

2019 Guidance (LA)	2023 Draft (LA)	Changes	Comments
KEY ... from > to + added removed moved to>>/>>from another section, location, re-ordered			
Further information Children’s rights and views	Further information Children’s rights and views		
<p>10.1 The United Kingdom has ratified the United Nations Convention on the Rights of the Child (UNCRC).</p> <p>Article 12 of the UNCRC requires states to provide a right for children to express their views and for due weight to be given to those views, in accordance with the age and maturity of the child.</p>	<p>10.1 The United Nations Convention on the Rights of the Child (UNCRC) is an international agreement that protects the rights of children and provides a child-centred framework for the development of services to children.</p> <p>The UK Government ratified the UNCRC in 1991 and, by doing so, recognises children’s rights to education.</p> <p>Article 12 of the UNCRC requires states to provide a right for children to express their views and for due weight to be given to those views, in accordance with the age and understanding of the</p>	<p>The United Kingdom has ratified the United Nations Convention on the Rights of the Child (UNCRC). > The United Nations Convention on the Rights of the Child (UNCRC)</p> <p>+...is an international agreement that protects the rights of children and provides a child-centred framework for the development of services to children.</p> <p>The UK Government ratified the UNCRC</p> <p>+... in 1991 and, by doing so, recognises children’s rights to</p>	

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<p>This does not give children authority over parents, and a decision to educate a child at home is a matter for parents, in the same way as a decision to send a child to school. If information and views provided by the child cast doubt on whether the education provided is actually suitable in terms of the s.7 criteria (for example, the child indicates that the parent is not providing education suitable to his or her age because the parent does not sufficiently understand the subjects in question) then that opinion might be part of the information leading to a conclusion by the authority that the education is not suitable. However, if the child's attitude to home education is only negative for reasons which are not directly relevant to the s.7 criteria</p>	<p>child. This does not give children authority over parents, and a decision to educate a child at home is a matter for parents, in the same way as a decision to send a child to school. If information and views provided by the child cast doubt on whether the education provided is actually suitable in terms of the 1996 Act s.7 criteria (for example, the child indicates that the parent is not providing suitable education because the parent does not sufficiently understand the subjects in question) then that opinion might be part of the information leading to a conclusion by the authority that the education is not suitable. However, if the child's attitude to EHE is only negative for reasons which are not directly relevant to the s.7 criteria (for example,</p>	<p>education.</p> <p>+...1996 Act</p> <p>...education suitable to his or her age > suitable education</p> <p>home education > EHE</p>	

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<p>(for example, a child’s preference for a change from the home environment during the school day) then it should not bear on the authority’s conclusions as to suitability. Nonetheless, if it is clear to the local authority that a child does not wish to be educated at home although the education provided meets the s.7 requirement and there are no safeguarding concerns, it should seek to discuss the reasons for this with the parents and encourage them to consider whether home education is ultimately likely to be successful if their child is unhappy to be educated in this way.</p>	<p>a child’s preference for a change from the home environment during the school day) then it should not bear on the authority’s conclusions as to suitability. Nonetheless, if it is clear to the local authority that a child does not wish to be educated at home although the education provided meets the s.7 requirement and there are no safeguarding concerns, it should seek to discuss the reasons for this with the parents and child (if the parents agree) and encourage them to consider whether EHE is ultimately likely to be successful if their child is unhappy to be educated in this way.</p>	<p>+ and child (if the parents agree) home education > EHE</p>	
<p>10.2 Section 17(4A) of the Children Act 1989 puts a duty on local authorities to, so far as reasonably practicable,</p>	<p>10.2 Section 17(4A) of the Children Act 1989 puts a duty on local authorities to, so far as reasonably practicable,</p>		

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<p>take into account a child's wishes and feelings with regard to the provision of services for a child in need. However, s.17(4A) does not extend local authorities' functions. It does not, for example, place an obligation on local authorities to ascertain the child's wishes about elective home education, as that is not a service provided by the local authority.</p> <p>If a young person has an EHC plan, however, then there is a duty on the local authority to consult with the young person about his or her wishes as to education, including any home education currently provided.</p>	<p>take into account a child's wishes and feelings with regard to the provision of services for a child in need. However, s.17(4A) does not extend local authorities' functions. For example, no obligation is placed on local authorities by that provision to ascertain the child's wishes about EHE, as that is not a service provided by the local authority.</p> <p>Local authorities, in the exercising of their functions under Part 3 of the Children and Families Act 2014, in the case of a child or young person, have a duty to have regard to the views, wishes and feelings of the child/young person and their parents.</p>	<p>(It does not)...place an obligation on local authorities > no obligation is placed on local authorities by that provision</p> <p>If a young person has an EHC plan, however, then there is a duty on the local authority > Local authorities, in the exercising of their functions under Part 3 of the Children and Families Act 2014, in the case of a child or young person, have a duty</p> <p>...to consult with the young person about his or her wishes as to education, > to</p>	

