

EDUCATION AUTHORITY

Moving Forward
Guidelines for
Elective
Home Education



Review Date:





Contents

List of Abbreviations	4
Part 1: Introduction	5
1.1 Defining Elective Home Education	
1.2 Reasons for choosing Home Education	
1.3 Principles underpinning these guidelines	
1.4 Purpose of these guidelines	
Part 2: The Legislative context	7
2.1. The Law in NI	
2.2 Defining efficient full-time education	
2.3 Compulsory School Age	
Part 3: Considerations for parents and carers contemplating Elective Home Education	9
3.1 The Child's View	
3.2 Educational approach	
3.3 Time	
3.4 Money	
3.5 Community of Home Educators	
3.6 Family	
3.7 Wider Family & Friends	
3.8 Special Educational Needs	
3.9 Issues at School	
Part 4: Roles and Responsibilities	12
4.1 Parents	
4.2 Schools	
4.3 The Education Authority	
Part 5: Education Provision	14
5.1 Examples of Learning	
5.2 Characteristics of Home Education	
Part 6: Special Educational Needs	16
6.1 Defining a Special Educational Need	
6.2 Home Education and Special Educational Need	
6.3 Opportunities for Support	
6.4 The Statutory Assessment Process and EHE	
6.5 Future Legislation	
Part 7: Safeguarding	18
7.1 Responding to a Safeguarding Concern	
7.2 Information on Vetting and Local Information for Parents	
7.3 Where to Additional Information	

Part 8: Family Support 18

8.1 Information for Families

Part 9: Community Use of Schools 19

9.1 Using School Facilities

Part 10: Public Examinations in Northern Ireland 20

- 10.1 Entering Children for Exams
- 10.2 IGCSE Examinations
- 10.3 Exam Concessions

Part 11: Careers Guidance 21

- 11.1 The Careers Service
- 11.2 The Careers Guidance Interview
- 11.3 If your child has a learning and/or physical disability the Careers Service can help?
- 11.4 Resources

Part 12: Education Authority Process when a concern is raised 23

- 12.1 Introduction to the EA Process
 - Step 1: Exploring a Concern with parents
 - Step 2: Exploring a Concern: Continued Engagement with Families
 - Step 3: Addressing a Concern - The EA Legislative Process

Part 13: Data Protection 30

Appendices 31

- Appendix 1: Resources & Supports
- Appendix 2: S.A.1 Form & Guidance
- Appendix 3: School Attendance Notice
- Appendix 4: References

Acknowledgements 37

List of Abbreviations

EHE	Elective Home Education	SAO	School Attendance Order
EA	Education Authority	HEDNI	Home Education Northern Ireland
DE	Department of Education	CCEA	Council for the Curriculum, Examinations and Assessment
S.A.1	School Attendance 1	EWS	Education Welfare Service

Education is a fundamental right for every child. Through education, our young people are supported to develop the knowledge, skills, attitudes and personal attributes they need to thrive in childhood and to go on to lead healthy and fulfilling lives as contributors to our economy and society. The right of all children to enjoy excellent quality and effective education is enshrined under Articles 28 and 29 of the United Nations Convention on the Rights of the Child (UNCRC)¹. Education must be child-centred, child-friendly and empowering, with its goal being to strengthen the child's capacity to enjoy the full range of human rights and to respect the rights of others. Education should empower children by developing their skills, learning and other capacities, human dignity, self-esteem and self-confidence.

The UN Committee on the Rights of the Child is clear that, for the purposes of meeting the UNCRC obligations, a child's education should reach far beyond formal schooling and should embrace the broad range of life experiences and learning processes which enable children, individually or collectively, to develop their personalities, talents and abilities and to live a full and satisfying life within society. Article 2 of the First Protocol to the European Convention on Human Rights as incorporated by the Human Rights Act 1998² provides that no one shall be denied the right to education. This has been interpreted by the European Court of Human Rights to mean that every child is entitled to access an effective education.

In Northern Ireland each parent has a legal duty to ensure that their child receives an education and whilst education is compulsory for every child, attendance at school is not.

Whether parents choose to educate their child at home or by attending school, the Education Authority (EA) encourages parents to support their child to develop his or her own thoughts and ideas about a broad range of issues and that parents listen to and ensure that their child's views are taken seriously in matters of importance to them.

1.1 Defining Elective Home Education

Elective Home Education is the term used to describe the practice by which parents decide to educate their children outside of the school system. This is different to tuition provided by the EA to a child who is unwell or who attends alternative group arrangements provided by the EA. Elective Home Education is sometimes referred to as 'EHE'. Throughout these guidelines, 'parents' should be taken to include all those with parental responsibility, including guardians and carers³.

1.2 Reasons for Choosing Home Education

Some parents choose to home educate for a wide variety of reasons which may include, but are not limited to:

- Spiritual beliefs
- Philosophical reasons
- Dissatisfaction with the system
- Bullying
- Special Educational Needs
- As a short term measure for a specific reason

**this list is not exhaustive*

¹ www.unicef.org/uk/what-we-do/un-convention-child-rights

² www.equalityhumanrights.com/en/human-rights/human-rights-act

³ The Children Order 1995 & Education & Libraries (Northern Ireland) Order 1986
DE Circular 1999/17 – Parental Responsibility – Guidance for schools

1.3 Key Principles Underpinning these guidelines

There are three key principles underpinning these guidelines

- The EA recognises the diversity of approaches to elective home education and will not favour any particular approach. The European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 2 of Protocol No1 also supports this by stating: “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 an education and teaching is in conformity with their own religious and philosophical convictions.”
- Child Centred - children who are home educated will learn in different ways with a range of approaches and we will be mindful of this and children’s views in our engagement with home educating families. See Part 3, paragraph 3.1 of these guidelines.
- Parent focused - parents are the first educators of their children, the EA will actively promote a positive dialogue with parents who choose to home educate their child, to develop effective partnerships.

1.4 Purpose of these Guidelines

These guidelines will reflect the current legislative framework within Northern Ireland and the EA will operate within the existing legislative framework when engaging with home educators.

Following the key principles established above, these guidelines aim to:

- Support parents in ensuring that children receive a suitable education when educated at home.
- Promote good practice by clearly defining the legislation, the respective roles and responsibilities of parents, the EA, and schools and any other relevant partner.
- Encourage working relationships that respect the parent’s duty to educate and their role as decision maker in ensuring their child’s right to an education.
- Outline the obligations of the EA to children of compulsory school age (see part two) and children up to the age of 19, for whom the EA maintains a statement of special educational needs.
- Make clear to other organisations the role of the EA.
- Have application for schools and other organisations.

Part 2: The Legislative Context

2.1 The Law in Northern Ireland

The responsibility for a child's education rests with the child's parents.

Article 45 of the Education and Libraries (Northern Ireland) Order 1986 (as amended) places a duty on parents to ensure that their child receives an 'efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have, either by regular attendance at school or otherwise'. This enables parents to secure their child's efficient full-time education either at school or outside of the formal school environment process.

Article 2 of Protocol 1 of the European Convention on Human Rights 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."

