



**Wigan**   
**Council**

# **Elective Home Education Policy**

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## References and Website addresses

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## 1. Policy Statement

- 1.1 Wigan's Elective Home Education (EHE) policy is shaped by the borough's commitment to ensuring that all children and young people, regardless of age, ability, background, or educational setting, receive an excellent education. This ambition is at the heart of Wigan's Excellence in Education and SEND Strategy, which aligns with the wider Progress with Unity missions focused on creating fair opportunities for all by breaking down barriers to education, health, and wellbeing, and to help every town and neighbourhood flourish through genuine partnership with families and communities. Together, these principles guide our approach to elective home education ensuring that families are supported, children's learning is safeguarded, and every young person has the opportunity to thrive.
- 1.2 Wigan Council recognises and respects the legal right of all parents to educate their children at home in accordance with their own philosophical, cultural, or religious beliefs. We are committed to ensuring that families who choose Elective Home Education (EHE) are well-informed and prepared from the outset, whether they decide not to enrol their child in a school setting or choose to withdraw their child from the school roll.
- 1.3 Under [Section 436A of the Education Act 1996](#), Wigan Council has a statutory duty to ensure that all children of compulsory school age in the borough are receiving a suitable education. This responsibility forms the foundation of the local authority's oversight of EHE.
- 1.4 Throughout this policy, references to the 'Local Authority' or 'LA' refer specifically to Wigan Council in its role as the local education authority.
- 1.5 Throughout this policy, parents should be taken to include all those with parental responsibility, including guardians and care givers. The [Working together to improve school attendance guidance](#), published by the Department for Education (DfE) advises that, the school and/or local authority will need to decide which adult is most appropriate to work with. Generally, parents include:
  - all natural parents, whether they are married or not
  - all those who have parental responsibility for a child or young person
  - those who have day to day responsibility for the child (i.e. lives with and looks after the child)

1.6 For the purposes of this policy, the school at which pupil is currently on roll holds primary responsibility for fulfilling the requirements outlined herein. In cases where a pupil is dual registered or in the process of transitioning between educational settings, responsibility will rest with the school that has had the greatest level of prior involvement with the pupil. Where a child has never registered on roll at a setting the responsibility lies with parents.

## 2. Introduction

2.1 This policy document applies to children of statutory school age whose parents / carers have chosen to educate their children at home. It does not refer to children who are unable to attend school because of illness or exclusion.

2.2 Elective Home Education (EHE) is the term used by the Department for Education (DfE) to describe a parent's decision to educate their child at home rather than through full-time attendance at a school. This applies to children of compulsory school age and is a parental choice, not directed or provided by the local authority.

2.3 EHE is distinct from other forms of education such as home tuition or education provided by the local authority other than at school (EOTAS). Children who are electively home educated are not registered at mainstream, special, or independent schools, academies, free schools, Pupil Referral Units (PRUs), full-time college courses, or children's homes with education provision.

2.4 EHE also differs from flexi-schooling arrangements, where a child remains on the roll of a school and attends part-time, with the headteacher authorising the arrangement and any associated absences. Flexi-schooling is at the discretion of the headteacher and is not considered elective home education.

2.5 This policy sets out Wigan Council's approach to Elective Home Education, including the procedures and responsibilities that enable the local authority to meet its statutory duties in relation to children living in the borough whose parents have chosen to educate them at home.

2.6 As stated in [DFE Guidance, April 2019](#),<sup>3</sup> 'Educating children at home, works well when it is a positive choice and carried out with proper regard for the needs of the child'. We recognise that there are many approaches to educational provision and what may be suitable for one child will not be for another, but all children should be involved in a suitable learning process.

- 2.7 This policy and accompanying procedures seek to build positive relationships with home educators and provide a means to effectively protect the educational and safeguarding interests of children where vulnerabilities are identified.
- 2.8 This document sets out: -
  - Parents' rights and responsibilities if they choose to educate their children at home
  - The responsibilities and statutory duties of the Local Authority and schools in relation to children who are educated at home.
  - Wigan Council procedures in relation to Elective Home Education
- 2.9 This policy will be formally reviewed every two years, or sooner if there are significant changes to relevant legislation, statutory guidance, or national policy.

### **3. The Law & DfE Guidance**

- 3.1 The legal responsibility for a child's education rests with their parents. In England, education is compulsory, but school is not. The law is set out in the European Convention on Human Rights and in the Education Act 1996.
- 3.2 By law children start school in the term following their fifth birthday, but not later than the start of the last term.  
The dates they must start by are:
  - 31 December if their date of birth is between 1 September and 31 December
  - 31 March if their date of birth is between 1 January and 31 August

Compulsory school age continues until the last Friday of June in the school year when they reach the age of sixteen.

Young people need to then comply with the [Raising Participation Age \(RPA\) legislation, 2013](#) and remain in education or training up until the age of eighteen. The increase in age was made by relevant provisions of the [Education and Skills Act 2008](#). This policy covers children of schools age as defined in point 3.2.

3.3 Section 7 of the Education Act, 1996, states that: 'the parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable to a) his age, ability and aptitude and b) any special educational needs he may have either by regular attendance at school or otherwise'

3.4 An "efficient" and "suitable" education is not defined in the Education Act 1996 but has been described in case law (in the case of *R v Secretary of State for Education and Science, ex parte Talmud Torah Machzikei Hadass School Trust 1986*) as an education that 'achieves that which it sets out to achieve' and 'primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later life to adopt some other form of life if he wishes to do so.'

3.5 The DfE Guidance for parents, April 2019, makes a number of points in Section 2.10, 'What is a Suitable Education', including:

- *'Education must be age appropriate, enable the child to make progress according to his or her level of ability and should take account of any specific aptitudes'*
- *'Even if there is no specific link with the National Curriculum or other external curricula, there should be an appropriate minimum standard which is aimed at'*
- *'Education at home should not directly conflict with the Fundamental British Values as defined in government guidance'*
- *'Education may not be suitable (or efficient), even if it is satisfactory in terms of content and teaching, if it is delivered in circumstances which make it difficult to work' e.g. very noisy*
- *'Education may also not be deemed suitable if it leads to excessive isolation from the child's peers, and thus impedes social development'*
- *'It is likely to be much easier for you to show that the education provided is suitable if attention has been paid to the breadth of the curriculum and its content, and the concepts of progress and assessment in relation to your child's ability.'*



## **4. Parental Rights and Responsibilities**

- 4.1 Parents have the legal right to educate their child at home from an early age and may choose not to enrol their child in a school at any point during their compulsory school years. This right may be exercised at any stage up to the end of compulsory school age. Additionally, parents may choose to continue home education beyond the age of 16, supporting their child's participation in education or training until the age of 18. Please note the EHE Team works with children and families of statutory school age children only.
- 4.2 As outlined above at 3.4 every child of compulsory school age should receive a suitable, efficient, full-time education.
- 4.3 If the child is attending a school, then parents must notify the headteacher, preferably in writing, that they are withdrawing their child. They do not have to give a reason nor ask for permission. However, as stated in the DfE Guidance, it would be sensible to do so, both in order to avoid any future misunderstanding about how they plan to fulfil their parental responsibilities and to facilitate access to advice and support. In accordance with The School Attendance ([Pupil Registration\) \(England\) Regulations 2024](#), headteachers are only able to remove the child from the school roll if the following terms are met:
  - Regulation 9 (f) - a parent of the pupil has told the proprietor in writing that the pupil will no longer attend the school after a certain day and will receive education otherwise than at school
- 4.4 The [DfE guidance for parents \(2019\)](#) advises that it is strongly recommended that a parent notify their local authority of the fact that the child is being home educated before they start home education.
- 4.5 For children with Special Educational Needs and Disabilities please see section 11
- 4.6 The local authority must consider the response, if any, to decide whether the child is receiving an education which meets a parent's responsibilities under section 7. If parents make no response at all, then the local authority is entitled to conclude that the child is not receiving a suitable education.