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		have regard to the views, wishes and feelings of the child/young person and their parents.	
Disputes between parents	Disputes between parents		
<p>10.3 In some cases two parents (usually divorced or separated, but both having parental responsibility) may disagree as to whether home education is desirable, or at least is being provided properly. The local authority should do its best to obtain full details of who has parental responsibility in such cases. The parent with whom the child lives for most of the time, is normally in effective control of the education provided and whether the child attends school. However that can be subject to a specific issue order made by the</p>	<p>10.3 In some cases, two parents (usually divorced or separated, but both having parental responsibility) may disagree as to whether EHE is desirable, or at least is being provided properly. The local authority should do its best to obtain full details of who has parental responsibility in such cases. The parent with whom the child lives for most of the time is normally in effective control of the education provided and whether the child attends school (although that can be subject to a specific issue order made by the Family Court). If the local authority believes that the</p>	<p>However >...(although</p>	

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<p>Family Court. If the local authority believes that the education being provided in the home in these circumstances is not suitable, it should take action and keep both parents informed of what is happening, unless there is a specific reason (usually arising from safeguarding considerations) to limit this information for one parent.</p>	<p>education being provided in the home in these circumstances is not suitable, it should act and keep both parents informed of what is happening, unless there is a specific reason (usually arising from safeguarding considerations, including instances of domestic abuse) to limit this information to one parent.</p>	<p>take action > act</p> <p>+... including instances of domestic abuse</p>	
<p>10.4 If there is no relevant order by the Family Court, the parent who does not agree with the provision of home education may succeed in getting a child's name entered onto the register of a school. If the child then does not attend that school, both parents may be committing an offence. This situation can arise because the law of</p>	<p>10.4 If there is no relevant order by the Family Court, the parent who does not agree with the provision of EHE may succeed in getting a child's name entered onto the register of a school. If the child then does not attend that school, both parents may be committing an offence. This situation can arise because the law of education</p>	<p>...home education > EHE</p>	

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<p>education generally assumes that parents will agree on the education of their child. Clearly however it is desirable for matters to be resolved without recourse to the courts and local authorities should attempt to help parents reach a common view on what is in their child’s best interests, drawing on support from those who know the child - such as staff at any school that he or she attends or has previously attended - although such mediation may not always be possible</p>	<p>generally assumes that parents will agree on the education of their child. Clearly, it is desirable for matters to be resolved without recourse to the courts, and local authorities should encourage parents to reach a common view on what is in their child’s best interests, drawing on support from those who know the child - such as staff at a school that they attend or have previously attended - although such mediation may not always be possible.</p>	<p>attempt to help > encourage</p> <p>he or she > they</p>	
<p>Pressure exerted by schools on parents</p>	<p>Off-rolling</p>		
<p>10.5</p>	<p>10.5 Off-rolling is the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal</p>	<p>+ Off-rolling is the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal</p>	

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<p>Schools should not seek to persuade parents to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record.</p> <p>In the case of exclusion, they must follow the relevant legislation and have regard to the statutory guidance. If the pupil has a poor attendance record, the school and, if appropriate, local authority should seek to address the issues behind the absenteeism and use the other remedies available to them.</p>	<p>is primarily in the interests of the school rather than in the best interests of the pupil. The practice of off-rolling is unacceptable.</p> <p>Schools should never seek to pressure or persuade parents to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record.</p> <p>In the case of exclusion, on disciplinary grounds, state schools must follow the relevant legislation and have regard to the statutory guidance. If the pupil has a poor attendance record, the school and, if appropriate, the local authority should seek to address the issues behind the absenteeism and use the other remedies available to them.</p>	<p>is primarily in the interests of the school rather than in the best interests of the pupil. The practice of off-rolling is unacceptable.</p> <p>Not > never +...pressure or</p> <p>+...on disciplinary grounds</p> <p>...they > state schools</p>	

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	<p>The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, as amended in 2022, now require the local authority to be informed without delay of all school exclusions under those Regulations regardless of the length of the exclusion. Local authorities may wish to check instances where electively home educated children have received multiple suspensions from their previous school(s), that their parents' decision to home educate is not due to pressures or persuasion from the school.</p>	<p>+The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, as amended in 2022, now require the local authority to be informed without delay of all school exclusions under those Regulations regardless of the length of the exclusion. Local authorities may wish to check instances where electively home educated children have received multiple suspensions from their previous school(s), that their parents' decision to home educate is not due to pressures or persuasion from the school.</p>	
<p>10.6 The practice of 'off-rolling' pupils through pressure on parents to withdraw them for home education is thought to</p>	<p>10.6 The practice of 'off-rolling' pupils through pressure on parents to withdraw them for EHE is thought to be a</p>	<p>home education > EHE</p>	