2.2 Defining efficient full-time education

Parents must provide an education which is '*efficient, full time and suitable*'. Case law has set out how these terms are to be interpreted as follows:

'Efficient'

Efficient education has been broadly described in case law as an education that "*achieves that which it sets out to achieve*"

'Full Time'

Children normally attend school between 22 and 25 hours a week for 38 weeks of the year, but this measurement of "*contact time*" may not be relevant to elective home education where there is often almost continuous one-to-one contact and education may take place outside normal "*school hours*"

'Suitable'

Education is suitable if it "*primarily equips a child for life within the community of which he is a member, rather than the way of life in the wider country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so*".⁴

A '*suitable education*' has also been described as preparing the children for life in modern civilised society, and enabling them to achieve their full potential.⁵

⁴ *R v Secretary of State for Education, ex parte Talmud Torah Machzikei Hadass School Trust. Judicial Review 1985*

⁵ *Harrison & Harrison v Stevenson (1981)*

2.3 Compulsory School Age

In Northern Ireland children normally start school in the September of the school year after their fourth birthday.

Those children whose birthday falls in the summer months from 2 July to 31 August, do not start school until the following September.

A child continues to be of compulsory school age until they reach the age of 16.

If a child turns 16 between 1 September and 1 July (inclusive), they can leave school on 30 June of that year. If a child becomes 16 between 2 July and 31 August (inclusive), they can not leave school until 30 June of the following year⁶.

Where a parent feels their child is not ready to start school at age 4, separate guidance is available 'School Starting Age - A Guide for Parents'.

This document can be found at <https://www.eani.org.uk/publications/starting-school-age-a-guide-for-parents>



⁶ <https://www.nidirect.gov.uk/articles/school-attendance-absence-and-law>

Making a decision to educate your child at home is significant and it can be helpful to reflect on a number of factors before reaching a decision. This section of the guidelines has been developed to help you identify and think about some of the issues that might be relevant to your circumstances so that your decision is informed and that you can plan, as far as possible, your transition to home educating.

3.1 The Child's View

As a parent considering elective home education, it can be helpful to chat with your child about this decision as this may assist you in reaching a decision taking account of all relevant factors, including those which may be of particular importance to your child. Involving the child from the outset may also ease your child's transition to home education, particularly if they have attended school and it can also inform the methodology and approaches that you will adopt as you home educate.

It is important to encourage children and young people to express their personal perspective on issues that affect them. Children have the right to express an opinion, for their views or opinion to be listened to and taken seriously when decisions are being made which impact on their lives⁷. The right of the child to be heard should be implemented in the diverse settings and situations in which children grow up, develop and learn, including within the family home. It is important for parents to encourage and support their children to express their personal perspective on issues that affect them and to give those views due weight in a manner consistent with the maturity and understanding of the child.

As your child grows and develops it will be important for you as their parent and educator to seek their views throughout the home education process.


3.2 Educational approach

Every home-educating family is different, and there is a wide range of approaches, from following a very structured curriculum to responding dynamically to a child's interests (and every point in between the two). Families often find that their style shifts over time and can even be different for children in the same family or for a child at different ages. When families begin to home educate they typically go through a period of research and experimentation before settling into the method which is suitable for their child at that time. It is generally better to allow for this period of 'settling in' before investing too much in a particular approach, financially or emotionally. This will allow children the opportunity to get used to the idea of home education. There is a significant amount of information and resources available online and in print about the wide range of different approaches that families take and you may wish to start your research before you decide to home educate. Some resources are noted in Appendix 1.

3.3 Time

Home educators are not required to follow school hours or terms. They can also use appropriate childcare during what would, in terms of the school environment, be identified as 'school hours'. Home education by its nature emphasizes one-to-one or small group attention which typically makes it very efficient. In families where a school-at-home approach

⁷ Article 12 of the UN Convention on the Rights of the Child



is preferred, work can generally be covered more quickly than in an equivalent classroom session, while at the other end of the spectrum, learning can be flexible and integrated with family life. Remember that although you may be able to avoid daily school runs and gain considerable flexibility, there is no doubt that home education will still take a considerable amount of time and energy whatever approach to education you choose. At some points in their education children will need more one-to-one attention, for example in the run-up to exams, and at times significant contact time may be important. Families will use a variety of approaches depending on their own individual circumstances and develop solutions accordingly. Families may wish to consider how they will manage their time and resources, particularly in the first weeks and months.

3.4 Money

Home educators do not receive financial assistance to fund the education they provide. Most families will find that home education leaves less time available for paid work for at least one parent, which can raise extra challenges for some families and particularly single parents. It is certainly possible to spend a significant amount on resources if you wish to do so, and it can be expensive if you wish to access formal examinations. There is a wide selection of free resources available locally and online to support families who choose to home educate. Some resources are noted in Appendix 1.

3.5 Community of Home Educators

There is a friendly and active home educating community in Northern Ireland with many events and opportunities for learning and socialising (try an internet search for home education Northern Ireland). You will probably find it helpful to make contact with other home educators before you make your decision, allowing you to ask questions and to start forming connections with other families. If you are deregistering from school then you may wish to give your child the opportunity to say goodbye and make plans to stay in contact with their friends and classmates. EA encourages schools to do what they can to make the transition smooth and positive.

3.6 Family

If you decide to home educate, you will most likely spend more time with your children (and they will spend more time with each other) than they may have been used to if they have been registered with a school. Most families see this as a significant advantage of home education, but there may be a period of adjustment. The adjustment may be more complicated if some children in the family continue to attend school while some are home educated. It may be worth considering how you can make sure that everyone gets the time and support they need to adjust.

3.7 Wider family and friends

Many people have never met someone who educates their children at home, and may not realise that home education is even an option. It can sometimes be worrying for friends and family to hear that a child will be leaving school, or will never attend. They may wrongly associate home education with truancy or 'dropping out'; alternatively they may have a very fixed idea of what home education looks like, which may differ from your approach. You may want to consider how you will discuss your decision with your friends and family. Some of the resources listed at the end of these guidelines and elsewhere online may be helpful to share with them or for you to read before discussing it.

3.8 Special Educational Needs (SEN)

Children with special educational needs can also be home educated. However you may find you need to plan more carefully if support outside the home is needed, given that much of the support available for children with SEN is school based. It would be useful to discuss how this support can continue with your doctors, therapists or relevant EA officers, before deregistering. Additional information can be found in Part 6 of this guide.

3.9 Issues at School

There are occasions during a child's time at school when they may be experiencing difficulties and some parents may consider elective home education as a resolution to these difficulties. Schools are keen to resolve any issues that may occur and provide appropriate support therefore we encourage parents to begin by discussing any problems with the school. Where difficulties continue there are a number of options for resolving any conflict such as:

- Speak initially with the teacher or principal;
- Following the schools complaints procedure which can be obtained from the school's website or by contacting the school directly;
- If the school's complaints procedure has been exhausted and you feel that the process has not been followed correctly, you can write to the NI Public Service Ombudsman; (www.nipso.org.uk/nipso/making-a-complaint/how-do-i-make-a-complaint-to-nipso/) or contacting 0800 343 424;
- Currently the Dispute Avoidance Resolution Service (DARS) this service can assist where difficulties arise in relation to children with special educational needs (www.education-support.org.uk/parents/special-education/dars)

A range of organisations who offer advice and assistance can be found in Appendix 1 of this document.



4.1 Parents

As a parent I have decided to educate my child at home – what do I need to do?

