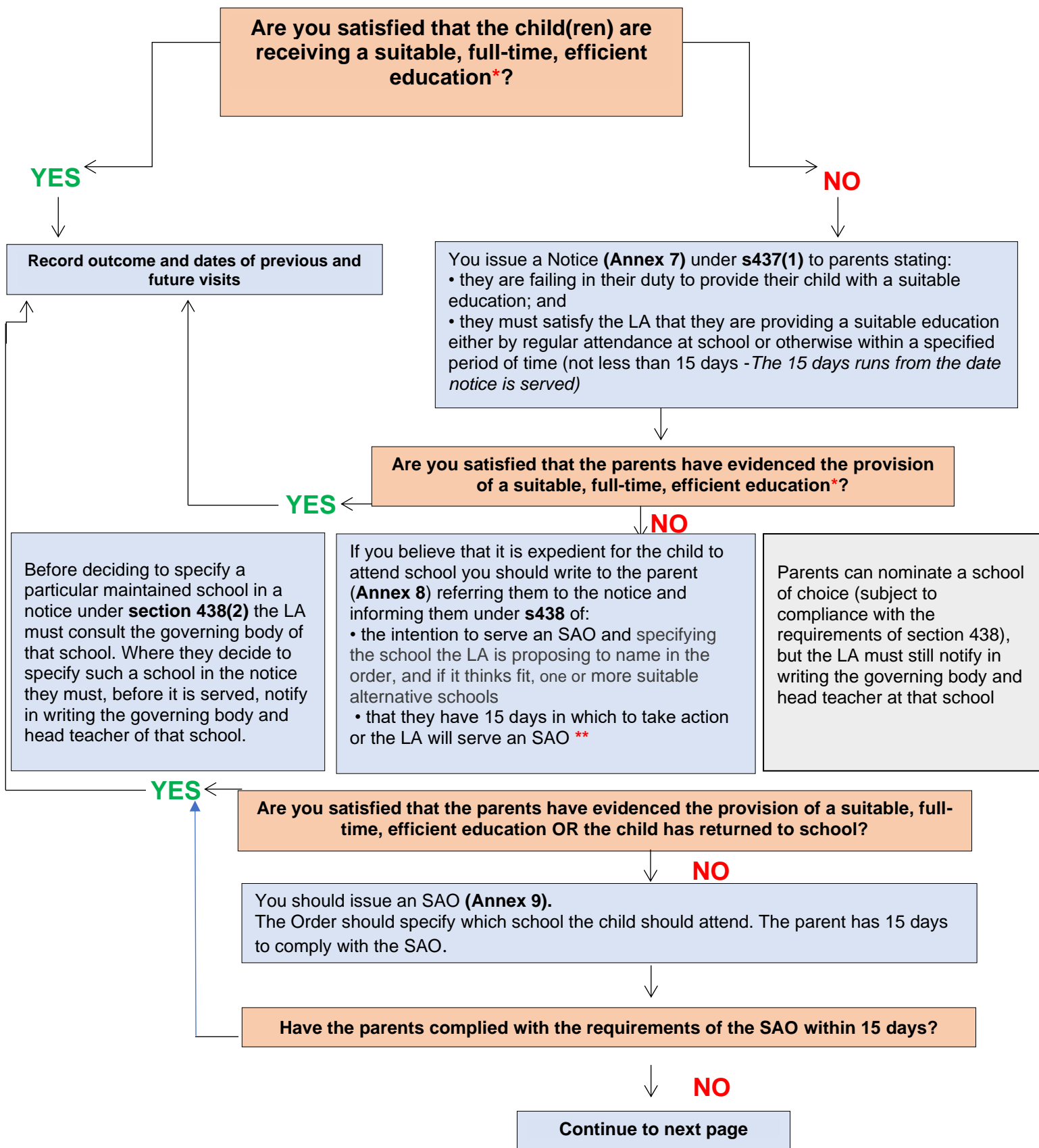


Annex 1: school attendance order and education supervision order flowchart



If you do decide not to apply for an ESO, then you should record reasons that it was felt not to be appropriate.

You can:

- Prosecute parents for failure to comply with an SAO; and/or
- Apply for an Education Supervision Order (ESO)

You **must** consider applying for an ESO under **s36(9) Children Act 1989** before a decision to prosecute parents for failure to comply with an SAO is made.

LA prosecutes parents

AND/OR

LA applies for an ESO

Court decides education is suitable and, therefore, does not convict

Court decides education is not suitable and convicts parents.

