

Our children, our future



North East Lincolnshire Council
Children's Services

Directorate of Children's Services Policy **Elective Home Education (EHE) 2026 – 2027**



Background Information

Document Purpose	The Local Authority (LA) considers school-based education to be in the best interest of children and young people. Still, it acknowledges that parents and guardians have the right to educate their children at home. In such cases, the local authority is responsible for collaborating with parents to build trust, mutual respect, and a positive relationship, ensuring the best possible educational experience for the young people involved. This policy is compliant with the Department for Education's statutory guidance for Elective Home Education (April 2019).
Last Review and Publication Date	July 2026
Subject	Elective Home Education
Review Date	July 2027

WORD version to UPDATE 2.04.01 Elective Home Education Policy

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Introduction and Context

North East Lincolnshire Council's policy on Elective Home Education (EHE) is to support the right of every child to receive full-time education suitable to his/her age ability and aptitude considering any special educational needs, but with regard to the general principle that;

“Young people receive world class education which allows them to reach their full potential, and live a more fulfilled life, regardless of background. That education should be provided in a safe environment, whether at school or home”

DfE Elective Home Education Departmental Guidance for Authorities April 2019

This policy is written in line with the Corporate Equalities Strategy, which seeks to value diversity and promote equality through practice and procedures.

This policy is written in line with corporate criteria in accordance with Section 17 of the Crime and Disorder Act 1998 which places a duty on the Local Authority to prevent young people in their area committing offences.

Terminology

The term ‘parent’ is used to describe all parents and carers who have the authority to make educational decisions for their child(ren).

Elective Home Education (EHE) is the term used to describe a parental decision to provide education for their children at home instead of sending them to school.

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Reference to “**Informal**” refers to support, advice, and requests for information to demonstrate that a suitable education is being provided and is prior to any action under section 437 of the Education Act.

Reference to “**Formal**” refers to notice and action served under section 437 of the Education Act.

Aims

Whilst North East Lincolnshire Council recognise that the majority of children are educated in formal settings, parents and guardians have a right to provide education at home instead of sending their child/ren to school. This is called Elective Home Education (EHE). North East Lincolnshire Council has publicly committed to becoming a Marmot Place. Key tenets of this Public Health initiative are to reduce health inequalities and improve outcomes for our population. North East Lincolnshire Council recognises and respects the rights of parents to electively home educate when this provides children with suitable education, promotes their well-being and where it supports them effectively into adulthood.

This Policy outlines North East Lincolnshire’s approach to Elective Home Education and provides the foundation for this approach. It is designed so that parents and carers can clearly understand their rights, roles, and responsibilities regarding Elective Home Education, as well as what they should anticipate from the Council. The Policy also clarifies for all involved partners the responsibilities they hold concerning children who are educated at home, while ensuring compliance with the legal framework that permits parents to choose home education for their child or children.

This Policy refers to children of compulsory school age. Although parents may elect to provide education at home to their child at any time, the local authority’s statutory duty is relevant to compulsory school age children only.

When parents elect to home educate, the local authority has a moral and social obligation to ensure that a child is safe and being suitably educated by:

- ensuring that their statutory responsibilities for these young people are met
- working together with parents to develop trust, mutual respect and a positive relationship that will result in the best provision possible for the children;
- ensuring that parents are aware of their responsibilities, including full legal and financial responsibility for their child’s educational provision and understand how these responsibilities can be fulfilled when they elect to home educate.

Statutory framework and relevant guidance relating to Elective Home Education

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Education Act 1996

The Education Act 1996 sets out at Section 7 the right of a parent to home educate their child as long as this is suitable to the age, ability and aptitudes of the child, and any special educational needs they may have. The Education Act 1996 also specifies at Section 436a the duty placed upon the Local Authority to identify children in their area of statutory school age who are not registered in school and are not in receipt of suitable education and Section 437 describes the duty upon the Local Authority to act in such situations.

- [Elective home education - GOV.UK](#)

The Department for Education (DfE) non statutory guidance (2019) sets out expectations of Parents and Local Authorities in relation to Elective Home Education.

- [Elective home education: departmental guidance for local authorities \(Updated August 2024\)](#)
- [Elective home education: guide for parents](#)

North East Lincolnshire's local Policy is informed by national guidance, which provides additional clarification regarding the roles and responsibilities associated with Elective Home Education.

North East Lincolnshire Council acknowledges that the Children's Wellbeing and Schools Act 2026, which is currently undergoing parliamentary review, may introduce changes affecting Elective Home Education. Any such changes will be incorporated into local policy as they are enacted.