If the child has never attended school, there is no legal requirement on parents to make any contact with the Education Authority (EA), but EA would invite parents to make contact with the Elective Home Education Team for advice on matters such as the curriculum, public examinations and future enrolment at school.

If the child is attending school, parents should deregister their child by letter, informing the Principal of the school of their intention to home educate and that the child can be removed from the school register. EA encourages schools to offer parents information and support in transitioning to home education, and encourages parents to contact their school to see what help they can offer.

The notification to the Principal must be made in writing with a date for the start of elective home education and the parent's signature. If no notification is received, the child will remain on the school's register and be marked each day as an unauthorised absence, which may mean parents being contacted by the Education Welfare Services due to sustained absence from school.

4.2 Schools


What should the school do once I have told them I wish to de-register my child?

Where a parent has indicated that they are considering elective home education (EHE), schools will engage in discussion about the implications of making this choice. Schools should always adhere to the legal framework. Schools cannot legally prevent or delay de-registration of a child once formally notified by the parent. In the case of selective and over-subscribed schools, the parent should be advised that future re-registration of their child at school may not be possible.

The parent should inform the school of their intention to home educate in the form of a signed and dated letter. When a written letter advising of de-registration is received a school should assure itself that the request is from an adult who has parental responsibility for the care of the child. Where more than one person has parental responsibility and there is discord regarding a decision affecting a child's education then those with parental responsibility would be expected to consult together and reach an agreement on any decision affecting the child's education.

As per DE Circular 2017/15 a school will remove the child from the register on the day after their last attendance.

The school should complete an attendance form (SAI - see Appendix 2) and provide additional copies to the child's parent via email to the EHE Team at the Education Authority along with a scanned copy of the parent's de-registration letter, and the Education Welfare Service as per DE Circular 2018/12 which can be found at <https://www.education-ni.gov.uk/publications/circular-201812-attendance-guidance-and-absence-recording-by-schools> The EHE team can be contacted at ehe@eani.org.uk



Schools should offer constructive support to children making the transition to home education. Depending on the age of the child this might include providing curriculum materials to help parents in the first few weeks of home education or the short term loan of text books. Schools should be prepared to provide a brief written report on the child's progress and attainment to assist parents in planning for EHE provision and should be open to future discussion of provision with parents particularly during the transition phase.

4.3 The Education Authority

What will the Education Authority do once they receive notification that a parent has de-registered their child and is home educating?

The EHE Team will:

- Maintain a record of any attendance (SA1) forms (see Appendix 3) received from schools when a child moves to elective home education, along with copies of the completed forms, and the parent's letter informing the principal of de-registration.
- Contact the school principal to ascertain if any support is required with the child's transition to elective home education.
- Make contact with parents in order to send them a copy of these guidelines either on paper, electronically or via web link, and to provide them with any additional information regarding support available through EA.

In aiming to foster good relationships with home educating parents, the EHE Team will:

- Contact home education families annually to provide them with any updates regarding available EA support, any changes in the guidelines and to offer advice as required.
- Provide advice to schools regarding the requirements for de-registration and best practice in facilitating a smooth transition to elective home education for the benefit and welfare of the child.
- The team will offer advice and support to parents on any relevant matter if requested and will engage with a home educating parent whether their child has been registered at school or not. Having never registered a child at school does not exclude a parent from seeking advice and support from the EHE Team.

Where a concern is raised regarding the educational provision being provided at home, the EHE Team will follow the protocols contained in these guidelines (see Part 12). This may involve seeking the advice of other professionals within EA in determining the suitability of any specific provision to meet the needs of the child.

5.1 Example of Learning

Parents are required to provide an efficient, full-time education suitable to the age, ability and aptitude of the child and it is important to recognise that there are many valid approaches to educational provision. If requested, information provided to the EA about this education may be in the form of specific examples of learning such as, but not limited to:

- Educational Philosophy or Report by Parent sometimes called Educational Philosophy and Report;
- Educational Report;
- Assessments set either by parents or from external sources;
- ICT activities including those presented online;
- Samples of work, children's work books;
- Reports of educational visits;
- Pictures or paintings;
- Models or other construction activities;
- Diaries or journals of educational activity;
- Projects;
- Periodic educational plans

5.2 Characteristics of Home Education

The Education Authority may reasonably expect the preferred approach to include the following characteristics:

- Consistent involvement of parents or other significant carers - it is expected that parents or significant carers would play a substantial role, although not necessarily constantly or actively involved in providing education;
- Provision which takes account of the views of the child, their educational needs including any special educational need, interests and aspirations;
- Provision of opportunities for the child to be stimulated by their learning experiences;
- Access to resources/materials required to provide home education for the child - such as paper and pens, books and libraries, arts and crafts materials, physical activity, ICT; and
- Opportunities for appropriate interaction with other children and adults other than parents or significant carers.

Home educating parents are not required, but may choose to:

- Teach the Northern Ireland Curriculum;
- Provide a broad and balanced education;
- Have a timetable;
- Have premises equipped to any particular standard;
- Set hours during which education will take place;
- Have specific qualifications;

- Make detailed plans in advance;
- Observe school hours, days or terms;
- Give formal lessons;
- Assess work done by their child;
- Formally assess progress or set appropriate targets and objectives in line with special educational need;
- Reproduce school-type peer group socialisation;
- Match school-based, age-specific standards.

While they are not required to, parents may find it helpful to themselves as educator and their child/children to have a structure in place.



Part 6: Special Educational Needs

6.1 Defining a Special Educational Need

The Education (NI) Order 1996 defines a child as having a special educational need (SEN) if he or she has a learning difficulty which calls for special educational provision to be made for him or her.

A child has a “learning difficulty” if he or she has a significantly greater difficulty in learning than the majority of children of his or her age or has a disability which either prevents or hinders him or her from making use of educational facilities of a kind generally provided for children of his or her age in ordinary schools,

The term learning difficulty therefore describes children who have learning problems or disabilities that make it harder for them to learn than their peer group. Children with a learning difficulty can be supported by their school or may have difficulties that require a statutory assessment and in some cases a statement of special educational need which determines specific provision that EA must make for the child.

6.2 Home Education and Special Educational Needs

Parents may educate their child at home even if he or she has SEN, irrespective of whether the child has a statement of special educational needs or not, and whether the child has attended a special school. The process for deregistration and the duties of the parent are the same as for all children. Parents choosing to home educate their child should engage with the relevant statementing officer within EA.

6.3 Opportunities for Support

There are many categories of special educational need and many ways in which to learn more about a specific special educational need including special interest/support groups, online information etc. In addition the Education Authority is developing a training programme which will include courses for parents on a range of special educational needs and all parents including those who home educate are welcome to attend. These courses will be designed to assist parents in increasing their understanding of their child’s special educational need and gain information on strategies which may help with the learning process. As this training framework becomes fully operational, information will be made available on the EA website.

www.eani.org.uk

6.4 The Statutory Assessment Process and EHE

A parent who is educating their child at home may also ask EA to carry out a statutory assessment or reassessment of their child’s special educational needs. EA will consider this request within the same statutory timescales and in the same way as for all other requests.