- 4.7 Parents do not need to be qualified teachers to home educate and there is no requirement to teach the National Curriculum, match age-specific standards, observe school hours, days or terms, make detailed lesson plans, give formal lessons or reproduce school type peer group socialisation.
- 4.8 Parents can choose to engage private tutors or other adults to assist them in providing a suitable education, although there is no requirement to do so, and learning may take place in a variety of settings, not just the family home.
- 4.9 It is strongly recommended that parents ensure that they make appropriate checks on any settings that they use, as there may be no external assurance that they comply with basic standards such as vetting of staff and safeguarding children. Similarly, it is recommended that parents ensure that any tutors they employ are qualified and suitable, including whether they have a clear Disclosure & Barring (DBS) Service check.
- 4.10 Many home-educating families choose to do some of the following (this is not an exhaustive list) to demonstrate that the education being provided is suitable:
  - acquire specific qualifications for the task
  - have premises equipped to any particular standard
  - aim for the child to acquire specific qualifications
  - the National Curriculum
  - provide a 'broad and balanced' curriculum
  - make detailed lesson plans in advance
  - give formal lessons
  - mark work done by the child
  - formally assess progress, or set development objectives
  - reproduce school type peer group socialisation
  - match school-based, age-specific standards
- 4.11 In line with government guidance on Elective Home Education, the local authority may reasonably expect that the education being provided includes certain key elements. These may include, but are not limited to:
  - Consistent involvement of parents or other significant carers
  - Recognition of the child's needs, attitudes and aspirations

- Opportunities for the child to be stimulated by their learning experiences
- Access to resources or materials required to provide home education for the child. For example, paper and pens, books and libraries, arts and crafts materials, physical activity and ICT
- The opportunity for appropriate interaction with other children and adults
- Creating an environment that supports learning

4.12 Parents who home educate assume the full financial responsibility for their child's education. This includes the costs of resources, private tuition, courses and public examinations.

4.13 However, children who are Year 10 and above may be able to access part-time college courses as part of their home education and the colleges may be able to claim the costs of course and exam fees from the [Education & Skills Funding Agency](#). These arrangements would be negotiated individually between parents and the college.

## 5. Children's Rights

5.1 The United Kingdom ratified the [United Nations Convention on the Rights of the Child \(UNCRC\) in November 1989](#). This includes key rights such as the right to be safe, the right to an education, the right to express views and have those views given due consideration in matters affecting them.

5.2 Wigan Council is committed to upholding these rights and actively promotes the participation of children and young people's decisions that affect their lives, in line with the [UNCRC and the statutory guidance Listening to and Involving Children and Young People \(January 2014\)](#)

5.3 As part of its responsibilities in relation to Elective Home Education, Wigan Council officers will seek to understand the child's perspective on the education they are receiving. The child's views will be considered when assessing the suitability of the provision.

## 6. School Responsibilities

6.1 Headteachers have a legal duty to notify the local authority when a parent provides written notification of their intention to withdraw their child from the school roll to pursue Elective Home Education. This ensures that the local authority can fulfil its responsibilities in



- 6.2 monitoring and supporting children who are educated otherwise than at school.
- 6.3 The proprietor (Headteacher) of the school must make a return to the local authority for every such pupil. This should include the *ground upon which their name is to be deleted from the admission register. As soon as the ground for deletion is met in relation to that pupil, and in any event no later than deleting the pupil's name from the register*'.
- 6.4 The referral form is available on Services for Schools.
- 6.5 In line with the statutory guidance [Working Together to Improve School Attendance](#), which clearly states that attendance cannot be backdated, schools are required to notify Wigan Council of any decisions regarding Elective Home Education without delay. Prompt referrals ensure that appropriate oversight and support can be provided from the outset.
- 6.6 If, schools have safeguarding concerns regarding a parent request to home educate, professionals should complete a referral form through the [Children's First Partnership Hub](#). Electing to home educate is not a safeguarding risk on its own and therefore, a school cannot prevent the parent request on this basis. The expectation is that schools will have previously completed an Early Help or referred to the Children First Partnership Hub if they have concerns about a child. However, they will be asked to share with the Local Authority any recent concerns or risks they are aware of about the child that may impact on the suitability of home education.
- 6.7 There is no legal requirement for parents to discuss home education with the school. However, the school must be in receipt of written withdrawal request which is dated in order to process the request. Schools must respond by sharing a copy of this policy to ensure the parent fully understands the responsibility they are taking on.
- 6.8 This is particularly important if it appears that the decision to home education may be related to a dispute with the school e.g. regarding attendance, behaviour or alleged bullying. It would be helpful if the school invited the parents to discuss the decision and take all necessary steps to resolve any issues. Parents' attendance at such a meeting should be entirely voluntary.
- 6.9 Schools must not seek to persuade parents to educate their child at home as a means of avoiding exclusion, resolving concerns with



academic performance or because of poor attendance. This can be seen as illegal off rolling as defined in the [Off Rolling section of DfE Statutory CME Guidance](#). It would be helpful if schools share a copy of this policy and signpost parents to the Wigan Council Website to enable them to make an informed choice.

- 6.10 Where a child is registered at a school as a result of a School Attendance Order (SAO), the parent must first obtain the consent of the Local Authority (LA).
- 6.11 Schools should retain the child's school file and any safeguarding files. Parents can request a copy of the school file to assist with planning their children's education.
- 6.12 If EHE is considered unsuitable, and it is appropriate to do so, the expectation is that the child will return to their former school, either through the Fair Access Protocol (FAP) or through the statutory EHCP (Education, Health & Care Plan) arrangements.

## **7. The Local Authority (LA) Responsibilities**

- 7.1 As outlined above at 4.8 Wigan Council has a duty to establish (so far as it is possible) the identities of children who are not registered pupils at a school and are not receiving suitable education otherwise.
- 7.2 Wigan Council monitors elective home education through informal enquiries on a routine basis. Wigan Council has a legal duty under [section 437\(1\) of the Education Act 1996](#) to intervene if it appears that a parent is not providing a suitable education to the age, ability, aptitude and special educational needs of the child. This section states that:
  - "If it appears to a local authority that a child of compulsory school age in their area is not receiving a suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him (the parent) to satisfy them within the period specified in the notice that the child is receiving such education."
- 7.3 If evidence of a suitable education is not received, the Local Authority may then commence statutory action, including the issuing of a School Attendance Order (SAO), penalty notices and fines.
- 7.4 The Local Authority, in partnership with other agencies, including Social Care and Health, has a statutory duty to safeguard and promote the welfare of all children resident in the borough under



Section 175 (1) of the Education Act 2002 and under the statutory guidance 'Working Together to Safeguard Children'. The Local Authority (LA) monitors trends in Elective Home Education (EHE) within a broader strategic framework and plays a vital role in identifying gaps in local school provision. It also holds schools accountable where there are concerns about the effective management of attendance and behaviour.