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<p>be a significant contributor to the increase in numbers of home educated children, particularly those aged 14-16, although information on the practice is difficult to obtain. In such cases it is possible that the parent will be unable to provide proper home education, even if willing to attempt this.</p> <p>Local authorities should seek to reach agreements through schools forums which discourage pressure on parents to educate children at home, and address this issue directly in discussion with relevant schools.</p> <p>Local authorities should also consider informing Ofsted of schools where off-rolling appears to be happening on a significant scale so that this can be looked into at the school's next inspection.</p>	<p>contributor to the increase in numbers of home educated children, particularly those aged 14-16.</p> <p>Local authorities should seek to reach agreements through schools' forums which discourage pressure on parents to educate children at home, and address this issue directly in discussion with relevant schools.</p> <p>Local authorities should inform Ofsted of schools where off-rolling appears to be happening so that this can be looked into at the school's next inspection.</p>		

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<p>Flexi-schooling, and college attendance</p>	<p>Flexi-schooling, and college attendance</p>		
<p>10.7 Although most children educated at home have all the provision made at home, or alternatively partly at home and partly in other ways such as attendance at privately-run part-time tuition settings, it is not essential that this be so. Some children who are educated at home most of the time are also registered at school and attend school for part of the week - perhaps one day a week. The purpose of this is usually to ensure the provision in specific subjects is satisfactory, although it can also help in other ways such as socialisation. If a child is of compulsory school age he or she must, overall, be receiving full-time education even if components of it are part-time.</p>	<p>10.7 Although most children educated at home have all the provision made at home, or alternatively partly at home and partly in other ways such as attendance at privately-run part-time tuition settings, it is not essential that this be so. Some children who are educated at home most of the time are also registered at school and attend school for part of the week, known as flexi-schooling. Flexi-schooling is not considered EHE as children remain on a school roll. The purpose of this is usually to ensure that the provision in specific subjects is satisfactory, although it can also help in other ways such as socialisation. If a child is of compulsory school age they</p>	<p>+ ...known as flexi-schooling. +Flexi-schooling is not considered EHE as children remain on a school roll.</p>	

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	<p>must, overall, be receiving full-time education even if components of it are part-time.</p>		
<p>10.8 Schools are not obliged to accept such arrangements if requested by parents.</p> <p>If they do, then time spent by children being educated at home should be authorised as absence in the usual way and marked in attendance registers accordingly.</p> <p>It is not appropriate to mark this time as ‘approved off-site activity’ as the school has no supervisory role in the child’s education at such times and also has no responsibility for the welfare of the child while he or she is at home.</p> <p>The department does not propose to institute a new attendance code specific to</p>	<p>10.8 Schools are not obliged to accept such arrangements if requested by parents.</p> <p>If they do, children should be given leave of absence by the school in the usual way for any periods when it has been agreed they will be educated at home.</p> <p>It is not appropriate to mark this time as ‘approved off-site activity’ as the school has no supervisory role in the child’s education at such times and also has no responsibility for the welfare of the child while they are at home.</p>	<p>then time spent by children being educated at home should be authorised as absence in the usual way and marked in attendance registers accordingly. > children should be given leave of absence by the school in the usual way for any periods when it has been agreed they will be educated at home.</p> <p>...he or she is > they are</p>	

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<p>flexi-schooling. Some schools have expressed concern that such absence may have a detrimental effect for the purpose of Ofsted inspection, but this is not the case; some schools with significant flexi-schooling numbers have had good outcomes from Ofsted inspections. Schools which have flexi-schooled pupils should be ready to discuss with Ofsted inspectors the arrangements they have in place to deal with the requirements caused by such pupils. Schools are held to account through inspection for the performance of pupils, and that will include any who attend the school as part of a programme of flexi-schooling.</p>	<p>Schools which have flexi-schooled pupils should be ready to discuss with Ofsted inspectors the arrangements they have in place to deal with the requirements caused by such pupils. Schools are held to account through inspection for the performance of pupils, and that will include any who attend the school as part of a programme of flexi-schooling.</p> <p>Whilst the parent will have responsibility for the child's welfare when at home, and any education provider who is teaching the child at the time</p>		