Where the statutory assessment process has been undertaken and a proposed statement of special educational need is being issued and EA is satisfied that the child’s parent has made suitable arrangements for the special educational provision specified in the proposed statement to be made for the child, it does not have to name a school in part 4 of the child’s statement. There should be ongoing discussion between EA and the parents, and rather than the name of the school, Part 4 of the statement should state the type of school or institution which EA considers appropriate and, if appropriate, that “parents have made their own suitable arrangements as required under Article 45 of the Education and Libraries (NI) Order 1986”.

In the case of a child with a statement of special educational needs, the EA will maintain this statement and shall arrange that the special educational provision indicated in the statement is made for the child unless the child's parent has made suitable arrangements (Article 16 (5) of the Education (NI) Order 1996). Parents are required to provide an efficient, full-time education suitable to the age, ability and aptitude and to the special educational needs the child may have. In some cases a combination of provision by parents and EA may best meet the child's needs. While a statement of special educational need is in place, the statement should be reviewed annually. In some circumstances the child's special educational needs identified in the statement will have been related to the school setting and the child's needs may readily be met at home by the parents without EA involvement. It may be appropriate, once it is established that a child's special needs are being met without any additional support from EA, to consider ceasing to maintain the statement. This may be done at the annual review or at any other time.

If the EA has a concern after due consideration that the parents are not making educational arrangements suitable to the child's age, ability and aptitude and to the special educational needs as required under Article 45 of the Education and Libraries (NI) Order 1986, then EA will follow the processes outlined in Part 11 of this document and may conclude that their obligation to arrange the provision in the statement must be met.

6.5 Future Legislation

'It should be noted that the Special Educational Needs and Disability (Northern Ireland) Act 2016, will ensure the views of the child are considered as part of the discussion about their needs; that every child with SEN has a personal learning plan; and that there is increased cooperation between education and health authorities in identifying, assessing and providing services to children with SEN. Furthermore, when the Act is implemented it will introduce new and separate rights of appeal to the Special Education Needs and Disability Tribunal (SENDIST) to children over the age of 16. These guidelines will need to be amended in light of new Regulations and a new Code of Practice being issued by the Department of Education to give effect to this legislation.'



Part 7: Safeguarding

7.1 Responding to a Safeguarding Concern

The EA will respond to safeguarding¹ concerns in the same way as they would for any child attending school. Where an EA officer has a safeguarding concern which has come to light in the course of engagement with children and families or otherwise, they should follow EA's Child Protection Policy which is in line with SBNI Regional Core Child Protection Policy & Procedures <https://www.proceduresonline.com/sbni/>

The EA's Child Protection Service for Schools (CPSS) can provide safeguarding advice to EA Officers.

EA staff who work within this area of elective home education will receive appropriate training in safeguarding and child protection.

7.2 Information on Vetting and Local Information for Parents

Home educating parents may occasionally employ others to assist with aspects of the education of their children or engage with programmes delivered outside of the home. If a home educating parent has a child protection concern, they can seek advice from their local Health & Social Care Trust Gateway Team (contact details can be found in Appendix 1). Parents may wish to ascertain if all appropriate checks have been carried out in relation to the adults who may be supporting their children. Information can be found at www.nidirect.gov.uk/campaigns/accessni-criminal-record-checks

7.3 Where to Find Additional Information

Home educated children and their parents need access to the same training and awareness raising that is available to children and young people attending school. Information regarding training and awareness raising can be found by accessing the EA website ehe@eani.org.uk and the Safeguarding Board for Northern Ireland website <http://www.safeguardingni.org/>

Part 8: Family Support

8.1 Information for Families

From time to time, families may experience difficulties for which they may seek support from others outside of the family circle, for example bereavement, physical or mental health issues, financial advice. The EHE Team welcomes any contact to seek advice and support and can also signpost families to local support services.

Furthermore the Family Support website is a useful resource providing helpful contact information for a wide variety of services across Northern Ireland.

The web address is www.familysupportni.gov.uk

¹ *Safeguarding is an overarching term that includes child protection which is an activity to protect children and young people from physical, sexual and emotional abuse, neglect and exploitation.*

Part 9: Community Use of Schools

9.1 Using School Facilities

Some home educating parents may wish to avail of facilities within local schools e.g. Sports Pitches, School Halls, Science labs. The Department of Education seeks to encourage schools to make their facilities available to local communities outside of normal school hours, however decisions relating to the use of school premises ultimately rest with a School's Board of Governors.

If home educating parents (on an individual or group basis) wish to make use of the facilities within a local school (and subject to the Board of Governors agreement) they should be aware that all costs associated with such use must be borne by the party wishing to avail of the premises - this includes insurance costs. In any arrangement permitting community use of schools, responsibility for the management, control and supervision of the activities being conducted should rest firmly with the user groups. In order to protect the interests of the user groups and the school in respect of public liability claims, it is normal practice for user groups to hold commercial insurance (current level of Public Liability Insurance required is set at £10m at 2018). More information in this regard is available on the Department of Education website and the Guidance Toolkit for Schools may be of interest to Home Educating Parents. <https://www.education-ni.gov.uk/articles/community-use-school-premises>



10.1 Entering Children for Exams

Parents of a child not enrolled in a school may wish to enter their child for public examinations and may wish to ask an approved centre (or school) if it is prepared to enter and let their child sit examinations on its premises.

In all cases parents should investigate thoroughly whether, and how easily, their child will be able to access examinations. It is the responsibility of parents to identify an approved centre (or school) which is offering the specific type of qualification they wish their child to sit and to check with that approved centre (or school) if they are prepared to let a child that is not enrolled in their centre (or school) to sit such an examination on its premises.

An open qualifications market operates in Northern Ireland and schools may wish to offer General Certificate of Secondary Education (GCSE) from Assessment & Qualifications Alliance (AQA), Oxford, Cambridge & RSA Examinations (OCR), Pearson, Eduqas and Council for the Curriculum, Examinations and Assessment (CCEA) for all GCSE subjects, with the exception of GCSE English Language, where there is a requirement that the speaking and listening component must contribute to the overall grade for the subject. In practice, this means choosing the GCSE English Language specification offered by the Council for the Curriculum, Examinations and Assessment (CCEA). This may make it difficult to find a centre which is willing to enter independent candidates for GCSE English Language.

10.2 IGCSE Examinations

The Cambridge International General Certificate of Education (IGCSE) examination was originally developed for private international schools offering English-language education outside of the UK. Over time the qualification has become popular with independent schools in the UK and more recently the Office of Qualifications and Examinations Regulation are now allowing use of selected IGCSE subjects in state-funded schools.

Home educators both in the UK and abroad have been choosing IGCSE examinations as they do not have a continuous assessment requirement. IGCSE courses differ in subject content and examination from GCSE courses and as there is no continuous assessment IGCSE courses have a more rigorous terminal examination. Students completing IGCSE courses are able to progress to further study such as A-level and BTEC Level 3 courses.

Cambridge IGCSE examinations are offered through the main examination boards in the UK and there is a fee for each examination taken. The IGCSE examinations are conducted in February, May and October each year and results released in May, August and January respectively. IGCSE examinations are graded in the same way as GCSE examinations (A*-U). Resources to support students taking IGCSE courses are available commercially in various formats.