Responsibilities

Parents/ Carers

Parents have the legal right to choose home education for their child at any stage during the period of compulsory schooling. They must ensure that their children receive suitable and efficient full-time education, for as long as they have elected to educate them at home. This requirement applies equally to children with Special Educational Needs. However, if a child is enrolled in a special school arranged by the Local Authority, parents **must** seek approval from the Local Authority before withdrawing the child for home education.

There are many reasons why a family may consider EHE for their children. Although not an exhaustive list, one or more of the following reasons may be a contributing factor in a parent's decision making:

- Didn't get school preference

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- Dissatisfaction with school
- Health concerns
- Lifestyle choice
- Mental health
- Following permanent exclusion
- Philosophical reasons
- Physical Health
- Religious reasons
- Risk exclusion
- Short term intervention

North East Lincolnshire Council advises parents to carefully review all available guidance before determining whether elective home education (EHE) is suitable for their child and family circumstances, prior to withdrawing their child from the school's admissions register. As part of this decision-making process, North East Lincolnshire Council recommends scheduling a meeting with the child's school.

Parents intending to withdraw their child from school for home education should formally notify the Head Teacher in writing and request that the child's name be removed from the admissions register. It is advisable for all adults with parental responsibility to sign and date the notification letter, as this establishes the official date for removal from the register and commencement of elective home education (EHE). In accordance with 2019 Government guidance, if the child has never attended school, parents are encouraged to inform the Local Authority (LA) of the child's EHE status. Families choosing home education must accept full responsibility for their child's learning, including financial obligations such as textbooks, tutors, and examination fees. Examination costs fall entirely to parents, and it is essential to note that virtual learning will not be provided; however, parents will receive information, advice, and guidance through recommendations to appropriate educational resources and websites.

Parental Disputes

In certain circumstances, two parents - typically divorced or separated but both retaining parental responsibility - may have differing views regarding the appropriateness or adequacy of home education. In such instances, North East Lincolnshire Council will seek comprehensive documentation concerning parental responsibility. Generally, educational decisions are made by the parent with whom the child primarily resides. Nevertheless, when both parents possess parental responsibility, each will be informed of any issues relating to the child's education.

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NELC is committed to its statutory EHE responsibilities; providing advice for families considering home education, support and assurance of suitable education, and intervening when education is unsuitable. The EHE team works collaboratively with families to achieve positive outcomes for all children and young people in North East Lincolnshire. NELC ensures EHE Officers receive relevant training and networking opportunities in statutory duties, safeguarding, health and safety, and other related procedures. EHE Officers prioritise hearing the child's voice in all decisions.

North East Lincolnshire Council keeps records of all children known to be educated at home (EHE) in the area and follows both DfE guidance and its own EHE Policy. This involves contacting home-educating parents at least once a year so the council can assess whether the education provided is suitable. Parents are offered a home visit to meet and discuss their child(ren)'s education and receive advice or support. If parents decline a home visit, their choice is respected, and communication is continued in writing, through the offer of a virtual meeting, or by arranging a face-to-face session at an appropriate venue. A report may also be provided.

When considering whether elective home education appears suitable, the EHE team will take account of whether the parent is providing an efficient, full-time education suitable to the child's age, ability, aptitude and any special educational needs, in line with Section 7 of the Education Act 1996 and Department for Education guidance:

- Parents retain responsibility for ensuring that the education provided is suitable, including where tutors, online provision, groups or other third parties are used.
- There is evidence of a positive, informed and dedicated approach to home education, with clear recognition of the child's individual needs, aptitudes, interests and aspirations, including preparation for adulthood.
- The education takes account of the child's age, ability and aptitude
- Any special educational needs, disabilities, strengths or additional abilities are taken into account when planning and delivering education.
- The education does not conflict with Fundamental British Values as defined in government guidance.
- The education provides appropriate opportunities to develop literacy and numeracy, including English and mathematics where suitable for the child.
- The child has opportunities for social, physical, emotional and wider personal development.
- Learning experiences are appropriate, engaging and sufficiently broad to support the child's development and progress.
- Activities reflect the child's interests, needs and stage of development, while supporting a suitable education overall.

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- The child has access to appropriate resources, materials and learning opportunities.
- There is information or evidence showing what education is being provided and how the child progresses over time.
- The child's physical, social, emotional health and wellbeing are considered, and any known risks or vulnerabilities are appropriately supported or referred through relevant safeguarding routes.
- Where appropriate, the child's views about their education are sought and considered, taking account of their age and understanding.
- Where formal qualifications are part of the child's pathway, there is a clear plan for how these will be accessed, arranged and supported.
- Where education is provided by tutors, online providers, groups or other third parties, parents remain responsible for ensuring that the people, premises and arrangements are suitable and safe, and that the child is not attending an unregistered school or unsuitable setting. Further information about unregistered settings can be found at [Report an unregistered school - GOV.UK](#).
- Parents and carers should be able to show how much time their child spends on education and how this is appropriately supervised and supported. If education does not take up a significant part of the child's life (apart from holidays), it may not satisfy the s.7 requirements.