Court decides education is suitable and refuses ESO.

Court makes ESO and you implement it.

You can:

- Restart the s437 process again.
- Apply for an Education Supervision Order (ESO).

Parents do not send child to school despite conviction

Parents do not comply with ESO

You can prosecute for breach of an ESO and/or consider using safeguarding powers under the Children Act 1989 if local authority believes relevant threshold is met.

*In the absence of seeing the child, has the parent provided evidence they are providing an efficient full-time education which is suitable to the age, ability and aptitude of the child and any additional learning needs the child may have.

**Where a local authority indicates that an SAO will be issued, and the family is working with the local authority to re-engage child with an agreed school, the expectation is that the child attends their new school within 20 days.

Welsh Government [Elective home education guidance](#) (7.15) states that local 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 prepared, 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.

Annex 2a: Initial EHE letter

Name
Address

Date

Dear [name of parent or guardian]

Home education of [name of child/ren]

My name is **[insert name]** and I am writing to introduce myself as the home education contact in **[name of local authority]**.

Local authorities have a duty under section 436A of the Education Act 1996 to make arrangements to enable them to establish the identities of children in their area who are of compulsory school age but who are not a registered pupil at a school and who are not receiving suitable education otherwise than at school.

I would like to arrange to meet you and **[name of child/ren]** on **[date]** at **[time]** to discuss the education you are providing and to explore whether the local authority can support you in providing that education, such as providing details about online resources and details about home educating groups in your area. I could arrange for the visit to take place at your home or, if you would prefer, at [LA venue] or another venue of your choice.

If the date/time is inconvenient, please contact me to arrange a mutually convenient time/date/place to meet.

It would be useful if you and **[name of child/ren]** could complete the attached forms **[Annex 3, Annex 4a/4b]** before our meeting as this will help inform the discussion.

If you have any questions before our meeting, please contact me on the email address/telephone number **[below]**.

I look forward to meeting you and **[name of child/ren]**

Yours sincerely

Home education officer
Email:
Telephone:

Annex 2b: Follow up letter to initial EHE letter

Name
Address

Date

Dear [name of parent or guardian],

Home education of [name of child/ren]

Further to my letter of **(Insert date)** in which I requested a meeting with you to discuss the education you are providing and to explore whether the local authority can support you in providing that education. The local authority must make arrangements to enable them to establish the identities of children in their area who are of compulsory school but are not a registered pupil at a school and who are not receiving a suitable education otherwise than at school. This meeting is an opportunity for you to provide information about the education you are providing for your child(ren).

You have not responded to my letter or

We arranged to meet and discuss your child's education on (Insert date) but you **were not available / you informed me by text / email to say that you would not be available.**

I am now proposing that we meet on _____ at _____am/pm at [LA venue]. If this time and date is not convenient or if you would rather meet at an alternative place, please contact me by email address/ telephone number below.

It would be useful if you and **[name of child/ren]** could complete the attached forms **[Annex 3, Annex 4a/4b]** before our meeting as this will help inform the discussion.

I look forward to meeting you and **[name of child/ren]**

If you have any questions before our meeting, please contact me using the email address/telephone number **[below]**.

Yours sincerely,

Home Education Officer
Email:
Telephone:

Annex 2c: Second follow up letter to initial EHE letter

Name
Address
Date

Dear [name of parent or guardian]

Home education of [name of child/ren]

With reference to my letters of **(Insert date)** and **(Insert date)** in which I requested with you to discuss the education you are providing as you are now home educating your child. You have not responded to either my initial letter or my follow up letter **or**

We arranged to meet on (Insert date) and then rearranged to meet on (insert date) but you **were not available / you informed me by text / email to say that you would not be available.**

The local authority has a legal obligation to ensure that all learners are receiving a suitable and full-time education, which is why we request a meeting and information about the education you are providing.

To enable the local authority to fulfil its statutory duties, I am proposing that I now meet with you at your home/ County Hall or at a neutral place on _____ at _____am/pm.

If this time and date is not convenient or if you would rather meet at an alternative place, please contact me using the email address/ telephone number below.

Without information about the education you are providing, the local authority may need to seek a School Attendance Order under the 1996 Education Act.