10.3 Exam Concessions

Where a home educating parent would like their child to sit public examinations, concessions may be considered as appropriate, for a child with a special educational need. The Joint Council for Qualifications Regulations and Guidance can advise in relation to access arrangements and reasonable adjustments. Guidance can be found at www.jcq.org.uk

11.1 The Careers Service

The Careers Service provides a free and impartial careers information, advice and guidance service to clients of all ages and abilities throughout Northern Ireland. Professionally qualified careers advisers can help young people make informed choices about their future career paths. Careers advisers can also help parents/guardians with their child's future career plans. Whether your child is at school or educated at home the Careers Service can help with their career decision making and planning.

Careers guidance could help your child to:

- know more about their career options;
- become aware of the skills required to achieve their career goal(s) and be better prepared to achieve them;
- feel more confident about making decisions regarding their career; and
- understand the importance of considering current and future job opportunities in career decision making.

11.2 The Careers Guidance Interview

A careers guidance interview is an impartial one-to-one meeting with a professionally qualified careers adviser. The careers adviser will help your child explore their interests, likes and dislikes, influences, barriers, work experience and any careers ideas they may already have. There will also be an opportunity to ask questions. If your child is worried that they have no firm career plans the careers adviser has a range of resources to help generate career ideas. A careers action plan will be drawn up to help your child move towards a decision and will address the following steps:

- What stage your child is currently at;
- Where your child wants to be;
- How will they get there;
- Who can help them achieve their goal; and
- Next steps.

After the careers guidance interview it is important to ask your child about their action plan and encourage them to talk it through with you as it will help you see the type of support you will need to offer.

11.3 If your child has a learning and/or physical disability the Careers Service can help?

Careers advisers are trained to tailor support to meet individual needs and abilities. If your child has a learning and/or physical disability the Careers Service can help you and your child plan for the future by outlining appropriate options for education, training and employment and reviewing progress regularly.

11.4 Resources

The Careers Service has developed *A Guide for Parents - How to help your child with their future careers* plans which aims to assist parents/guardians to support their children in future planning and to provide information on the different aspects of careers information, advice and guidance.

A Parents' section has also been developed on the Careers Service website on NI Direct <https://www.nidirect.gov.uk/sites/default/files/publications/Careers-Service-parental-guide.pdf>.

Contact information for the Careers Service can be found in Appendix 1



Which Career for Me?

Part 12: Education Authority (EA) process when there is a concern

12.1 Introduction to the EA Process

These guidelines have been developed to provide parents, schools and other professionals with helpful information regarding elective home education and the guiding principles outlined in part 1 of this document are at the core of our work when engaging with home educating families.

There will be times when a concern about the suitability of a child's education is raised with the EA and the EHE team is keen to work in partnership with parents to resolve any concerns there may be regarding the suitability of the education being provided by a parent.

Concerns about the suitability of a child's education can come from a number of sources such as, education professionals, health and social care professionals and also private individuals.

Where a concern is raised about the suitability of the home education being provided to a child, the EA has a duty to make appropriate enquiries. The EHE Team will aim to do this in a constructive way and in collaboration with parents taking into account the views of the child, where expressed and will offer opportunities for children to express their views. The best interests of the child will always be the most important consideration.

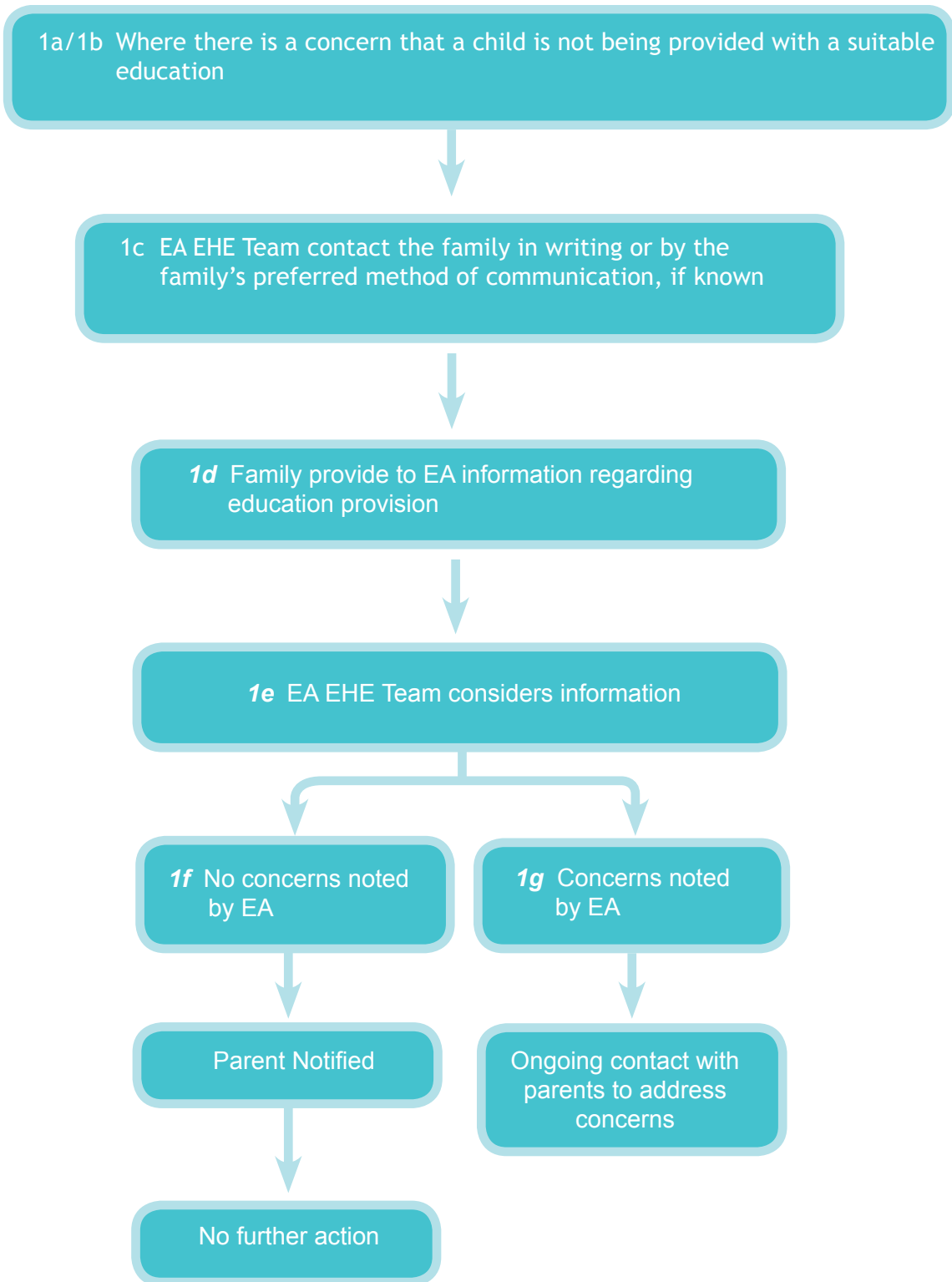
The EA has a three step model which is outlined in this section and it is envisaged that it will be possible to resolve most concerns at the early stages of this process (Step 1 and Step 2), where parents and EA are able to engage in a constructive dialogue and exchange of information.

Where this is not possible it may be necessary to proceed to Step 3 - The Statutory Process to support parents in meeting their duty to ensure that the education provision for the child is suitable to his/her needs.