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	<p>(at home or elsewhere) will have a duty of care, it's important for local authorities to be reminded that their duties in relation to the safety and welfare of children apply to all children in their areas, including those who are flexi-schooled. It is good practice for schools to inform local authorities on instances of flexi-schooling so that they can be aware in the context of their broader education and safeguarding responsibilities.</p>	<p>+ Whilst the parent will have responsibility for the child's welfare when at home, and any education provider who is teaching the child at the time (at home or elsewhere) will have a duty of care, it's important for local authorities to be reminded that their duties in relation to the safety and welfare of children apply to all children in their areas, including those who are flexi-schooled. It is good practice for schools to inform local authorities on instances of flexi-schooling so that they can be aware in the context of their broader education and safeguarding responsibilities.</p>	
10.9 Another form of provision available to home	10.9 Another form of provision available to home		

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<p>educated children aged 14-16 is part-time attendance at further education colleges, sixth form colleges and 16-19 academies or free schools. Again, this is normally to help with specific subjects and/or socialisation. When children who are educated at home attend such college settings part-time then the provision made should be taken into account by the local authority in deciding whether the education provided as a whole for the child meets the s.7 requirement.</p>	<p>educated children, aged 14-16, is part-time attendance at further education colleges, sixth form colleges and 16-19 academies. Again, this is normally to help with specific subjects and/or socialisation. When children who are educated at home attend such college settings part-time, then the provision made should be considered by the local authority in deciding whether the education provided, as a whole, for the child meets the s.7 requirement.</p>	<p>taken into account > considered</p>	
<p>10.10 Moved to 10.11 Moved from 10.21 16 to 19 bursary fund The 16 to 19 bursary fund is not payable to young people whose parents elect to home educate them after the age of 16.</p>	<p>10.10 The 16 to 19 bursary fund is not payable to young people whose parents elect to home educate them after the age of 16.</p>		

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Unregistered settings	Unregistered settings		
<p>10.11 Moved from 10.10 Local authorities may encounter children who are said to be educated at home but in practice spend large amounts of time at various types of unregistered settings. These are distinct from the part-time settings mentioned previously which are genuinely supplementary to home education; the unregistered settings normally provide most if not all the education received by the child. Such settings fall into two main groups:</p> <p>a. unregistered independent schools. These settings often serve specific communities, whose members may not always understand the legal obligations of parents to ensure a full time suitable</p>	<p>10.11 Some home-educating children will receive most, if not all of their education in various types of unregistered settings. Unregistered settings fall into the following groups:</p> <p>a. unregistered independent schools.</p>	<p>Local authorities may encounter children who are said to be educated at home but in practice spend large amounts of time at... the unregistered settings normally provide most if not all the education received by the child.> Some home-educating children will receive most, if not all of their education in...</p>	

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<p>education for their children, although in other cases the settings form a type of alternative provision.</p> <p>As unregistered independent schools meeting the criteria for registration, such settings are operating illegally.</p>	<p>By meeting the criteria for registration yet electing to operate unregistered, such schools are operating illegally.</p> <p>If a setting's education provision is formal and long-term enough to amount to an educational institution; provides full-time education for five or more children of compulsory school age (or at least one child of that age with an EHC plan, or who is 'looked after'); and is not maintained by a local authority or a non-maintained special school, then it is likely to require registration as an independent school.</p>	<p>As unregistered independent schools meeting the criteria for registration, such settings are operating illegally. > By meeting the criteria for registration yet electing to operate unregistered, such schools are operating illegally.</p> <p>+ ..If a setting's education provision is formal and long-term enough to amount to an educational institution; provides full-time education for five or more children of compulsory school age (or at least one child of that age with an EHC plan, or who is 'looked after'); and is not maintained by a local authority or a non-maintained special school, then it is likely to require registration as an</p>	

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<p>The department works with Ofsted and local authorities to have them shut down whenever they are found and, where necessary or appropriate, to bring prosecutions.</p> <p>If investigations into home education of children suggest the existence of an unregistered independent school, the department would be grateful to receive relevant information. It is not illegal for parents to send their children to such settings simply because the setting itself is operating unlawfully; but such a setting may not be meeting the educational</p>	<p>The Department works with Ofsted to identify suspected unregistered independent schools and will always prosecute those responsible for such a setting when it is in the public interest to do so.</p> <p>If investigations into EHE of children suggest the existence of an unregistered independent school, the Department would be grateful to receive relevant information. It is not illegal for parents to send their children to such settings simply because the setting itself is operating unlawfully; but such a setting has not been confirmed as meeting the educational standards required of registered</p>	<p>independent school.</p> <p>...to have them shut down whenever they are found and, where necessary or appropriate, to bring prosecutions >...to identify suspected unregistered independent schools and will always prosecute those responsible for such a setting when it is in the public interest to do so.</p> <p>...may not be meeting > has</p>	