## **8. Initial contact and assessment of suitability**

- 8.1 Upon receipt of a notification that a child is being electively home educated, the Local Authority (LA) will update the Education Database, accordingly, amending the child's educational status to EHE and create a record to log all relevant interactions and information.
- 8.2 Parents opting to electively home educate assume full responsibility from the first day their child is removed from a school roll.
- 8.3 A member of the Local Authority Home Education Team will begin to engage with the family, offering support and guidance while gathering sufficient information to take an informed view on the suitability of the education being provided. Evidence may include, but is not limited to:
  - Discussions regarding the parents' educational plans
  - Written reports or correspondence
  - Telephone conversations
  - The child's views
  - Samples of the child's work
  - Details of any educational settings or tuition arrangements
  - A home visit or meeting at an alternative venue
- 8.4 A Local Authority officer will offer a home visit or meeting to establish a constructive and supportive relationship with the family, ensuring that EHE is a positive and informed choice and that the child's educational needs are being met. This also enables parents to demonstrate the suitability of their educational provision. An opportunity to discuss the educational philosophy, daily learning routines, the child's engagement, evidence of progress, and how learning outcomes are monitored.



- 8.5 Wherever possible, Local Authority Officers will seek to meet the child to gather their views, which will contribute to the overall assessment of educational suitability.
- 8.6 Parents are not legally required to respond to enquiries from the Local Authority (LA), accept a visit, or permit officers to meet with their child. However, in line with the [Department for Education \(DfE\) EHE guidance](#), parents are strongly encouraged to consider the implications of non-engagement. The guidance advises that parents should reflect on what is in the best interests of their child and adopt a sensible approach. Where insufficient evidence is provided to demonstrate that a suitable education is being delivered, the LA may be left with no alternative but to determine that the provision does not meet the requirements of [Section 7 of the Education Act 1996](#).
- 8.7 If parents opt to submit written evidence, instead of meeting in person this must be submitted via email to [ehe@wigan.gov.uk](mailto:ehe@wigan.gov.uk) and address the same key areas in sufficient detail to enable the Local Authority to make an informed judgement about the suitability of the education being provided.
- 8.8 If additional information is required after reviewing the written evidence, or if the information provided suggests that the education may not be suitable, efficient or full-time, a letter will be sent to the parents to give them the opportunity to provide further information about the education being provided.
- 8.9 In the absence of a satisfactory response to formal correspondence, Wigan Council will exercise its statutory duties under Section 437(1) of the Education Act 1996 to identify children who are not on a school roll and are not receiving a suitable education. Where it appears that a parent is failing to provide an adequate education, the Local Authority (LA) is required to intervene.
- 8.10 If, after reasonable efforts to engage with the family, the LA is unable to determine that the education being provided is suitable, the child's status may be updated to Children Missing Education (CME). This may also lead to the initiation of a School Attendance Order (SAO), requiring the parent to register the child at a named school.
- 8.11 In such cases, and as part of its statutory responsibilities the Local Authority will work collaboratively with relevant agencies, including Social Care, Health Services, and previous educational providers, to ensure a coordinated response that prioritises the child's welfare and educational entitlement.

- 8.12 Where it is determined that the education provided is unsuitable, the Local Authority will liaise with the child's previous school to request that the child is reinstated on the school roll. It is expected that schools will have clearly communicated with parents prior to withdrawal, outlining the legal responsibilities and expectations associated with EHE. Parents should be made aware that if the education is deemed unsuitable, the child may be required to return to school.
- 8.13 For many families in Wigan, EHE is a suitable and sustained choice. In such cases, the child's details remain on the LA's EHE database, a Local Authority officer will continue to act as the main point of contact, offering ongoing support and guidance as needed.
- 8.14 Where initial case escalation has been necessary due to a lack of communication, but the family subsequently demonstrates that a suitable and efficient education is being provided, the Local Authority (LA) will offer a follow-up review within six months. If the provision continues to meet the required standards, subsequent reviews will typically be conducted on an annual basis, unless otherwise agreed with the family.
- 8.15 Once the education is deemed suitable, the EHE team will request an update as a minimum annually.

## **9.EHE Unsuitable**

- 9.1 Where, following an assessment, the education provided through Elective Home Education (EHE) is deemed unsuitable, Wigan Council, as the Local Authority (LA), has a statutory duty to act in accordance with [Section 437\(1\) of the Education Act 1996](#). It is therefore essential that parents who choose to home educate are fully prepared to deliver a suitable and efficient education from the outset.
- 9.2 If, following informal enquiries, the Local Authority concludes that the education being provided is unsuitable, a Section 437(1) notice also known as a 'Preliminary Notice' will be issued. This marks the transition from informal to formal proceedings and notifies the parent(s) that they have 15 working days to provide evidence that suitable education is being delivered or to make arrangements for the child to be enrolled at a registered school.



- 9.3 Where parents fail to engage with the informal enquiry process such as by not responding to written requests or not attending scheduled home visits the Local Authority may initiate the School Attendance Order process. Parents are therefore strongly encouraged to maintain open communication and respond promptly to all enquiries.
- 9.4 If, after the issuance of a preliminary notice, the parent does not provide sufficient evidence of suitable education or fails to register the child at an appropriate school (typically the child's previous school), the Local Authority will proceed to issue a formal School Attendance Order. This step will only be taken after all reasonable efforts to resolve the matter have been exhausted.
- 9.5 At any stage in the process, parents retain the right to submit evidence that they are now providing a suitable education. If this is accepted by the LA, they may apply to have the SAO revoked.

## **10. Children with Special Educational Needs or Disabilities (SEND)**

- 10.1 Under Sections 7 and 19 of the Education Act 1996, parents have the legal right to educate their children at home, including those with special educational needs and/or disabilities (SEND). This right applies irrespective of whether the child has an Education, Health and Care (EHC) Plan.
- 10.2 Elective Home Education must be suitable to the child's age, ability, aptitude, and any special educational needs they may have. The provision should enable the child to make appropriate progress and meet their individual learning and developmental needs.
- 10.3 Parents seeking to home educate a child registered at a special school must work with the school whilst they obtain the consent of the local authority to remove them from roll. The purpose of giving consent is so that a smooth transition can be achieved for children.
- 10.4 If a child currently on a school roll has an EHC plan and parents are considering Elective Home Education, parents should liaise with school to arrange an EHCP review with the SEND team as soon as possible.

- 10.5 To initiate this process, parents should contact the school who must liaise with the Local Authority.
- 10.6 The SEND Team will work in collaboration with the EHE Team to agree the child can be removed from roll. School must then complete an EHE Referral.
- 10.7 It is important to note that the child is not required to attend school while awaiting the outcome of the consent process however, there is an expectation that education will be accessed as a full-time offer.
- 10.8 Where a child has an Education, Health and Care (EHC) Plan that names a specific school or type of school, and the parents choose to educate the child at home, the local authority is not under a duty to secure the special educational provision outlined in the plan provided it is satisfied that the education being arranged by the parents is suitable. This is in accordance with paragraph 10.32 of the [SEND Code of Practice 2015](#).
- 10.9 In such cases, the local authority may name the type of school it considers appropriate for the child's needs in Section I of the EHC Plan, while also recording that the parents have made their own arrangements under [Section 7 of the Education Act 1996](#).
- 10.10 Parents have the legal right to request an Education, Health and Care (EHC) needs assessment if they believe their child may require special educational provision. This right applies equally to all parents, including those who feel that the SEND support currently provided by a school is insufficient to meet their child's needs. Parents also have the right to appeal decisions related to EHC assessments and plans.
- 10.11 Further information about available services and support for children and young people with SEND can be found in the [Local Offer](#), available on the Wigan Council website.
- 10.12 It is important to note that local authorities do not have a statutory duty under [Section 22 of the Children and Families Act 2014](#) to assess every home-educated child to determine whether they have special educational needs or disabilities. However, the local authority

remains responsible for responding to parental requests for assessment and for ensuring that the needs of children with EHC plans are appropriately reviewed and supported.