Yours sincerely,

Home Education Officer
Email:
Telephone:

Annex 3: Template for parents

The information you provide in this form will help us understand the reasons why you chose to educate [name of child here] and the type of education you have decided is suitable for [name of child here]. If you are unsure about how to answer any of the questions, please call [NAME] on [number] or via email [address]. **If you are home educating more than one child, a separate template will be required for each child.**

Your name	
How would you like to be contacted? Please provide details	
Name of your child	
Their date of birth	
Gender of learner	
Did [name of child] previously attend a school(s)? If yes, please provide the name(s) of the school and the location(s) of the school(s)	
Why did you decide to home educate [name of child]?	
How long have you been home educating [name of child]?	
What is [name of child] learning about or taking part in? Please list these– this could include: <ul style="list-style-type: none"> • activities such as being involved in sports, music or other activities • learning about things of interest • areas of learning experience being covered 	
Do you feel you need support in providing education for [name of child]? If yes, what type of help do you feel you need?	

<p>Additional Learning Needs</p> <p><i>Do you think your child has an additional learning need?</i></p> <p><i>If yes, why do you think this?</i></p> <p><i>Have you contacted [name of local authority] to request the local authority decides if [name of child] has an additional learning need?</i></p>	
<p><i>Has the local authority decided your child has additional learning needs?</i></p>	<p>(Yes/No)</p>
<p><i>Does your child have a local authority maintained individual development plan (IDP)?</i></p>	<p>(Yes/No)</p>
<p><i>If yes, what additional learning provision (ALP) is the local authority providing?</i></p>	
<p><i>Is the local authority preparing an IDP for your child?</i></p>	<p>(Yes/No)</p>
<p>How well do you think [name] is progressing with their learning?</p> <p><i>What do you think [name] is doing well?</i></p> <p><i>What are they able to do now that you feel they couldn't do before they were home educated?</i></p>	
<p>What are your child's hopes for the future?</p> <p><i>What are they aiming to learn next?</i></p> <p><i>Have they any areas of interest that they want to know more about?</i></p> <p><i>Do they know what they would like to do when they are older?</i></p>	
<p>Where does your child receive their education? Please tick all that apply</p> <p>At home</p> <p>Home educator groups</p> <p>In libraries</p> <p>Educational trips e.g., museums, castles, theatre etc.</p> <p>Other</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

<p>Who provides the education/sessions for your child? Please tick all that apply</p> <p>Parent/Carer Other family member(s) Friends of the family Home education groups Privately employed tutor Online tutor(s) Other</p> <p>If you employ a tutor, have you enquired whether they have a Disclosure and Barring Service (D.B.S.) check?</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> (Yes/No)
<p>Experiences</p> <p><i>Please outline the opportunities for your child to:</i></p> <p><i>Learn from real-life experiences</i></p> <p><i>Discuss personal, social, wellbeing and health issues</i></p> <p><i>Experience a broad range of activities such as music and art</i></p>	
<p>Physical activity and play</p> <p><i>How do you ensure that your child has opportunities to participate in physical activity and play?</i></p>	
<p>Meeting with other children</p> <p><i>Please outline the opportunities for your child to socialise with other children and make friends.</i></p>	
<p>Resources</p> <p><i>Please list some of the resources or facilities you use to facilitate your child's learning e.g., online resources, educational workbooks, libraries or community facilities.</i></p> <p><i>Are there any additional resources you feel could benefit your child?</i></p>	

Links with other organisations	
<i>Does your child belong to any clubs, associations or organisations?</i>	

Access to local services	
<i>Are you aware of the local services available to home educated children? e.g., health nurse, careers advice, ALN advice, youth support service etc</i>	Yes/No
<i>Would you like further information about any of these services?</i>	
<ul style="list-style-type: none"> • <i>Advice from local Health Nurse, access to health initiatives e.g., period dignity grant</i> • <i>Careers advice</i> • <i>ALN Advice</i> • <i>Youth Support Services</i> • <i>Counselling</i> 	Yes/No Yes/No Yes/No Yes/No
<i>Would you like us to share your details with any of these services if you would like more information?</i>	Yes/No

This information, together with other evidence, such as any planning, records of visits/activities, examples of your child’s work will enable the local authority to determine whether your child is receiving a full-time efficient and suitable education. Once we have taken into consideration the evidence you have provided, we will be contacting you:

(i) *If we have concerns about the suitability of education provided for your child or*

(ii) *To arrange the next year’s discussion where you will again be required to provide evidence of how you are delivering a suitable and efficient education in line with your child's age and ability and how you are providing for any ALN that they may have.*

Annex 4(a): Template to secure child's view (aged 5–10)