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<p>standards required of registered independent schools and so by sending the child there, a parent may be failing to ensure the child is receiving a suitable education. The local authority must consider whether the education received by the child taken as a whole, at the setting and at home, is suitable, and take action as required. The authority may also need to consider whether any safeguarding issues arise from the child's attendance at the setting if it is not safe;</p> <p>b.</p> <p>yeshivas, which provide religious education to males, some of them still of compulsory school age, in</p>	<p>independent schools and so by sending the child there, a parent may be failing to ensure their child is receiving a suitable education. The local authority must consider whether the education received by the child taken as a whole, at the setting and at home, is suitable, and take action as required. The authority may also need to consider whether any safeguarding issues arise from the child's attendance at the setting, if it is not safe.</p> <p>b. out-of-school education settings operating on a full-time basis.</p> <p>Some of these settings provide solely religious education to children of compulsory school age, in certain minority communities. These settings are not</p>	<p>not been confirmed as meeting</p> <p>+ out-of-school education settings operating on a full-time basis.</p> <p>...yeshivas, which >Some of</p>	

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<p>certain Jewish communities. These settings are not regulated, although the department has recently announced its intention to consult on a requirement that all settings providing a full-time education to children of compulsory school age must register, and that would encompass these settings. The boys aged 13-16 attending yeshivas are normally said to be educated at home for secular subjects.</p> <p>When a local authority is considering whether home education provided is suitable, it should take into</p>	<p>regulated.</p> <p>The children attending these settings are normally said to be educated at home for secular subjects. It is important to note that the Department does not consider the provision of solely religious education as meeting the relevant components to be considered a “suitable education”.</p> <p>When a local authority is considering whether EHE provided is suitable, it should take into consideration the</p>	<p>these settings +...solely to males, some of them still > children</p> <p>Jewish communities. > minority communities.</p> <p>boys aged 13-16 > children</p> <p>...yeshivas > these settings</p> <p>+ It is important to note that the Department does not consider the provision of solely religious education as meeting the relevant components to be considered a “suitable education”.</p>	

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<p>consideration the education provided both at home and at the yeshiva, and also the hours attended at the yeshiva.</p>	<p>education provided both at home and at these out-of-school settings, and also the hours attended and whether in practice there is sufficient time available for ‘secular’ education, including literacy and numeracy.</p> <p>c. alternative provision from unregistered settings arranged by local authorities or schools that don’t meet the requirement to register as an independent school. It includes a wide range of providers, from dedicated tutoring companies and online data providers to bespoke vocational training and therapeutic support, for example mechanics and farms. These settings are not regulated, although responsibility for the alternative provision used rests with the commissioner</p>	<p>...the yeshiva > these out-of-school settings</p> <p>+and whether in practice there is sufficient time available for ‘secular’ education, including literacy and numeracy.</p> <p>+ c. alternative provision from unregistered settings arranged by local authorities or schools that don’t meet the requirement to register as an independent school. It includes a wide range of providers, from dedicated tutoring companies and online data providers to bespoke vocational training and therapeutic support, for</p>	

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	<p>who should undertake checks to ensure that the provision is suitable for the child. In addition to the alternative provision arranged by local authorities and schools, parents can also sometimes arrange education in such settings, which would be described as an out-of-school setting.</p> <p>d. informal EHE groups. In many areas, groups of home educators will come together and share resources such as meeting spaces, learning materials and support, enabling their children to</p>	<p>example mechanics and farms. These settings are not regulated, although responsibility for the alternative provision used rests with the commissioner who should undertake checks to ensure that the provision is suitable for the child. In addition to the alternative provision arranged by local authorities and schools, parents can also sometimes arrange education in such settings, which would be described as an out-of-school setting.</p> <p>+ d. informal EHE groups. In many areas, groups of home educators will come together and share resources such as meeting spaces, learning materials and support, enabling their children to socialise and learn together. They can offer general support, activities, or more</p>	

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	<p>socialise and learn together. They can offer general support, activities, or more formal settings and arrangements, such as forest school learning, exam preparation and tuition. EHE groups can help families access certain subjects that may be too complex or expensive to carry out at home. There is no reason why these groups should not take place, but such groups should consider whether the provision is formal and long-term enough to require registration as an independent school. (Please refer back to paragraph 10.11a for more information on independent schools).</p>	<p>formal settings and arrangements, such as forest school learning, exam preparation and tuition. EHE groups can help families access certain subjects that may be too complex or expensive to carry out at home. There is no reason why these groups should not take place, but such groups should consider whether the provision is formal and long-term enough to require registration as an independent school. (Please refer back to paragraph 10.11a for more information on independent schools).</p>	
<p>10.12 moved to 10.13, 10.14 and □ Moved from 10.11 Home educated children</p>	<p>10.12 EHE children sometimes attend out-of-school education settings which operate</p>	<p>Home educated > EHE + out-of-school education</p>	