- 10.13 In accordance with [Keeping Children Safe in Education \(KCSIE\)](#), where parents are considering Elective Home Education (EHE) for a child with an Education, Health and Care Plan (EHCP), a review of the EHCP should be undertaken. Best practice is for this review to take place prior to the child being withdrawn from school. Schools are expected to make every effort to initiate and facilitate this review before submitting an EHE referral.
- 10.14 If an EHE referral is received for a child with an EHCP and no review has taken place despite the school's attempts to arrange one the EHE Team will escalate the matter to the allocated EHCP Coordinator. A review meeting will then be expected to be convened as a matter of priority.
- 10.15 In line with the [SEND Code of Practice](#) and [Department for Education EHE guidance](#), the Local Authority will carry out annual reviews for all children with EHCPs, including those who are home educated. These reviews will involve the child and their parents, and the EHCP will be amended to reflect any changes in provision, including parental choice.
- 10.16 Parents will be invited to the review by the LA's SEND Officer, alongside representatives from relevant agencies such as Health and Social Care, where appropriate.
- 10.17 The Local Authority will not assume that a home education arrangement is unsuitable simply because it differs from the provision that would have been made in a school setting. However, if the Local Authority concludes that the education being provided does not meet the child's needs, it will work closely with SEND colleagues and the family

## **11. Children Looked After (CLA)**

- 11.1 The [DfE guidance for local authorities \(2019\)](#) states that; 'Local authorities acting as corporate parents of 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 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.

- 11.2 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. However, Wigan Council does not generally consider Elective Home Education (EHE) to be a suitable arrangement for children who are looked after by the local authority. This position is informed by statutory guidance, including Promoting the Education of Looked-After and Previously Looked-After Children (DfE, 2018), which places a duty on local authorities and Virtual School Heads to promote the educational achievement of looked-after children. (DfE, Promoting the Education of Looked-After and Previously Looked-After Children, 2018).
- 11.3 In such cases, advice will be sought from Children's Social Care and the Virtual School Head to ensure that the child's educational needs are met in line with their care plan.
- 11.4 If a child who is being home educated becomes looked after by Wigan Council, the Virtual School Head will work collaboratively with the child's parents or carers and the allocated social worker to identify and secure an appropriate school placement that meets the child's individual needs.
- 11.5 Exceptions to this position may be considered in cases where the child's entry into care is for respite or is temporary in nature, and where the home education provision has previously been assessed as suitable. In such circumstances, any decision to continue with home education must be agreed upon at a Child Looked After (CLA) review or care planning meeting. This agreement must include the Independent Reviewing Officer (IRO) and be formally recorded in the meeting minutes.
- 11.6 This approach is consistent with the Department for [Education's Elective Home Education: Guidance for Local Authorities \(updated August 2024\)](#), which outlines the responsibilities of local authorities in ensuring that all children, including those educated at home, receive a suitable education

## **12. Safeguarding**

- 12.1 Home education is not in itself a safeguarding concern. The expectation is that if schools have concerns about a child, they will have previously referred to Early Help or Children's First Partnership Hub.



12.2 The *Child Safeguarding Practice Review Panel* report, *Safeguarding Children in Elective Home Education*, highlights concern about the wellbeing of some children who are not regularly seen by professionals. While the report acknowledges that the majority of children educated at home live happy and safe lives and benefit from a positive educational experience, it also identifies a small minority for whom this is not the case

12.3 In response, Wigan Council has established robust policies, procedures, and multi-agency practices to ensure that professionals can work effectively together to safeguard and protect children who are electively home educated and may be at risk of harm.

12.4 [Under Section 175\(1\) of the Education Act 2002](#), the Local Authority (LA), in partnership with other agencies including Social Care and Health, has a statutory duty to safeguard and promote the welfare of all children residing in the borough. This duty is further reinforced by the statutory guidance [Working Together to Safeguard Children 2023](#), which outlines the responsibilities of all agencies in identifying and responding to safeguarding concerns.

12.5 All officers within the Elective Home Education (EHE) Team, along with other Local Authority staff, will follow the safeguarding procedures set out by the Wigan Safeguarding Children's Partnership (WSCP). These procedures ensure a coordinated response to any safeguarding concerns relating to home-educated children.

12.6 Where concerns are identified, and in line with WSCP protocols, Local Authority officers will engage with parents or carers unless doing so would increase risk to the child and will signpost or refer the family to appropriate support services, including Early Help where necessary.

12.7 Where concerns arise that present an immediate and serious risk of harm to a child, Local Authority (LA) officers will make a referral to Children First Partnership Hub for triage.

12.8 Professionals who begin working with families who are electively home educating must inform the Elective Home Education (EHE) Team. This ensures that the EHE Team is included in multi-agency planning and can contribute to any safeguarding actions and planning.

12.9 Section 7.4 of the [\*Elective Home Education: Guidance for Local Authorities\*](#) states:

- “Authorities should approach all cases where the suitability of home education is in doubt using their powers in the Education Act 1996, but they should also be ready, if a lack of suitable education appears likely to impair a child’s development, to fully exercise their safeguarding powers and duties to protect the child’s well-being, which includes their suitable education.”

12.10 The guidance further clarifies that:

- “A failure to provide suitable education is capable of satisfying the threshold requirement contained in [Section 31 of the Children Act 1989](#)—that the child is suffering or is likely to suffer significant harm.”

12.11 While Local Authority Officers do not have an automatic right of access to the home, they may request to see the child and, ideally, the home environment, as this is typically where education is delivered. Refusal to allow such access may impact the LA’s ability to assess the suitability of the education, particularly where the environment is a relevant factor, as outlined in the *Child Safeguarding Practice Review Panel’s May 2024 report*

12.12 The *Wigan Safeguarding Children Partnership (WSCP) Threshold of Need and Response Guidance* (February 2021) outlines indicators of concern, including:

- A child not reaching educational potential or expected levels of attainment.
- Frequent school moves.
- Limited opportunities for play or socialisation.
- A child not in education, particularly where this coincides with concerns about their safety.

12.13 If a child is subject to a Child Protection (CP) Plan at the time parents elect to home educate or becomes subject to a CP Plan while being home educated the Local Authority is unlikely to assess the education as suitable. In such cases, the EHE Team and the allocated social worker will support the family to return the child to school or secure a new school placement. During the interim period, a schedule of visits will be arranged to ensure the child’s safety in the absence of regular professional oversight.

12.14 For children subject to a Child in Need (CIN) Plan, the EHE Team and social worker will assess whether home education is appropriate. If deemed suitable, a schedule of visits will be agreed to monitor the child’s welfare.



12.15 Local authorities may use their safeguarding powers where a lack of education is considered to impair a child's physical, intellectual, emotional, social, or behavioural development, in line with [Working Together to Safeguard Children](#).

