



Elective Home Education

School Attendance Orders

Lisa Adams Blaenau Gwent

Julie Rees Swansea



Education is compulsory School is not!



Home Education- Different approaches to Learning



Under section 7 of the Education Act 1996 it is the duty of a parent to make sure that the child receives:

efficient full-time education suitable for their age, ability and aptitude and for any special educational needs they may have.

This can be done either at school or otherwise. Education is considered efficient and suitable if it allows a child to achieve their potential and prepares them for adult life.

Under section 437(1) of the Education Act 1996, local authorities have a duty to intervene if it appears that parents are not providing a suitable education.

If there is a failure to demonstrate to the local authority (LA) that a suitable education is being provided, the LA may feel it necessary for the child to go to school.

In such cases the LA must serve a School Attendance Order (SAO).

School Attendance Orders



A School Attendance Order (SAO) applies in cases when a parent of a child of compulsory school age fails to prove that the child is receiving suitable education and where the authority believes the child should attend school.

Families who have failed to engage

There is an expectation that the LA will have attempted to work with families and offered meetings:-

- At home,
- In LA settings,
- At neutral venue chosen by the family

This should be followed up in writing referencing parental responsibilities and the local authority duties

Outline next steps i.e. potentially SAO

Families who in LAs opinion have failed to provide evidence of a suitable and efficient education



4.1 Literacy and language skills should correspond with the child's general ability and enable the child to:

- Acquire listening and speaking skills
- Acquire reading skills which include vocabulary and comprehension
- Acquire writing skills which include grammar, punctuation and spelling.

4.2 Numeracy skills should correspond with the child's general ability and reflect the stage of development the child is at.



Families who in LAs opinion have failed to provide evidence of a suitable and efficient education continued



4.3 In their consideration of parents' provision of home education, local authorities should reasonably expect it to include the following features:

- consistent involvement of parents or other significant carers
- respond to the needs and the best interest of the child, taking into account areas of learning that interest the child, and should enhance the child's potential
- presence of a philosophy or ethos with parents showing commitment, enthusiasm, and recognition of the child's needs, attitudes and aspirations
- ensure the child has opportunities to engage in a reasonably broad range of learning experiences
- provide opportunities to develop personal and social skills to help prepare them for later life and become engaged citizens
- ensure the child has opportunities to develop basic skills



Families who in LAs opinion have failed to provide evidence of a suitable and efficient education continued

- opportunities for the child to be stimulated by their learning experiences
- involvement in a broad spectrum of learning opportunities and activities appropriate to the child's stage of development
- access to appropriate resources and materials
- the opportunity to develop digital literacy
- the opportunity for an appropriate level of physical activity and play
- the opportunity to interact with other children and adults.

Next steps – LA processes

Discussion time!



- Who makes decision if there are concerns?
 - What processes are in place within the Local Authority?
 - Who feeds back to parent and how?
 - What are next steps?
-
- What if child has identified ALN?
 - What is process within LA for determining suitability in this case?
 - Who feeds back to parent and how?
 - What are next steps?
-
- Would parents be made aware of possibility of SAO at this juncture?

SAO Process in your LA

- Whose decision to issue an SAO?
- What consultation is had internally within LA?
- Whose responsibility to progress SAO?
- Is there consultation with legal department?

- How are family informed that an SAO has been issued?
- How are family made aware of expectations on them?
- Are family aware of repercussions if they fail to comply?
- Is there any support offered to family to re-engage with school?

- Need to reference processes re ALN
- What would be your ALN processes in your LA?
- Who would approach the school?
- Who would liaise with family?

- Who informs school?
- Who informs head teacher and governing body?

Prosecution for failure to comply with SAO

- What are your criteria for prosecution to progress?
- Who makes the decision, individual or panel?
- Who informs the family of LA decision?

- Who advises family of prosecution process?

- Who takes case to court in LA?
- Legal? EWS?

Evidence

- What documents would you want the court to be aware of?
- How does this process align with local EHE Policy?
- How are families made aware of policy is it when they are not engaging or providing no evidence or are they made aware when they opt to EHE?

Post Court

- How would this be monitored?
- Would there be formal liaison between EHE and EWS where EHE doesn't come under EWS?
- Who would become lead officer at this juncture?



Diolch