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<p>sometimes attend settings which operate part-time with a specific purpose.</p> <p>An example of these would be madrassahs, which teach children Arabic and about the Koran; but this category of setting would also encompass sports clubs and dance/drama schools.</p> <p>Parents may say that such attendance constitutes part of the child's overall home education package; and in assessing whether education is suitable and full-time, local authorities should be prepared to take account of such attendance - although if the attendance is for only a short period each week and is of a specialised nature, it may in practice be marginal to the conclusion as to</p>	<p>part-time with a specific purpose.</p> <p>Examples of these would include tuition or learning centres offering classes or courses to children, for example in English and mathematics skills or languages; sports clubs; and dance/drama schools.</p> <p>Parents may have made arrangements for children to attend these settings as part of the child's overall EHE package; and in assessing whether education is suitable, local authorities should be prepared to take account of such attendance.</p> <p>Local authorities should, therefore, request details related to these settings from parents as part of their initial, informal enquiries about the</p>	<p>An example > Examples</p> <p>...say that such attendance constitutes... > ...have made arrangements for children to attend these settings as...</p> <p>home education > EHE</p> <p>+ Local authorities should, therefore, request details related to these settings from parents as part of their</p>	

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whether the child’s education meets the s.7 requirement.	<p>education provision.</p> <p>We would encourage parents to provide this information, however parents are not legally required to do so. If the attendance is for only a short period each week and is of a specialised nature, it may in practice be marginal to the conclusion as to whether the child’s education meets the s.7 requirement.</p>	<p>initial, informal enquiries about the education provision.</p> <p>+ We would encourage parents to provide this information, however parents are not legally required to do so.</p>	
Safeguarding - use of tutors by parents providing home education	Safeguarding - using tutors and out-of-school settings		
<p>10.13 Moved to 10.15 Moved from 10.12 Parents may choose to employ other people to educate their child, though they themselves will continue to be responsible for the education provided.</p>	<p>10.13 Parents may choose to employ other people to educate their child (such as tutors), or as mentioned above, choose to send their child to out-of-school settings for part of their education arrangements, though they themselves will continue to</p>	<p>+(such as tutors) or as mentioned above, choose to send their child to out-of-school settings for part of their education arrangements,</p>	

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<p>As in all situations where parents themselves employ tutors, the suitability of those tutors in terms of access to children is for the parents to ascertain.</p>	<p>be responsible for the education provided.</p> <p>The suitability of those tutors and settings, in terms of access to children, is for the parents to ascertain.</p> <p>Parents need to make sure that the education their child is receiving is suitable to their age, ability, aptitude and any SEN and should be encouraged to investigate any settings they are thinking of using to make sure of that.</p> <p>Parents should be encouraged to make sure that the settings are safe by referring to the Department’s safeguarding guidance for parents on choosing out-of-school settings for their children, which helps to support parents make fully informed choices when considering out-</p>	<p>Parents need to make sure that the education their child is receiving is suitable to their age, ability, aptitude and any SEN and should be encouraged to investigate any settings they are thinking of using to make sure of that.</p> <p>+ Parents should be encouraged to make sure that the settings are safe by referring to the Department’s safeguarding guidance for parents on choosing out-of-school settings for their children, which helps to support parents make fully</p>	

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	of-school settings (including tutors) for their children, and to identify positive signs and red flags to look out for.	informed choices when considering out-of-school settings (including tutors) for their children, and to identify positive signs and red flags to look out for	
Acknowledging diversity			
<p>10.14 moved to 2.4▶ Moved from 10.12</p> <p>Parents should be advised to satisfy themselves on this point by taking up appropriate references and ensuring that the tutor has a reasonably recent Disclosure and Barring Service (DBS) disclosure certificate. A small number of local authorities choose to assist home-educating parents in this task by undertaking DBS checks</p>	<p>10.14 The above-mentioned out-of-school settings guidance recommends a number of steps that parents can take to help satisfy themselves on the safety of the people they are employing or settings they are using as part of their child’s education, including taking up appropriate references and ensuring that the tutor, or those providing tuition to their child, has a recent Disclosure and Barring Service (DBS) disclosure certificate. A small number of</p>	<p>+ The above-mentioned out-of-school settings guidance recommends a number of steps that parents can take</p> <p>+ help</p> <p>this point > the safety of the people they are employing or settings they are using as part of their child’s education,</p> <p>...by > including</p> <p>+ or those providing tuition to their child,</p>	