12.16 For children with no current social care involvement, the EHE Team will conduct a minimum of an annual visit or request updates on educational progress. More frequent contact may be required in the following circumstances:

- Concerns about the quality of education.
- Refusal to provide evidence of suitable education.
- Refusal to cooperate with safe and well checks
- Where the child has an Education, Health and Care Plan (EHCP) or a request for SEND assessment has been submitted.

## 13. Further Information

If you have any further comments or queries about Wigan Council EHE policy and process, please contact [ehe@wigan.gov.uk](mailto:ehe@wigan.gov.uk)

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## Appendix 1

### **Elective Home Education (EHE) school referral form to inform the Local Authority.**

This form must be completed **in full** and submitted for all children and young people whereby a school has received notice from a parent they will now take responsibility for their child's education. The Local Authority must be in receipt of this referral before removal from roll.

#### **Pupil Details**

|                      |           |
|----------------------|-----------|
| Full name            |           |
| DOB                  |           |
| School               |           |
| Year Group           |           |
| Parent/Carer Name(s) | 1:<br>2:  |
| Address              | 1:<br>2:  |
| Contact Details      | Phone(s): |
|                      | Email(s): |



## Safeguarding and Support Information

|  |   |
|--|---|
| Have you shared a copy of the EHE Policy with parents? – if not this should be completed as soon as possible.  | Yes <input type="checkbox"/> No: <input type="checkbox"/>   |
| Are there any Safeguarding Concerns  | Yes <input type="checkbox"/> No: <input type="checkbox"/><br>Details:   |
| Looked After Child (CLA)<br><b>School must contact the Virtual School Team before submitting this referral to discuss and no removal from roll at this time as EHE is not supported.</b>                                 |   |
| Child Protection Plan (CP)<br><br>Please inform the Social Worker before submitting the referral and share the <a href="mailto:ehe@wigan.gov.uk">ehe@wigan.gov.uk</a> email address as a point of contact for education. | Yes <input type="checkbox"/> No: <input type="checkbox"/><br><br>Social Worker:<br><br>Next Core Group:<br><br>Review Date: |
| Child in Need Plan (CiN)<br><br>Please inform the Social Worker before submitting the referral and share the <a href="mailto:ehe@wigan.gov.uk">ehe@wigan.gov.uk</a> email address as a point of contact for education.   | Yes <input type="checkbox"/> No: <input type="checkbox"/><br><br>Social Worker:<br><br>Next meeting:                        |
| Has an Early Help Assessment or equivalent support assessment been completed or offered?   | Yes <input type="checkbox"/> No: <input type="checkbox"/><br><br>Details:   |
| Other Agency/Service involvement   | Yes <input type="checkbox"/> No: <input type="checkbox"/><br><br>Details:   |
| Does the child have English as an Additional Language (EAL)  | Yes <input type="checkbox"/> No: <input type="checkbox"/><br><br>First Language of pupil:                                   |



|  |  |
|--|--|
|  | <p>Do the parent(s)/carer(s) speak English?<br/>Yes <input type="checkbox"/> No: <input type="checkbox"/></p> <p>What methods of communication does the school currently use with the family (e.g. translated materials, interpreter, bilingual staff, visual aids):</p> |
| Is there any other supporting information? |  |

## **Attendance and SEND Information**

|   |   |
|---|---|
| Attendance Concerns   | <p>Yes <input type="checkbox"/> No: <input type="checkbox"/></p> <p>What is the pupil's current attendance:</p>   |
| Has there been any periods of suspensions this academic year?             | <p>Yes <input type="checkbox"/> No: <input type="checkbox"/></p>  |
| Are there any Medical Diagnosis/Needs?                                    | <p>Yes <input type="checkbox"/> No: <input type="checkbox"/></p> <p>Has there been 15 day consecutive or accumulative absence during the last full term</p> <p>Yes <input type="checkbox"/> No: <input type="checkbox"/></p> <p>Has Section 19 been considered for a duty met by school:</p> <p>Yes <input type="checkbox"/> No: <input type="checkbox"/> N/A: <input type="checkbox"/></p> <p>Details:</p> |
| Are there any Special Educational Needs (Please give a summary / support) | <p>Yes <input type="checkbox"/> No: <input type="checkbox"/></p> <p>Send code K <input type="checkbox"/></p>  |



|  |  |
|--|--|
| <p><b>*Please note if pupil has an EHCP school must request a plan review before the child can be removed from roll*</b></p> | <p>EHCP <input type="checkbox"/></p> <p>Details:</p> |
|--|--|

## Behaviour and Home Circumstances

|  |  |
|--|--|
| Behaviour overview   |  |
| Brief description of home circumstances.<br>(Who does the young person reside with, living arrangements e.g., stable housing, shared care) |  |
| Are there considered to be any risks to a lone worker when visiting the home?  |  |

## Reason for Elective Home Education

Please select from the DfE statements what is the reason for EHE. Please **only select one, the primary reason**. This information is used at census.

|  |  |
|--|--|
| <p><input type="checkbox"/> <b>Physical health</b><br/>Child is EHE due to one or more physical health conditions e.g. autoimmune illness.</p> | <p><input type="checkbox"/> <b>Mental health</b><br/>Child is EHE due to one or more mental health conditions e.g. anxiety.</p>              |
| <p><input type="checkbox"/> <b>Risk of school exclusion</b><br/>Child is EHE as parents removed the child before exclusion occurred.</p>       | <p><input type="checkbox"/> <b>Philosophical or preferential reasons</b><br/>Child is EHE due to parental preference for home education.</p> |
| <p><input type="checkbox"/> <b>Religious reasons</b><br/>Child is EHE due to religious views incompatible with school ethos or curriculum.</p> | <p><input type="checkbox"/> <b>Lifestyle choice</b><br/>Child is EHE due to family lifestyle (e.g. travelling, performers, etc.).</p>        |



|  |  |
|--|--|
|  |  |
| <input type="checkbox"/> <b>Suggestion/pressure from the school</b><br><br>Child is EHE due to school suggestion or off-rolling.   | <input type="checkbox"/> <b>Dissatisfaction with the school - general</b><br><br>Child is EHE due to general dissatisfaction with the school.      |
| <input type="checkbox"/> <b>Dissatisfaction with the school SEND</b><br><br>Child is EHE due to unmet SEND needs.  | <input type="checkbox"/> <b>Dissatisfaction with the school - bullying</b><br><br>Child is EHE due to unresolved bullying.                         |
| <input type="checkbox"/> <b>Health concerns relating to COVID-19</b><br><br>Child is EHE due to underlying health conditions or anxiety regarding COVID-19 transmission. | <input type="checkbox"/> <b>Did not get school preference</b><br><br>Child is EHE as they did not receive their first choice of school preference. |
| <input type="checkbox"/> <b>Parent/guardian did not give reason</b> No reason for EHE was provided by the parent   | <input type="checkbox"/> <b>Other</b><br><br>Any other reason not listed above.<br><br><b>Please provide details:</b>                              |