It should be noted that the EA three step process is not a linear process where parents and families must progress through each of the three steps rather the process can stop at any point or a parent/family can move back through the steps. EA recognises that it can be stressful for a family to be asked to address concerns, and the EA seeks to do everything possible to make the process clear, transparent, and supportive. Most concerns are satisfactorily addressed at the earliest stage, and at all stages the Education Authority will seek to work with parents to support them in providing a suitable education.

The three step model is explained in the subsequent flowcharts and supporting explanatory note.

STEP 1: Exploring a Concern - With Parents



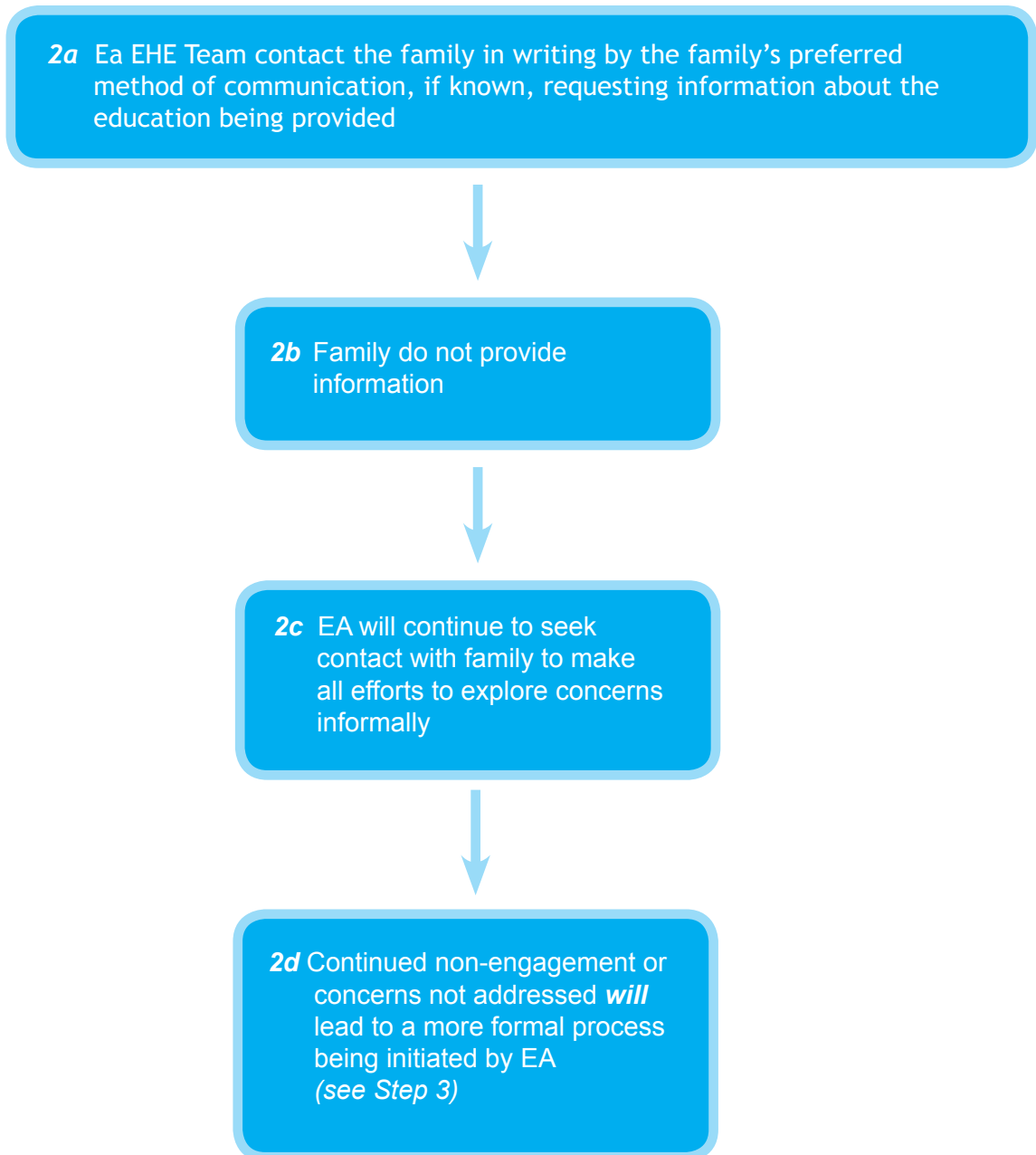
Where it appears that there is educational neglect and parents are not meeting their duty to provide a suitable education then the Education Authority must issue a "School Attendance Notice" via the Education Welfare Service (See Appendix 3) without delay and begin Step 3 of the EA process

Step 1 explained...

- 1a** Where there is a concern as to the suitability of a home-educated child's education, the Education Authority will first address the situation informally, by asking parents for further information about the education they are providing. This is not the same as "satisfying" the Education Authority under regulation 14 of the Registration and Attendance of Pupils Regulations (Northern Ireland) 1974 or as a formal "School Attendance Notice" under Part 1 of Schedule 13 to the Education and Libraries (NI) Order 1986, and is not necessarily a precursor to further action.
- 1b** Parents are not legally required to respond to an informal request. However, it would be sensible to do so, since if we are unable to meet our duty to respond to the concern we are obliged to consider issuing a formal notice, or proceed to the issuing of a School Attendance Order (SAO).
- 1c** EA home education team will make first contact in writing where possible, or use the form of contact that is the family's recorded preference. The purpose of this contact is to detail the concerns that have prompted the contact with the home educating family, explain that this is an informal approach and advise as to how the parent can respond to the enquiry. Information about their educational provision can be provided in any format that the family prefers. The Education Authority may impose a time limit, normally 14 days and every effort will be made to ensure that both the parents and the named officer with responsibility for elective home education in the Education Authority are available throughout this period. Where the informal contact is made verbally (in person or by telephone) the Education Authority will forward notes within 14 days outlining the substance of the discussion in writing, both for the family's records and to allow for any clarifications or corrections.
- 1d** Parents can share information with EA using any format including those noted in Part 5 of this document.
- 1e** Where information is provided by the family, it will be acknowledged and considered by the EHE Team. Where the parent prefers to address concerns verbally, the Education Authority will provide a written record of the discussion or meeting, including any concerns raised and action points agreed.
A copy of this record will be sent to the parents within 14 days.
- 1f** If the information which was provided on an informal basis, reassures EA that there is nothing to substantiate the concern as to the suitability of a home-educated child's education, this fact will be communicated to the family promptly in writing.
- 1g** If the information supplied does not reassure EA that a suitable education is being provided (i.e. that concerns remain), further information and clarification will be sought, and an informal dialogue will be entered into with the family. The family will be given reasonable opportunity to address any misunderstandings or provide additional information before any further action is considered. Further evidence should be considered with reference to the duty given to parents under Article 45 of the Education and Libraries (NI) Order 1986.
 - Note: Where an issue is raised with the EA that is a potential concern, but appears to be frivolous based on the professional judgement of the EA EHE Team, the issue will be recorded and no further action taken at that point.