The EHE team exhausts all routes of informal enquiry regarding assessing the suitability of the home education, before proceeding to formal enquiries.

The EHE team ensures that all Year 11 students and their families are signposted to Young People's Support Services to assist them in achieving positive outcomes in employment, education, or training.

Flexi Schooling

Home-educated children are usually not registered at a school, but parents may seek partial school attendance for subjects they cannot teach. Schools are not required to permit flexi schooling; if allowed, the child is added to the admission register and marked as an authorised absence when learning at home.

Schools

Information is regularly provided to schools to support conversations with parents who are considering EHE. Schools should provide impartial information but must not present EHE to parents as an alternative to school-based education or seek to encourage a withdrawal to EHE. This could constitute 'off rolling' if a child were subsequently withdrawn to EHE and is always challenged by the EHE team where suspected. We strongly recommend that any parent considering EHE requests a

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meeting with school staff to discuss this decision in depth. If parents or young people are dissatisfied with some aspects of the school provision, this can often be resolved.

Whenever a school or education provider receives a parental withdrawal letter, they must promptly remove the child from the admissions register according to the parent's instructions and inform the Local Authority (LA).

The only exception applies if the child has an EHCP and attends a special school under arrangements made by the local authority. In such a case, the provider **must** obtain permission from the Local Authority before removing the child from the register through communication with the SEND Service. All notifications should be sent to the EHE team as usual, but the child must stay on the register until the Local Authority gives explicit instructions to remove them.

Other partners

Partners, aside from educational settings, may become aware of children receiving Elective Home Education (EHE) who are not registered with the Local Authority (LA). It is the responsibility of partners to refer such information to the LA so that the child's education status can be verified and appropriate support provided.

Children with Special Educational Needs

Parents have the right to choose Elective Home Education (EHE) for their children, including those with Special Educational Needs (SEN), regardless of whether the child has an Education, Health & Care Plan (EHCP). If parents decide to home educate a child with an EHCP who is enrolled at a mainstream school, the school will remove the child from its admissions register after receiving notification from the parent. Approval from the Local Authority is not needed unless the child is enrolled at a special school. For children with an EHCP registered at a special school named by the Local Authority, parents **must** seek permission before they can withdraw their child for home education and are advised to contact the SEND team for guidance. This is also the case for flexi-schooling, which requires permission from the school's Headteacher. Additionally, the Local Authority should be consulted, and it is generally expected that an Education, Health and Care Plan (EHCP) review is recommended before any arrangements are made.

When a home educated child has an EHCP, the Local Authority must maintain and review the plan each year according to the SEND Code of Practice, involving parents throughout. The review process does not require visiting the child or the home unless there are concerns; if parents prefer limited contact and there are no issues, the annual review itself can be the main point of contact for EHE matters. Parents are responsible for ensuring the education they provide meets their child's age, ability, and special needs. If parents opt for home education for a child with an EHCP, this will be noted in

the Plan, and the Local Authority is not obliged to deliver the specified support as long as it considers the parents' arrangements appropriate.

Gypsy, Roma and Traveller Children

North East Lincolnshire Council are sensitive to the ethos and needs of Gypsy, Roma, Traveller children. This Policy is applied to all children who are educated at home, regardless of their background. The EHE team will work collaboratively with families, and with NELC School Admissions Team where school places are sought for children.

What to expect from the NELC EHE service

Parents considering a decision to EHE

North East Lincolnshire Council will provide support and guidance by offering signposting to online resources, distributing informational materials to schools, and communicating directly with parents, when required.

Children who are new to EHE

North East Lincolnshire Council provides initial contact with new home educators, offering advice and guidance about Elective Home Education (EHE) and ensuring that children are receiving an appropriate education. Parents can reach out to the EHE team for advice and support at any time but should note that the Council's EHE team does not provide funding, direct teaching, assessment of work, learning materials, or exam arrangements.

There are no legally defined timescales for ongoing contact with families, allowing Council staff and families flexibility to act in the child's best interests. According to DfE 2019 Guidance, local authorities should usually contact home educating parents at least once a year to assess the suitability of the education provided. North East Lincolnshire Council follows this guidance through informal enquiries. The goal is to maintain positive relationships, provide ongoing support and communication, and ensure that the education delivered is suitable for the child's age, ability, and aptitude. Home educators are encouraged to contact the EHE team at any point during their home education journey for advice and guidance.

When EHE is unsuitable

If there is not sufficient information about the home education being provided and it appears that your child is not receiving a suitable education at home, we will serve a notice (known as a s.437(1) notice) asking you to show your child is getting an appropriate education.