## School Information and Acknowledgement

|   |   |
|---|---|
| Form Completed by   | Name:   |
| Position  |   |
| Date  |   |
| I acknowledge to submit along with this referral a copy of the parent withdrawal letter/ email. | A copy will be provided with this referral <input type="checkbox"/><br>Yes                          |
| If you are not the Headteacher, are they aware of this referral being completed?                | Yes <input type="checkbox"/> No: <input type="checkbox"/> N/A: <input type="checkbox"/><br>Details: |
| I acknowledge that school will retain a copy of all safeguarding                                | <input type="checkbox"/> Yes  |

|   |                                     |
|---|-------------------------------------|
| <p>records in line with retention policies.</p>   |                                     |
| <p>I acknowledge that this referral form must be submitted without delay to <a href="mailto:ehe@wigan.gov.uk">ehe@wigan.gov.uk</a>.</p> <p>Upon receipt of an <b>automated email confirmation</b>, this will serve as evidence that the Local Authority (LA) has received the referral. Only at this point may the pupil be <b>formally removed from the school roll</b>.</p> <p>In accordance with <i>Working Together to Improve School Attendance</i> guidance, attendance <b>cannot be backdated</b>. Therefore, the pupil must remain on roll until the referral has been submitted</p> <p><b>Please retain a copy of the email and confirmation for your records.</b></p> | <p><input type="checkbox"/> Yes</p> |

## Appendix 2

### Elective Home Education – Further Information for Parents

### Things to Think About When Planning Your Home Education

Every family's approach to home education is different, and that's okay. There's no single "right way" to do it. However, it can be helpful to reflect on a few key questions as you plan your child's learning:

- What are your beliefs or values about education? (This helps us understand your approach, especially if you're using recognised methods like Charlotte Mason, Steiner Waldorf, or Montessori.)
- How do you know the education you're providing matches your child's needs, interests, and abilities?

- How do you track your child's progress and know they're learning well?
- Have you thought about your long-term plans for the year? How do these link to what you're doing now? (Formal planning isn't required, but some families find it helpful.)
- Do your subjects or activities connect in a way that supports deeper learning?
- Are you offering a mix of practical and written activities?
- Who or what will support you in delivering your child's education?
- How will you record your child's progress or any challenges they face?
- How will you know if your education plan is working well?
- Have you considered how your child might access further or higher education in the future?
- How will you help your child learn about personal safety and healthy living?
- How will you involve your child in reflecting on their own learning?

We understand that each family will design a learning plan that suits their child's unique needs. We review each approach individually and do not expect families to follow a formal or structured curriculum.

Many families find it helpful to connect with the wider home education community. This can offer support, new ideas, and opportunities for group learning or educational visits.

## Questions to Help You Reflect

Home education is a big commitment. Before you decide, it's important to think carefully about whether it's the right choice for your family. The Department for Education suggests considering the following:

- Why are you thinking about home education?
- What does your child think about it?
- Do you have the time, resources, and confidence to teach your child?



- Is your home a suitable place for learning (e.g. space, quiet, routine)?
- What support do you have from others? What would happen if you were unwell or unable to teach for a while?
- Can you provide opportunities for your child to socialise, be active, and experience culture and the arts?
- Do you plan to home educate long-term or just for a short period? What are your future plans for your child's education?

If your decision is based on a disagreement with your child's school, we encourage you to speak with the headteacher or governors first. You can also follow the school's complaints or escalation process, which is usually available on their website.

## **Appendix 3**

### **Elective Home Education Record of Discussion**

#### **Pupil Details**

|                                  |   |      |
|----------------------------------|---|------|
| Name                             |   | DOB: |
| Address                          |   | NYC: |
| Contact details for Parent/Carer | Phone:<br>Email:  |      |
| SEND                             | <input type="checkbox"/> EHCP <input type="checkbox"/> SEND K <input type="checkbox"/> Under Assessment<br>Other: |      |
| Date of visit                    |   |      |

#### **Learning Discussion**

|  |           |
|--|-----------|
| <b>Philosophy</b>  | Score: /5 |
| <b>Motivation for Home Education:</b> What drives your decision to educate your child at home? How does this influence the nature of education you |           |



|  |           |
|--|-----------|
| provide? Could you describe your approach to education?  |           |
| <b><u>Educational Approach</u></b>   | Score: /5 |
| <b>Structure and Resources</b><br><br>What does home education entail in practical terms? Do you follow a structured plan or timetable? What educational resources (e.g., textbooks, online platforms) are utilized? Do the children complete written or digital assignments? How many hours per day or week are dedicated to education? |           |
| <b><u>Engagement and Motivation</u></b>  | Score: /5 |
| <b>Learning Experience</b><br><br>How does your child respond to their education? Are they motivated learners? Do they exhibit enthusiasm for certain subjects while finding others more challenging?  |           |
| <b><u>Evidence of Education</u></b>  | Score: /5 |
| <b>Demonstration of Learning</b><br><br>What evidence supports the existence of home education? Are there examples of work completed? Can statistics or insights from online platforms be provided?  |           |
| <b><u>Monitoring Progress</u></b>  | Score: /5 |



|  |   |      |
|--|---|------|
| <b>Assessing Learning Outcomes</b><br><br><b>How do you assess progress?</b> What methods are used to determine whether the child is achieving planned learning objectives? How is work tracked? Is assessment used to inform future educational planning? |   |      |
| <b>Aspirations and Planning</b><br><br>What is the proposed plan to help achieve these goals?  |   |      |
| <b>Overview</b>  |   |      |
| <b>What is working well?</b>   |   |      |
| <b>Are there any worries?</b>  |   |      |
| <b>Next Steps</b>  | <p>How well is home education going on a scale of 1-10?</p> <p><b>EHE Officer</b></p> <p><input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10</p> <p>Referral to Aspiring Futures (Y11 only) <input type="checkbox"/></p> <p>Parent is/has applied for a school place <input type="checkbox"/></p> <p>Suitable and would like to be added to W&amp;L waiting list (This is for Y10 &amp; Y11 only) <input type="checkbox"/></p> <p>I understand that the Local Authority may share relevant information with health services and other professionals who support children and families in the community, where a child is registered as Electively Home Educated. This collaborative approach helps ensure that home-educated children receive appropriate support at the right time. <b>I give consent</b> Yes <input type="checkbox"/> No: <input type="checkbox"/></p> |      |
| Name of reviewing officer:   | Signature:  | Date |
| Next visit suggestion for review by manager.   | <input type="checkbox"/> Unsuitable: ensure parent is aware will be recommended to move to CME and explore SAO. Sign-post / support family to apply for a school place.   |      |

|  |  |
|--|--|
|  | <input type="checkbox"/> 3months re-visit – unsuitable, this has been discussed with the parent, and it is understood what is required to be in place to remain EHE. Re-visit date has been set on this visit and input on the schedule.<br><input type="checkbox"/> 6 months – Follow up<br><input type="checkbox"/> 12months review – No concerns. |
|--|--|

## Appendix 4

### Notes and Guidance for non-educational professionals working with EHE families.

Elective Home Education (EHE) is the term used by the Department for Education (DfE) to describe parents' decisions to provide education for their children, who are of compulsory school age, at home instead of sending them to school.

EHE is different to home tuition and education other than at school provided by the local authority (LA). Children educated at home are not registered at mainstream, special or independent schools, academies, free schools, Pupil Referral Unit (PRUs), full time college courses or children's homes with education facilities.

EHE is different to flexi-schooling arrangements, which are authorised at the discretion of the headteacher of the school where the child is on roll. The head teacher would agree to the pupil remaining on roll part time and registered as EHE whilst authorising absences.

This document, in conjunction with the main EHE policy and supporting documents, outlines Wigan Council policy and procedures to enable the Local Authority to comply with their responsibilities and duties towards children living in Wigan borough whose parents have taken the decision to educate them at home.