STEP 2: Exploring a Concern - when a parent does not respond to an inquiry from EA

Step 2 continues from Step 1c where initial contact has been made with a family by EA

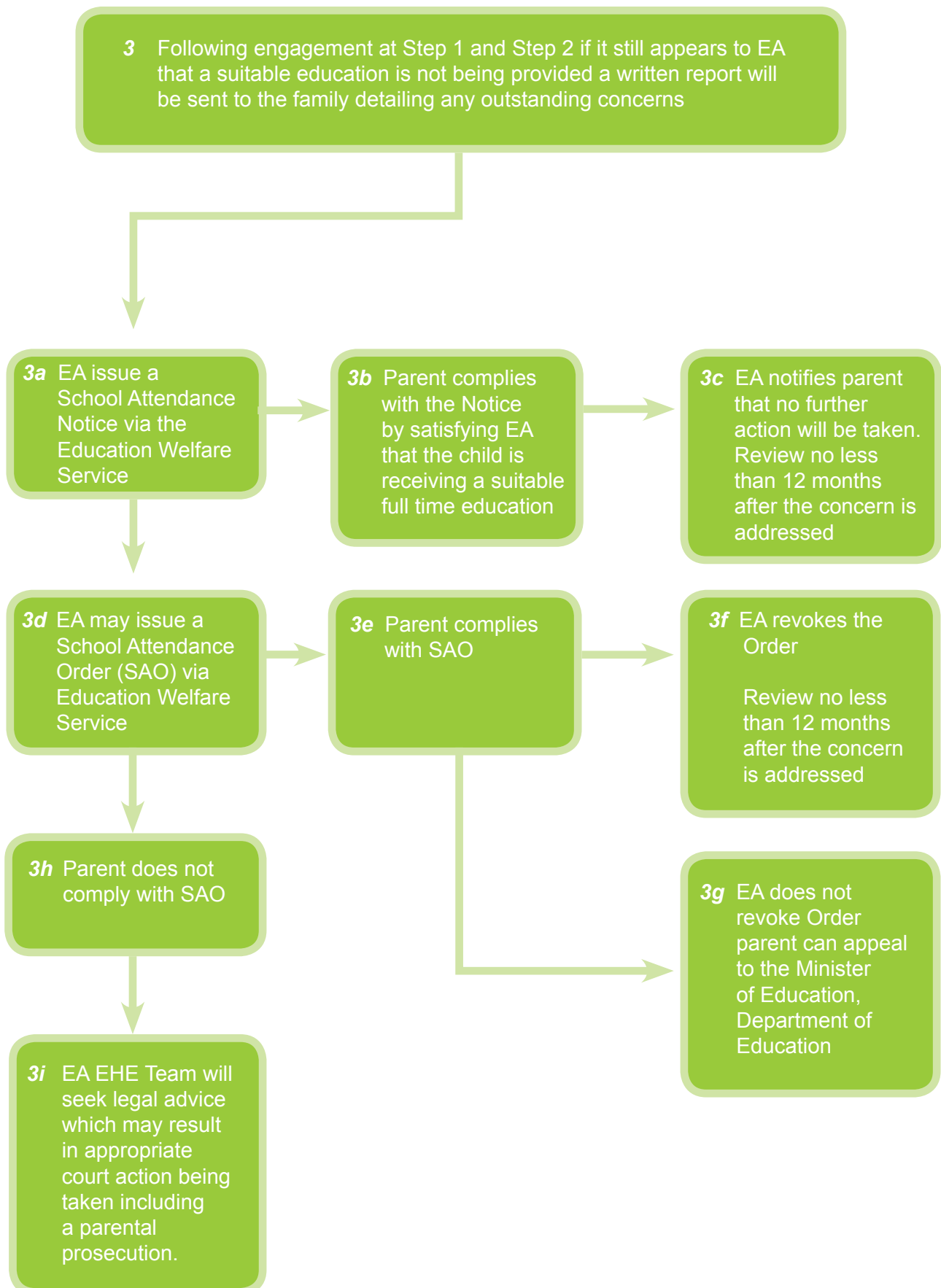


Where it appears that there is educational neglect and parents are not meeting their duty to provide a suitable education then the Education Authority must issue a "School Attendance Notice" via the Education Welfare Service (See Appendix 3) without delay and begin Step 3 of the EA process

Step 2 explained...

- 2a** Please refer to 1a & 1b in Step 1.
- 2b** Where there has been initial contact made by EA as per Step 1 (1c) and no information is received from parents after a reasonable period, attempts will be made to make contact again in writing, and by other available methods such as telephone call, e-mail or a visit to the home. Initial difficulty in making contact is not evidence in itself that the education being provided is unsatisfactory.
- 2c** However, if the parent refuses contact by all methods and/or refuses to provide information on their educational provision within a reasonable period, normally 14 days. Case law suggests that the Education Authority should consider and decide whether it 'appears' that the parent is in breach of their Article 45 duty (See Step 3: Addressing A Concern - The Statutory Process). This means that further proceedings under Schedule 13 should be considered in light of the particular concerns raised and any information that the Education Authority possesses.

STEP 3: Addressing a concern - EA Statutory Process



Step 3 explained...

3 Where it appears to the Education Authority that a suitable education is not being provided, a full written report of the findings will be made. The report, which must be issued to the parents without delay, must clearly state the reasons for the Education Authority's outstanding concerns. The report will detail any elements which have been addressed satisfactorily, as well as the reasons for concluding that the provision is unsuitable (along with clear explanations for each). At this point the Education Authority will consider issuing a formal School Attendance Notice to the parents (under part 1 of Schedule 13 to the Education and Libraries (NI) Order 1986) before moving on, if appropriate, to the serving of a School Attendance Order. Alternatively the Education Authority may continue to engage informally with a view to resolving the concerns, depending on the nature and severity of the remaining concerns.

3a Service of a School Attendance Notice via the Education Welfare Service constitutes the start of a formal legal process. The parents should be advised that they are entitled to seek appropriate legal advice. Full details of any concerns will be provided.

In the case of a formal School Attendance Notice the time period allowed for responding must be no less than fourteen days from the date it is served. Every reasonable effort should be made to ensure that both the parents and the named officer with responsibility for elective home education in the Education Authority Region are available throughout this period. For example the time limit should not include school holidays or expire near to school holidays when there may be no appropriate point of contact for parents within the Education Authority.

3b If the parent provides evidence in response to a School Attendance Notice which satisfies the Education Authority that a suitable education is being provided, the parent will be informed in writing promptly that the matter is resolved and no further action will be taken.

3c Regulation 14 of Registration and Attendance of Pupils Regulations (Northern Ireland) 1974 indicates that the Education Authority should not place any further requirements on such parents within a period of twelve months. Thereafter if the same concerns are raised without new evidence, the Education Authority will consider whether it would be proportionate or constructive to re-investigate. The EA will investigate if new evidence becomes available.

3d If a parent on whom a school attendance notice has been served fails to satisfy Education Authority, within the period specified in the notice, that the child is receiving suitable education, and in the opinion of EA it is expedient that the child should attend school, the Authority is required to serve a School Attendance Order on the parent, requiring him/her to cause the child to become a registered pupil at a school named in the order (Schedule 13, paragraph 1 (2) of the 1986 Order).

3e Parent registers their child at school.

3f EA revokes the School Attendance Order and reviews no less than 12 months.

- 3g** If at any time the parent applies to the Education Authority requesting that the order be revoked on the ground that arrangements have been made for the child to receive suitable education otherwise than at school, the Authority shall comply with the request, unless it is of the opinion that no satisfactory arrangements have been made for the education of the child otherwise than at school. If the Education Authority refuses to revoke the Order, parents can refer the matter to the Department of Education. (Schedule 13, paragraph 2 (2) - (4) of the 1986 Order).

