

HOME EDUCATION POLICY

2017

1 Introduction

1.1 The purpose of this policy is to set out the legislative basis and policy of the Council in relation to children who are home educated. The policy and procedures supporting its application are intended to ensure that contact between the local authority and a home educating family are dealt with fairly, consistently, timeously and accurately.

1.2 This policy is based on the Scottish Government guidance to parents and local authorities on home education. The guidance is legislated for in Section 14 of the Standards in Scotland's Schools etc. Act 2000 and the Education (Scotland) Act 1980.

1.3 The Education (Scotland) Act 1980 (Section 30) sets out that "it shall be the duty of the parent of every child of school age to provide efficient education for him suitable to his age, ability and aptitude either by causing him to attend a public school regularly or by other means". This includes the right to Home Educate.

1.4 National guidance regarding children not being educated in a school distinguishes between 'home education by parents' from 'education being provided out with school by local authorities' or 'home tuition'. This policy relates solely to those undertaking Home Education by parents. Information for those considering Home Educating is available from a range of support organisations.

2 Home Education consent

2.1 Requests to home educate should be made in writing to the Head of Education. Those making such requests will then be guided through the appropriate process to seek consent. The Council will undertake to provide notification of consent or otherwise within 6 weeks of application.

2.2 The Council are required to provide consent to home educate to those wishing to do so, with the following exceptions:

- 2.2.1 The child has never attended a public school.
- 2.2.2 The child has never attended a public school in that authority's area.
- 2.2.3 The child is being withdrawn from an independent school.
- 2.2.4 The child has finished primary education in one school but has not started secondary education in another.
- 2.2.5 The school the child has been attending has closed.

2.3 The council are under an obligation to not unreasonably withhold consent. The Council require to consider whether there is any existing evidence, either in the authority's own records or from other services or agencies, indicating that there may be good reason to refuse consent. The Council will produce a report outlining their rationale for reaching a decision. Specific instances where the Council will not be able to grant consent include:

- 2.3.2 Where a child has been referred to social work or the police for child protection reasons, and the matter is being investigated.
- 2.3.3 Where a child is on the child protection register.
- 2.3.4 Where a child has been referred to the reporter on care and protection grounds, and the referral is being considered.
- 2.3.5 Where the child is the subject of a supervision requirement.
- 2.3.6 Where there are concerns as relating to the health of either the child or those intending to provide home education.

2.4 Where the child is attending Council operated school provision they are expected to attend school until permission to home educate is granted. In instance where this is not the case individual schools will report absence as unauthorised in the absence of medical certification confirming otherwise.

3 Child Wellbeing and Protection

3.1 Every adult in Scotland has a role in ensuring all our children and young people live safely and have the opportunity to reach their full potential. The vision for all children and young people in Dumfries and Galloway is that they should be: **safe, nurtured, healthy, achieving, active, respected and responsible and included.** The Council has a legal duty to safeguard and promote the welfare of all children living in their area

3.2 The Councils Child Protection Policy sets out the roles and responsibilities of staff at all levels and provides direction on what action staff must take to ensure appropriate, proportionate and timely responses to children who may be in need of help. Actions taken by staff will be in line with Child Protection Policy and procedures.

3.3 Council Officers involved in implementing this Home Education policy will seek to undertake the following to ensure child wellbeing and protection on behalf of the Council:

- 3.3.1 ensure that the duty to seek the child's views on their education are sought in all instances where applications to home educate are received
- 3.3.2 maintain contact with those home educating on an ongoing basis, and at least on an annual basis, to undertake regular and proportionate review of circumstances and welfare of children
- 3.3.3 further investigate any concerns raised about the home education of any child and allow those providing home education a period of 14 days to respond to such concerns (where these are not deemed Child Protection concerns)
- 3.3.4 refer any Child Protection concerns to social work services using established Child Protection protocols.
- 3.3.5 prepare an application for an Attendance Order in respect of the child under Section 38 of the Education (Scotland) Act 1980 where there are significant and ongoing concerns about the efficiency or suitability of the education being provided

3.4 Council Officers with responsibility for maintaining contact with those providing Home Education are required to satisfy themselves that suitable and efficient education is being provided. When doing so they will take account of the following:

- 3.4.1 consistent involvement of parents or other significant carers and the opportunity to interact with other children and adults.
- 3.4.2 the presence of a philosophy or ethos (not necessarily a recognised philosophy), with parents showing commitment, enthusiasm, and recognition of the child's needs, attitudes and aspirations.
- 3.4.3 involvement in a broad spectrum of activities appropriate to the child's stage of development and opportunity to develop skills for learning, vocational skills and skills for life.
- 3.4.4 the opportunity for the child or young person to be challenged and engaged by their learning experiences, have access to appropriate resources and materials and the opportunity for an appropriate level of physical activity.

3.5 A child who is being home educated is not eligible for a Co-ordinated Support Plan as prescribed by The Additional Support for Learning Act 2004 as amended in 2009. Co-ordination of any involvement from agencies with the child will fall to the Home Education

provider. The Council officer with responsibility for maintaining contact will, where consent is provided, by the Home Education provider assist in signposting available support.

4 Re-Integration of Pupils to Mainstream Schooling

4.1 Parents/Carers should contact the school or schools they may wish their child to return to and arrange to meet with the Head teacher(s). Normal mechanisms for enrolment and induction should be used in the first instance. In discussion with the child or young person and their parents, the school will prepare a re-integration plan.

4.2 Consideration will be given to additional support for re integration in response to specific health grounds or requirements based on particular assessed Additional Support Needs. Requests for additional support will be considered on a case by case basis with evidence being required to justify a decision to provide support. The following criteria will be considered when assessing and reviewing requests:

- 4.2.1 The level and complexity of the assessed additional support needs.
- 4.2.2 Requirement of the pupil to attend specific Learning Centres or to attend a school other than their catchment school.
- 4.2.3 The need for specialist arrangements to cater for immobility or visual impairment as supported by professionals directly involved.
- 4.2.4 The availability and suitability of existing school provision to the specific needs of the pupil.

4.3 In considering a request evidence, may be sought from professionals and or agencies involved in providing a service to, or supporting the child or young person . In deciding whether to grant such a request, the Council will have reasonable regard to, but will not be bound by, the terms of any opinion from such a professional or agency.

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Review 3 years