As stated in the DFE Guidance, April 2019, '*Educating children at home, works well when it is a positive choice and carried out with proper regard for the needs of the child*'. Wigan Council recognise that there are many approaches to educational provision and that what may be suitable for one child will not be for another, but all children should be involved in a suitable learning process.

The Local Authority has a duty under section 436a of the Education Act to ensure that every child receives a 'suitable' education. In order to meet this duty, the EHE Team and wider colleagues oversee elective home education.

While there is no legal requirement for families to allow the Local Authority (LA) to meet with children at home or in another setting, the LA retains a duty to assess the suitability of the education being provided. Families may choose to facilitate a visit as a way of demonstrating that they are fulfilling their duty under Section 7 of the Education Act 1996.

Some families prefer to submit written evidence instead of accepting a home visit. This is entirely within their rights, and the LA will accept this approach unless there are concerns that the education being provided is unsuitable.

In cases where there are safeguarding concerns, and a family is working with social care or other agencies, professionals should be aware that Electively Home Educated (EHE) children do not have the same regular contact with professionals as children who attend school. This means the usual 'safety net' of daily observation and interaction is not present.

Professionals involved must therefore consider whether the statutory visits required by their service are sufficient to ensure the child's safety and wellbeing. In some cases, it may be necessary to increase the frequency of visits to ensure effective safeguarding.

Where concerns arise that present an immediate and serious risk of harm to a child, Local Authority (LA) officers will make a referral to the Integrated Front Door Children First Partnership Hub. This referral will be followed up by Children's Social Care in accordance with statutory safeguarding procedures.

Professionals working with families who are electively home educating must notify the Elective Home Education (EHE) Team Manager of any concerns via email to [EHE@Wigan.gov.uk](mailto:EHE@Wigan.gov.uk). This ensures the EHE Team are included in multi-agency planning and can contribute effectively to safeguarding measures.

If you are working with a family where a young person is not registered at a school, please contact the EHE Team to confirm whether the child is known to the Local Authority either through Elective Home Education (EHE) or Children Missing Education (CME). This enables the team to provide appropriate support and ensure that suitable education is in place or that a plan is being developed.

For all referrals or enquiries, please email: [EHE@wigan.gov.uk](mailto:EHE@wigan.gov.uk)

**If at any point professionals have concerns out a Child or Young Person or after attempts the child is not seen, professionals should refer to Wigan Safeguarding Children's Partnership.**

**In an emergency if you believe a child or anyone else is at immediate risk of harm or requires urgent medical attention call 999.**

Contact the Children's First Partnership Hub: Monday to ~~Sunday~~ (24 hours):  
01942 828300

**If you are concerned about a child and want to make a referral, please submit this via the [portal](#).**

If you are not sure, are worried about a child and want some advice please ring the main contact number (01942 828300) and you will be put through to a worker who can assist.

### **Useful Links**

[Home - Wigan Safeguarding Children's Partnership](#)

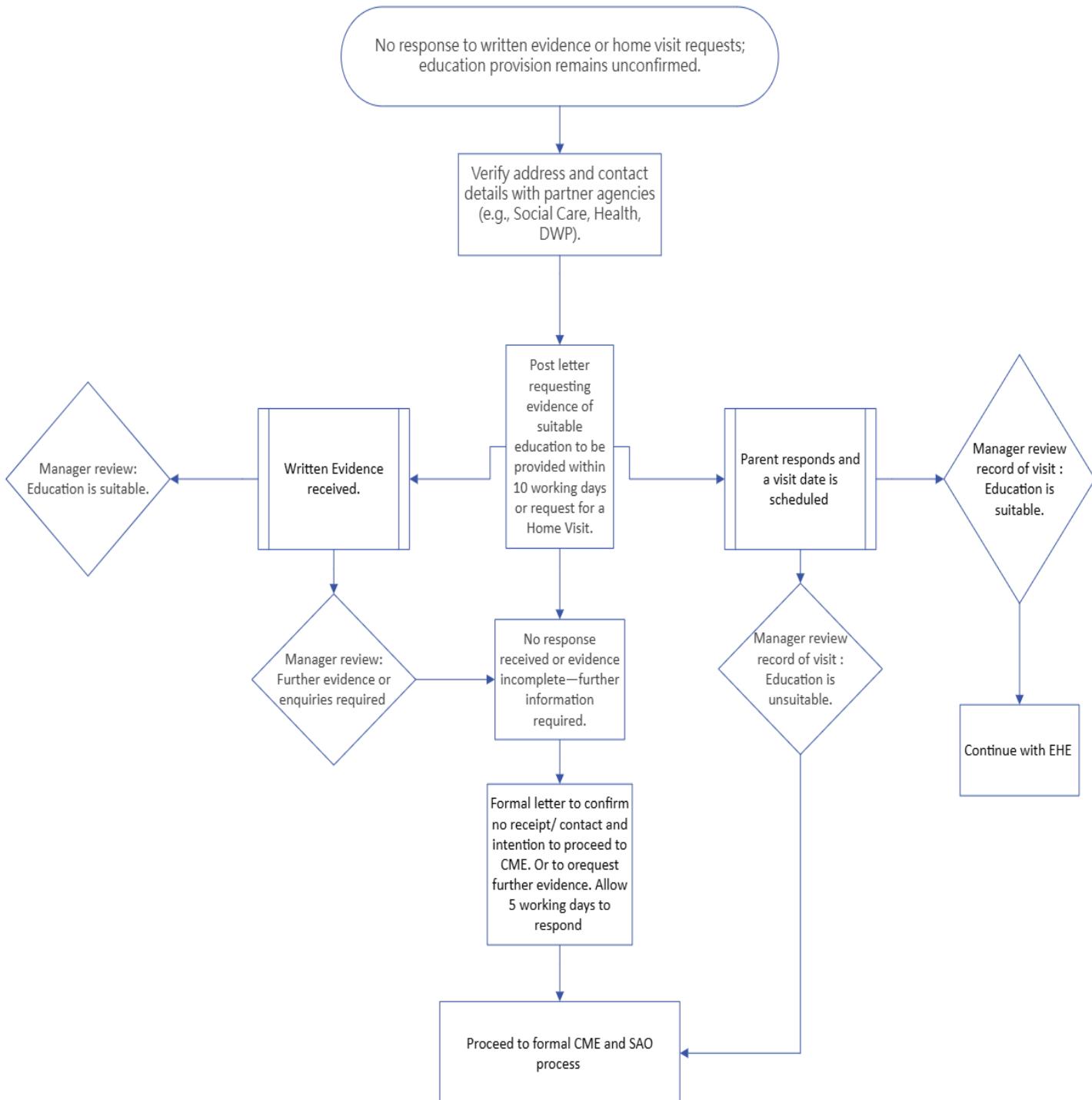
[Apply for a school place from Home Education](#)

[Home education - Wigan Website](#)



