MCC Processes -Disagreements & Complaints

18.1 If parents disagree with the LA officer's decision that elective home education is unsuitable, they will have the opportunity to present further evidence. Parents should supply this in writing within 15 days of the LA's letter.

18.2 The additional evidence will be reviewed by a senior officer who has had no prior involvement, The final decision will be communicated to the parents in writing.

- 18.3 There are 3 possible outcomes:-
1. Recommendation to allow parents more time in which to provide evidence of suitability
 2. Original decision upheld
 3. Original decision overturned
- 18.4 If EHE is subsequently deemed to be suitable, the child will be moved back to the EHE base and a named officer will maintain contact. See 9.2.
- 18.3 If the original decision is upheld, the processes in Section 11 will continue to be followed and an offer of a school place will be made..
- 18.4 If the parent subsequently fails to register the child at the school which has been offered, a fine may be issued and/or a school attendance order (SAO) may be served under the Attendance Regulations,
- 18.5 This step will only be taken if all reasonable steps have been taken to resolve the situation. At any stage during the process, parents may present evidence that they are now providing suitable education and can apply to have the order revoked.
- 18.6 MCC has a Corporate Complaints Team who are responsible for dealing with any concerns or complaints about LA services.

19.MCC Processes – Personal Data

- 19.1 To read the privacy notice for the Education Department which explains what personal information is collected, what it is used for and who it is provided to, please visit the MCC Website at:-
https://secure.manchester.gov.uk/directory_record/287009/education

The notice also describes why the Council requires your data, and the legal basis on which it does this.

- 19.2 The above also has a link to our Retention Schedule.

20. MCC Processes - Contacts & Further Information

- 20.1 If you have any comments or questions about this policy or MCC EHE processes, please contact the named senior officer, Raamona Johnson at
raamona.johnson@manchester.gov.uk