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<p>free of charge on independent home tutors, and the DfE endorses this helpful practice while recognising that for many local authorities with large numbers of home-educated children living in their areas, it may not be practicable to do this.</p>	<p>local authorities choose to assist home-educating parents in this task by undertaking DBS checks free of charge on independent home tutors, and the DfE endorses this helpful practice whilst recognising that it may not be practicable for all local authorities to do this.</p>	<p>...while > whilst</p> <p>...for many local authorities with large numbers of home-educated children living in their areas, it may not be practicable > it may not be practicable for all local authorities</p>	
<p>10.15 moved to 2.6▶ Moved from 10.13</p> <p>Tutors employed by a local authority, a school, or an agency may also undertake work for home-educating parents, in which case DBS checks ought to have been made already and parents should confirm whether this is so with the body supplying the tutor.</p>	<p>10.15 Tutors employed by a local authority, a school, or an agency may also undertake work for home-educating parents, in which case DBS checks ought to have been made already.</p>		
<p>Support for home educators</p>	<p>Support for home educators</p>		
<p>10.16 Moved to 4.6▶ Moved from 10.17</p>	<p>10.16 When parents choose to home educate their children</p>		

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<p>When parents choose to home educate their children they assume financial responsibility for their children's education. This, and the time involved in educating a child properly at home, form an onerous challenge for many parents.</p>	<p>they assume financial responsibility for their children's education, including for examinations. This, and the time involved in educating a child properly at home, form an onerous challenge for many parents.</p>	<p>+ including for examinations.</p>	
<p>10.17 Moved to 10.16 Moved from 10.18 Local authorities do not receive funding to support home-educating families (except in relation to high needs SEN as described above), and the level and type of support will therefore vary between one local authority and another.</p>	<p>10.17 Local authorities do not receive specific funding to support home-educating families although an authority's duties and powers under the Children and Families Act 2014 may involve support for such families with children who have SEN, which can be funded from the authority's high needs budget. The level and type of support will therefore vary between one local authority and another.</p> <p>The Department recommends that all local authorities</p>	<p>...(except in relation to high needs SEN as described above), > although an authority's duties and powers under the Children and Families Act 2014 may involve support for such families with children who have SEN, which can be funded from the authority's high needs budget.</p>	

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<p>However, DfE recommends that all local authorities should adopt a consistent, reasonable and flexible approach in this respect, particularly where there are minimal resource implications.</p>	<p>should adopt a consistent, reasonable and flexible approach to support, although it is recognised that available resources will affect precisely what types of support may be available from each individual local authority and requests should be considered on a case-by-case basis.</p>	<p>...in this respect, > to support, particularly where there are minimal resource implications. > although it is recognised that available resources will affect precisely what types of support may be available from each individual local authority and requests should be considered on a case-by-case basis.</p>	
<p>Part of 10.18 moved to 10.17 As a minimum, local authorities should provide written information (which is also available through the internet) on elective home education that is clear and accurate and which sets out the legal position.</p>	<p>10.18 As a minimum, local authorities should provide written information (accessible online) on EHE that is clear and accurate. Some local authorities may be</p>	<p>through the internet > accessible online elective home education > EHE</p>	

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<p>Some local authorities may be able to offer additional support to home-educating parents, but this will vary depending on their resources. Examples of additional support include:</p> <ul style="list-style-type: none"> • provision of a reading or lending library with resources for use with home educated children • free, or discounted, admission into community programmes (including local authority owned community and sports facilities) • access to resource centres (including local school resources where feasible) • National Curriculum materials and curricula offered by other educational institutions • information about educational visits and work experience 	<p>able to offer additional support to home-educating parents, but this will vary depending on their resources. Examples of additional support include:</p> <ul style="list-style-type: none"> • provision of a reading or lending library with resources for use with home educated children • free, or discounted, admission into community programmes (including local authority owned community and sports facilities) • access to resource centres (including local school resources where feasible) • National Curriculum materials and curricula offered by other educational institutions • information about educational visits and work experience • providing assistance with identifying exam centres 		

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<ul style="list-style-type: none"> • providing assistance with identifying exam centres willing to accept external candidates 	willing to accept external candidates		
National Careers Service	National Careers Service		
<p>10.19 The National Careers Service is a free careers service for adults and young people aged 13 and over in England. Advice and guidance can be accessed via the telephone and online. The National Careers Service provides confidential advice and guidance to help children make decisions on learning, training and work opportunities.</p>	<p>10.19 The National Careers Service is a free careers service for adults and young people aged 13 and over in England. Advice and guidance can be accessed via the telephone (0800 100 900) and online. The National Careers Service provides confidential advice and guidance to help children make decisions on learning, training and work opportunities.</p> <p>There are also free careers resources available for young people who are home</p>	<p>+ (0800 100 900)</p>	