- 3h** Where a parent on whom a School Attendance Order has been served fails to comply with the requirements of the Order, the parent shall be guilty of an offence unless he or she proves that he or she is causing the child to receive, otherwise than at school, efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have. (Schedule 13, paragraph 4 (1) of the 1986 Order).

- 3i** The EHE Team will seek legal advice which may result in appropriate court action being taken including a parental prosecution.

Part 13: Data Protection

Operation of these guidelines will fully comply with the General Data Protection Regulations 2016 (effective May 2018) and the Data Protection Act 2018.



APPENDICES

Resources and Supports

Resources and Materials

If you are planning to home educate for a short period you may want to stay close to the Revised Curriculum (NI), but this is only one of many possible approaches. There is a huge amount of information and resources available online and in print about the wide range of different approaches that families take and you may wish to start your research before you decide to home educate.

Some publishers extend school discounts to home educators so it is worth asking.

Whilst resources and materials can be expensive, there is a huge selection of free resources available locally and online, so families on all budgets are capable of home educating effectively. It is generally better not to begin home education by investing in expensive curriculums or resources, but instead to spend time finding your feet and working out what is worth investing in for you.

Supports

New families considering home education are welcome to go along to community organised events organised by other home educators, making this a good way for both parents and children to find out more. Other organisations may also be able to provide you with information or more specialist advice if required.

Organisation	Website
Education Authority EA EHE Team	www.eani.org.uk www.ehe.org.uk
Department of Education	www.education-ni.gov.uk
CCEA - Council for the Curriculum, Examinations and Assessment	www.ccea.org.uk
Children's Law Centre	www.childrenslawcentre.org.uk
NI Children's Commissioner	www.niccy.org
Safeguarding Board for NI	www.safeguardingni.org
Family Support Hubs	www.cypsp.org/family-support-hubs
Family Support website	www.familysupportni.gov.uk
Home Education NI	www.hedni.org
Education Otherwise	www.educationotherwise.org
Public Health Agency	www.publichealth.hscni.net
SENAC	www.senac.co.uk

Accessing Careers Services

- Log on to **www.nidirect.gov.uk/chat-with-a-careers-adviser**
- Phone **0300 200 7820** to speak with an adviser
- Go to **www.nidirect.gov.uk/careers** for details of your nearest office

Safeguarding

If you are concerned about the welfare of a child or young person who is not known to social services you should contact the Social Services Gateway Teams in your local area. These teams are available Monday to Friday from 9.00am-5.00pm except for Public Holidays. Their contact details are noted below:

- | | |
|---------------------------|--------------------|
| • Belfast HSC Trust | Tel: 028 9050 7000 |
| • South Eastern HSC Trust | Tel: 0300 1000 300 |
| • Northern HSC Trust | Tel: 0300 1234 333 |
| • Southern HSC Trust | Tel: 0800 7837 745 |
| • Western HSC Trust | Tel: 028 7131 4090 |

If you are concerned about the welfare of a child or young person and it is an emergency you should contact the Police by dialling 999.

Regional Emergency Social Work Service

For situations that require an emergency out of hours social work response (5pm to 9am Monday to Friday and 24 hours at weekends and public holiday) the contact telephone number is 028 9504 9999

NI Child Sexual Exploitation Helpline Number - 0800 389 1701

Other Useful Information

School Starting Age – A Guide for Parents can be found at www.eani.org.uk

School Absence Recording and SA1 Form

Schools should have a Pupil Attendance Policy and the procedures for recording absence and communicating with parents should be clear. If a school is concerned about a pupil's pattern of attendance a referral should be made to the Education Welfare Service (EWS) for support and the EWS should also be monitoring pupil absences at school level during termly audits which will also identify those pupils who require support.

Since September 2010, parents have had the right to deregistration of their child from school for the purposes of providing elective home education (EHE). Prior to this, young people were required to remain on the register of the school, but were marked with an absence code reflecting that they were being educated other than at school.

There are a number of reasons why a child can be removed from a school register including a move to elective home education.

Parent advises that child is being removed under Regulation 6(2) of The Registration and Attendance of Pupils Regulations (NI) 1974 [No. 78], for example elective home education.

(Department of Education Circular 2017/12) <https://www.education-ni.gov.uk/publications/circular-201812-attendance-guidance-and-absence-recording-by-schools>

Parents should inform the school that they require deregistration for their child in the form of a signed, dated letter addressed to the principal of the school.

The school should remove the young person from the register on the day following the child's last attendance. If required Absence Code 3 'Elective Home Education' should be used on that day.

This code should be used for a registered pupil whose parents/carers have elected to educate at home and have advised the school or EA of the position. This code should be used from the date a parent/carer advises the Principal that they have decided to educate their child at home until the Principal provides a certificate of attendance (Form S.A.1) to the parent/carer, which states the reason for removal as "elective home education". When Form S.A.1 is issued, the pupil can be removed from the General Register and there will no longer be a requirement to record their attendance. A completed copy of this form should be held by the school and a copy forwarded to the respective Education Welfare Service for information and an end date inserted on C2K. Copies of the form S.A.1 can be found in Appendix 2 of these guidelines.

Department of Education Circular 2017/12 <https://www.education-ni.gov.uk/publications/circular-201812-attendance-guidance-and-absence-recording-by-schools>

SCHEDULE

Regulations 6(2), 12, 13 and 15
FORM S.A.1

EDUCATION AUTHORITY

EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1972

Certificate of School Attendance

(To be furnished in the case of a child who is about to be withdrawn from the school)

.....School

THIS IS TO CERTIFY

that.....

residing at

attended the above-named school from to.....

Number of attendances during this period

Class in which enrolled at time of withdrawal.....

Date of birth (as given in General Register)

Cause of withdrawal

Parent's* name

Dates this day of 20

Signed Principal

**The expression "parent" in relation to a child includes a guardian and every person who has actual custody of the child.*

School Attendance Notice

EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1972

School Attendance Notice

EDUCATION AUTHORITY

Address:
.....

To:
.....

As it appears to the Education Authority that you, the parent* of who is a child of compulsory school age, have failed or neglected to perform the duty imposed upon you by the Education and Libraries Order to cause the child to receive efficient full-time education suitable to his age, ability and aptitude, you are hereby required to satisfy the above board within Days from the service of this Notice that the child is receiving suitable full-time education either by regular attendance at a school, the name and address of the school should be given If the child is not in attendance at school, you should state what provision you have made for his/her education.

Signed: Head of Education Welfare Service

Date of signature:

Date of service:

** In this Notice the expression "parent" in relation to the child includes a guardian and every person who has actual custody of the child*

References

Education & Libraries (Northern) Order 1986

Registration and Attendance of Pupils (Regulations) 1974

Attendance Guidance & Absence Recording By Schools Circular Number: 2017/15

Parental Responsibility: Guidance for Schools Circular Number: 1999/17

Home Education Guidelines for Local Authorities (DSCF)

Acknowledgements

The Education Authority would wish to thank the representatives from the following organisations and groups who assisted in the development of these guidelines:

Children's Law Centre

Department of Education

Home Education Northern Ireland (HEDNI)

Safeguarding Board for Northern Ireland

