

Process clarification for parents who elect to home educate their children

Due to several recent enquires, the Inclusion Service wishes to clarify the procedures regarding parents exercising their right to home educate their children.

Responsibilities of Schools

Schools **must not** seek to persuade parents to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record. In the case of exclusion, they must follow the statutory process and guidance.

If the pupil has a poor attendance record, the school and Local Authority must address the issues behind the absences and consider using other options available to them. A pupil's name can only lawfully be deleted from the school's admission register if a reason set out in regulation 9 of the School Attendance (Pupil Registration) (England) Regulations 2024 applies.

Department for Education (DfE) recommendations

The DfE recommends that a meeting takes place with key professionals and parent(s) before the parent(s) makes a final decision to home educate.

In Leicestershire it is expected that schools arrange this meeting with parents' consent. The decision by a parent to home educate is a serious one and it imposes obligations on the parent to arrange and pay for the education of their child. Schools are in the best position to support parents to arrive at an informed decision before taking this step.

Current government guidance to parents states that if their child is on the roll of a school, they are not obliged to inform the school that he or she is being withdrawn for home education or gain consent for this. However, the guidance states that it is sensible to do so, in order to avoid subsequent misunderstandings as to how they intend to fulfil their parental responsibility for their child's education.

A school is obliged to inform the Local Authority of children removed from its admission register and will give home education as the reason, if notified of this by the parent. Parents of children withdrawn from school for home education are not legally obliged to inform the local authority themselves - but again it is sensible to do so, either directly or using any local registration scheme which exists, to facilitate access to advice and support.

Schools are reminded that where a parent has elected to home educate their child and confirmed this in writing to the school, they are not required to keep the child on their roll to enable the Local Authority to carry out their checks and confirm they can be removed from roll. This means the child can be removed from roll once written confirmation has been received from the parents that they wish to home educate.

NB Please note there are circumstances where Local Authority agreement to remove from roll WILL be required – see below.

Process for Notifying the Local Authority

The school must confirm to the Inclusion Service of the intent to delete the child's name from their admissions register upon receipt of written notification from the parents that the pupil is receiving education otherwise than at school using the Inclusion Service Referral form **within five school days, found here** . On the referral form the school should indicate whether they have engaged the parent in a conversation about the parents' responsibilities when electively home educating. The school should also record any concerns that they have about the parents' intention to electively home educate. The Information and Support Coordinator will then prioritise that referral for processing and a visit from the Education Officer (where parents' consent to this) to ensure that the education being provided is assessed swiftly. If the parent has notified the school in writing of their intention to home educate the school do not have to receive acknowledgement of that referral before removing from roll.

As well as completing the Inclusion Service Referral form, Schools must also complete the record absence data form, [found here](#). Please select the option Mid-year move and on/off roll.

Children attending Specialist Schools

If a child attends a special school, and this was arranged by the local authority, the permission of the local authority **must** be obtained before the child's name can be removed from the admission register. If the local authority refuses to give consent, the parent can ask the Secretary of State to settle the issue.

The Inclusion Service must liaise with the SENA Review Team to look at the child's case in reaching their decision. This should not be a lengthy or complex process and LA consent to remove the child from roll must not be withheld unreasonably. If the child is to be withdrawn to be educated at home then the local authority, in deciding whether to give consent, should consider whether the home education to be provided would meet the special educational needs of the child, and if it would, should give consent. However, that consideration should consider the additional difficulties of providing education at home to a child whose special educational needs are significant enough to warrant a place at a special school.

Special schools must notify the Local Authority of any parent wishing to educate at home and wait for agreement from the Local Authority before removing the pupil from roll.

Children with an EHCP

There is no equivalent requirement for permission to be sought from the Local Authority where the child has an EHCP and attends a mainstream school. The parent should however be encouraged by the school to engage with SENA before doing so. The school should also inform SENA if a parent is proposing to withdraw the child to Electively Home educate with a view to an emergency annual review being considered/held .

Children with a Social Worker/Child Protection Information

Child Protection information on any children who are removed from roll must be stored securely by the child's last school. Where the child is placed on the roll of a new school, the information must be copied and sent securely under separate cover by the child's last school to any new school/college whilst the child is still under statutory school age (i.e. the information does not need to be sent to a university for example).

Where a child being removed from roll is known to Children's Social Care or other agencies who are supporting the family, The Inclusion Service shall inform the relevant professionals that the child has been removed from the roll of a school and is being electively home educated. Schools should inform

Inclusion Services by e-mailing inclusionpupilsupport@leics.gov.uk and password protect the document(s) or alternatively, by using secure email (e.g. Egress).

Other agencies should inform the Inclusion Service of any children they are aware of, who are of compulsory school age who are not attending school (children missing education). They can be contacted by secure email inclusionpupilsupport@leics.gov.uk .