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	<p>educated. Further support from the Careers and Enterprise Company is available.</p>	<p>+ There are also free careers resources available for young people who are home educated. Further support from the Careers and Enterprise Company is available.</p>	
<p>Work experience</p>	<p>Work experience</p>		
<p>10.20 Work experience is not a statutory requirement for children. If a work experience placement is secured for a home educated child via arrangements made by the local authority, the employer should contact the local authority's education department or education welfare service to find out if a child permit is required.</p>	<p>10.20 Work experience is not a statutory requirement for children. Although local authorities cannot arrange or inspect work experience in the same way schools do, if a work experience placement is secured for a home educated child via arrangements made by the local authority, the employer may contact the local authority's education department or education welfare service where the employment is based to find out if a child permit is required</p>	<p>+ Although local authorities cannot arrange or inspect work experience in the same way schools do,</p> <p>+ where the employment is based</p>	

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<p>10.21 Moved to 10.10</p>	<p>10.21 The parameters of any work experience to be undertaken should be clearly documented and should not be comparable to child employment.⁴⁸ Similarly, work-placed learning as part of delivery of suitable education should not amount to child employment. Where the child appears to be engaged in employment not permitted by child employment laws, local authorities should discuss any concerns with the employer and parent and, where unresolved, should consider safeguarding referrals. This is the case whether the employment is within a family business or an external company.</p>	<p>+ 10.21 The parameters of any work experience to be undertaken should be clearly documented and should not be comparable to child employment.⁴⁸ Similarly, work-placed learning as part of delivery of suitable education should not amount to child employment. Where the child appears to be engaged in employment not permitted by child employment laws, local authorities should discuss any concerns with the employer and parent and, where unresolved, should consider safeguarding referrals. This is the case whether the employment is within a family business or an external company.</p>	

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<p>Gypsy, Roma and Traveller Children</p>	<p>Gypsy, Roma and Traveller (GRT) Children</p>		
<p>10.22 Local authorities should have an understanding of and be sensitive to the distinct ethos and needs of Gypsy, Roma and Traveller communities.</p> <p>It is important that these families who are educating their children at home are treated in the same way as any other families in that position.</p> <p>Home education should not be regarded as less appropriate than in other</p>	<p>10.22 Local authorities should have an understanding of and be sensitive to the distinct ethos and needs of GRT communities.</p> <p>Where these families are educating their children at home, it is important that they are treated in a comparable way to other families in that position.</p> <p>As mentioned in paragraph 4.7, local authorities are subject to the Public Sector Equality Duty and should ensure that their policy and practice in relation to EHE is consistent with that duty.</p> <p>EHE should not be regarded as less appropriate than in other</p>	<p>Gypsy, Roma and Traveller > GRT</p> <p>It is important that these families who are educating their children at home... > Where these families are educating their children at home, it is important that they...</p> <p>...the same > a comparable...</p> <p>+ As mentioned in paragraph 4.7, local authorities are subject to the Public Sector Equality Duty and should ensure that their policy and practice in relation to EHE is consistent with that duty.</p> <p>Home education > EHE</p>	

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<p>communities.</p> <p>When a Gypsy, Roma and Traveller family with children of school age move into an area, they should be strongly encouraged to contact the local Traveller Education Support Service for advice if one is in place, or the authority's admissions team for help to access local educational settings if school places are desired. Further guidance can be obtained from the DfE's report: Improving the outcomes for Gypsy, Roma and Traveller's pupils. The Advisory Council for the Education of Romany and other Travellers is another source of information.</p>	<p>communities.</p> <p>When a GRT family with compulsory children of school age move into an area, they should be strongly encouraged to contact the local Traveller Education Support Service for advice if one is in place, or the authority's admissions team for help to access local educational settings if school places are desired. Further guidance can be obtained from the DfE's report: Improving the outcomes for Gypsy, Roma and Travellers pupils. The Advisory Council for the Education of Romany and other Travellers is another source of information.</p>	<p>Gypsy, Roma and Traveller > GRT</p>	
<p>Looked-after children</p>	<p>Looked-after children</p>		
<p>10.23 Local authorities acting as corporate parents of</p>	<p>10.23 Local authorities acting as corporate parents of</p>		

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<p>looked-after children should bear in mind that they assume the duties of parents under s.7 of the 1996 Education Act to ensure that the child receives a suitable full time education; and local authorities in whose areas such children are placed by other authorities should take the same steps to ensure that the child is not missing education as they would for any other child resident in their area. It is legally possible for a looked-after child to be educated at home (for example by foster carers) if the local authority as corporate parent decides this is appropriate after discussion with the carers.</p>	<p>looked-after children should bear in mind that they assume the duties of parents under s.7 of the 1996 Act to ensure that the child receives a suitable education; and local authorities in whose areas such children are placed by other authorities should take the same steps to ensure that the child is not missing education as they would for any other child resident in their area. It is legally possible for a looked-after child to be educated at home if the local authority and/or foster parent, as the corporate parent, decides this is appropriate after discussion with the carers.</p>	<p>(for example by foster carers) if the local authority > if the local authority and/or foster parent</p>	

Overview