## Appendix 5

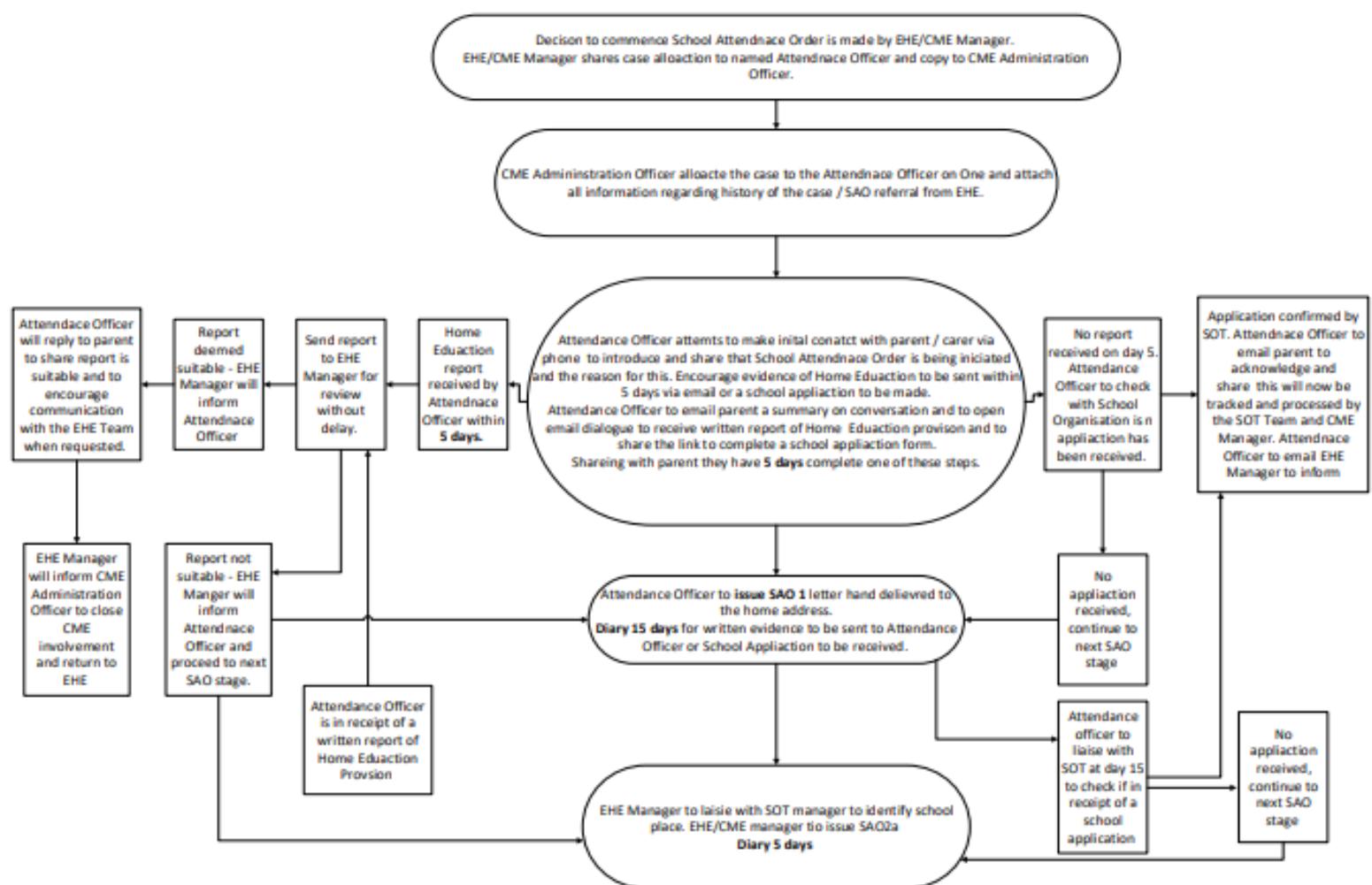
Process to progress a case for EHE when the family do not engage with Local Authority to understand education provision.

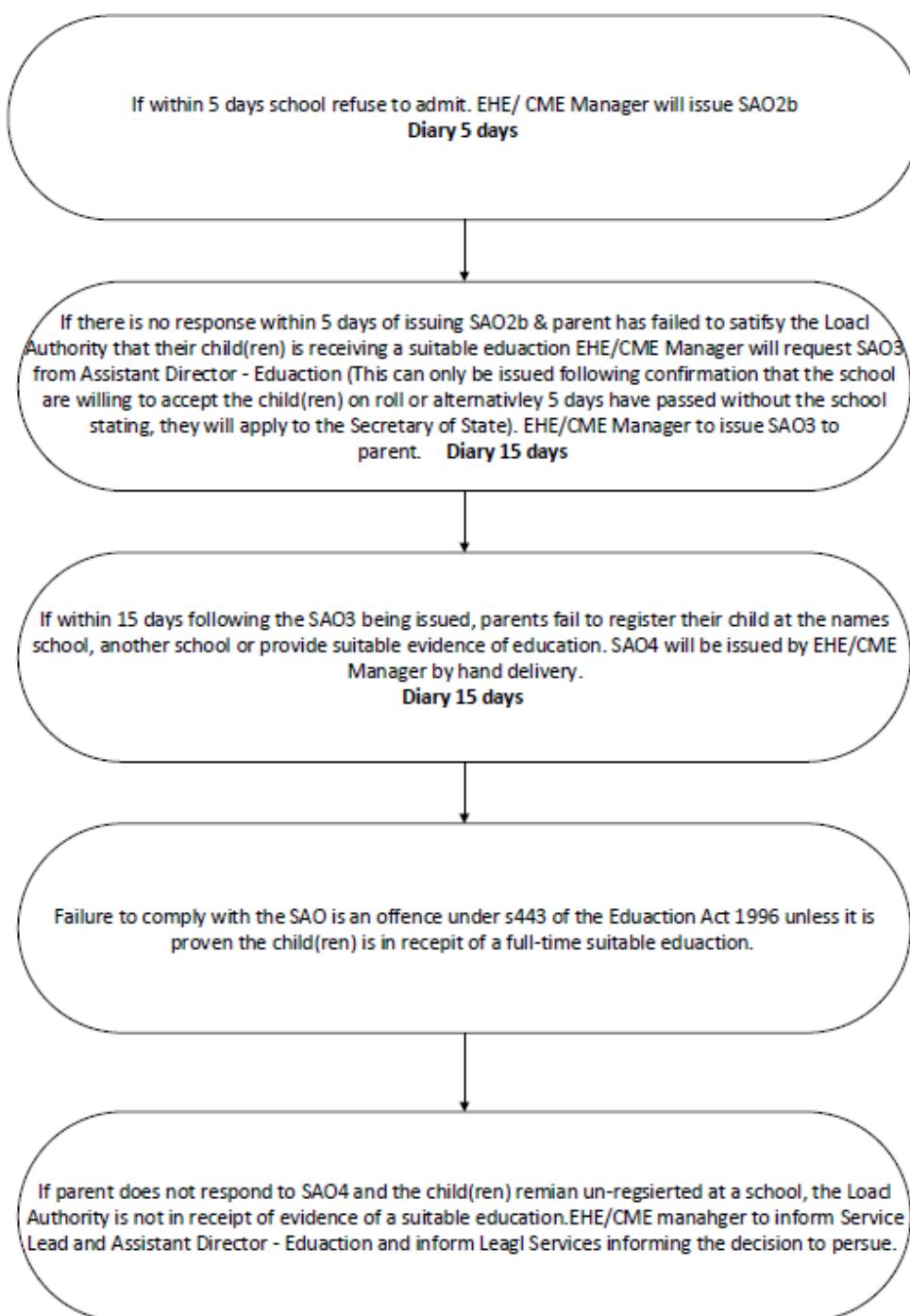




## Appendix 6

### School Attendance Order process







## Appendix 7

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