You have 15 days to respond with any evidence. We will review your response and

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other information to decide if your child's education meets legal requirements under s.7 of The Education Act 1996.

If we don't receive a response, NELC would conclude that your child is not receiving a suitable education, at which point NELC has a legal obligation to serve on you, as parents, a School Attendance Order (SAO). This will name a specific school and require you to register your child at that school.

If a SAO is issued it must be complied with, and failure to do so is a criminal offence. If you comply with the order, no further enforcement will be necessary.

If you seek to have your child attend another school, that isn't named in the order, this would be done by applying for a place at that other school; and if that is available, asking the local authority to vary the order. If that request is agreed and your then attends that school, no further enforcement will be necessary.

Alternatively, you can seek to have the order revoked by presenting evidence to the local authority that satisfactory arrangements have been made for suitable education to be provided at home, so that your child need not attend any school. If the local authority refuses to revoke the order, you can choose to refer the matter to the Secretary of State to settle the dispute by contacting the Department for Education.

North East Lincolnshire prioritises collaboration with parents, always acting in accordance with the child's best interests to prevent the necessity of enforcement actions. Legal enforcement is only considered in a minority of cases, after all reasonable efforts have been made to confirm the suitability of the education provided to the child or children.

Children returning to school

If home educators decide a child should return to school or if EHE is unsuitable, the EHE team assists with school applications and tracks them until a place is secured. It is important to understand that once a child leaves a school, that school is not required to accept the child back, even if they apply to re-enroll. Some schools may already be full and have allocated the place to another child.

EHE and safeguarding

Protecting the welfare of all children and young people - whether they attend school or are educated at home - is extremely important. As with children in schools, safeguarding issues can also affect those who are home educated. These concerns might arise if a child is not receiving an appropriate education, which could negatively impact their intellectual, emotional, social, or behavioural development.

There is no proven correlation between home education and safeguarding risk, however it is important to bear in mind that unsuitable or inadequate education can also impair a child's intellectual, emotional, social or behavioural development, and may therefore

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bring child protection duties into play.

Officers in the Elective Home Education (EHE) Team have a legal responsibility to report any safeguarding concerns according to the NELC Safeguarding Children's Partnership procedures. If a need for support is identified but does not require statutory service intervention, the EHE team will help connect families with other agencies for assistance. This may include services such as Family Help and Health.

Governance

The implementation and effectiveness of this Policy will be monitored through the Safeguarding Children Partnership Board.

A termly statutory return is made to the Department for Education in relation to the number of children known to be EHE in the area.

Review arrangements

This Policy will undergo a formal review every academic, with the next scheduled review set for July 2027. An earlier review may be conducted should there be any updates to Department for Education guidance, changes within the legislative framework, or modifications affecting North East Lincolnshire Council that necessitate revisions to this Policy.

Complaints

The majority of concerns are typically addressed informally by contacting the EHE service via email at electivehomeeducation@nelincs.gov.uk. If informal resolution is not possible, details regarding the formal feedback process can be found on the Council's website.

Related Documents

- The Children Act 1989 [Children Act 1989 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1989/41)
- **Special educational needs and disability code of practice: 0 to 25 years**
Statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities **January 2015** [SEND Code of Practice January 2015.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/352622/SEND_Code_of_Practice_January_2015.pdf)
- Education Act 1996 [Education Act 1996 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1996/56)
- The Human Rights Act 1998 [Human Rights Act 1998 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1998/42)
- Data Protection Act 1998 [Data Protection Act 1998 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1998/29)
- Freedom of Information Act 2000 [Freedom of Information Act 2000 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2000/18)
- Disability Discrimination Act 1995 [Disability Discrimination Act 1995 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1995/50)
- Race Relations (Amendments) Act 2000 [Race Relations \(Amendment\) Act 2000 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2000/16)
- United Nations Convention on the Rights of the Child [Convention on the Rights of the Child | OHCHR](https://www.ohchr.org/en/instruments-treaties)
- Every Child Matters – Change for Children Agenda [change-for-children.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/352622/change-for-children.pdf)
- Elective home education Departmental guidance for parents April 2019 [Elective home education: guide for parents \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/352622/Elective_home_education_guide_for_parents.pdf)
- Elective home education Departmental guidance for local authorities April 2019 [Elective home education: departmental guidance for local authorities \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/352622/Elective_home_education_departmental_guidance_for_local_authorities.pdf)
- Children missing education Statutory guidance for local authorities August 2024 [Children Missing Education - Guidance for Local authorities \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/352622/Children_Missing_Education_-_Guidance_for_Local_authorities.pdf)
- YouGov Exploring the issue of off-rolling 2019 [Exploring the issue of off-rolling \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/352622/Exploring_the_issue_of_off-rolling.pdf)