Name:	
What do you enjoy learning about? <i>What do you enjoy doing?</i> <i>What kind of things are you interested in?</i> <i>Are you enjoying home learning?</i> <i>What do you enjoy about home learning?</i> <i>Are you learning well at home?</i> <i>What are you good at?</i> <i>What do you find difficult?</i> <i>Is there something you like to do but haven't been able to?</i>	
What are you proud of? <i>What work are proud of?</i> <i>Are there any things you have enjoyed learning that you would like to show me?</i> <i>Do you belong to any clubs?</i> <i>Do you have any talents? e.g., are you able to play any musical instruments?</i>	
What is the favourite thing you have learned recently? <i>Have you been learning about things that interest you?</i> <i>How have you been learning about this?</i>	

<p>What are you learning about next?</p> <p><i>Is there something you want to learn about next?</i></p> <p><i>How are you going to learn about this?</i></p>	
<p><u>Meeting other children?</u></p> <p><i>Do you play with other children?</i></p> <p><i>Where do you play with them?</i></p>	

Annex 4(b): Template to secure child's view (aged 11-16)

Name:	
<p>What do you enjoy learning about?</p> <p><i>What do you enjoy doing?</i></p> <p><i>What kind of things are you interested in?</i></p> <p><i>Are you enjoying home learning?</i></p> <p><i>What do you enjoy about home learning?</i></p> <p><i>Are you learning well at home?</i></p> <p><i>What are you good at?</i></p> <p><i>What do you find difficult?</i></p> <p><i>Is there something you like to do but haven't been able to?</i></p>	
<p>What are you proud of?</p> <p><i>Is there any work that you are really proud of?</i></p> <p><i>Is there any of your work you would like to share with me?</i></p> <p><i>Have you received any awards from clubs that you belong to?</i></p> <p><i>Do you have any talents? e.g., are you able to play any musical instruments?</i></p>	
<p>What is your favourite thing you have learnt recently?</p> <p><i>Have you been learning about anything that interests you?</i></p>	

<p><i>How have you been learning about this?</i></p>	
<p>What are you learning about next?</p> <p><i>Is there something you want to learn about next?</i></p> <p><i>How are you going to learn about this?</i></p>	
<p>Meeting other children</p> <p><i>Do you meet with other children?</i></p> <p><i>Where do you meet with them?</i></p>	
<p>Is there anything that you feel you could benefit from?</p> <p><i>Do you have any questions for me?</i></p> <p><i>Is there anything you would like help with?</i></p>	

<p>Access to local services</p> <p><i>Are you aware of the local services who can support you?</i></p> <p><i>Do you feel that you need help from any of the following services: -</i></p> <ul style="list-style-type: none"> • <i>Advice from local Health Nurse, access to health initiatives e.g., period dignity grant</i> • <i>Careers advice</i> • <i>ALN Advice</i> • <i>Youth Support Services</i> • <i>Counselling</i> <p><i>Would you like us to share your details with them if you would like more information?</i></p>	<p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p>
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<i>Are you going to be sitting examinations?</i>	YES/NO
<i>Would you like some advice on where you could sit your examinations?</i>	YES/NO

Annex 5: local authority report

Date of discussion/information provided by parent	
Parent/carer name*	
Preferred contact method and contact details	
Name of learner	
D.O.B. of learner	
Gender of learner	
School(s) and town(s) that child previously attended (if any)	
Seeing the child <i>Was/were the child/ren seen?</i> <i>Were they spoken with and asked about their views on home education?</i> <i>Is there any follow up required following discussion with the child?</i>	YES/NO YES/NO YES/NO (If YES, what was this, who is following up and when?)
Reasons given by parent for home educating their child	
Date that parent withdrew child from school and commenced home education	
What evidence of planning have parents shared to demonstrate how they are going to home educate their child?	

<p>Child's Current Knowledge and Skills</p> <p><i>What are they learning in relation to: -</i></p> <p>(i) Numeracy (ii) Literacy</p> <p><i>Have they any specific areas of interest, e.g., humanities, expressive arts, science and technology</i></p>	
<p>Additional Learning Needs</p> <p>(i) Does the child have an additional learning need?</p> <p>(ii) Have parents brought it to the attention of the local authority the child may have an additional learning need?</p> <p>(iii) Has the local authority decided the child has additional learning needs?</p> <p>(iv) Does the child have an IDP?</p> <p>(v) If yes, what ALP is the local authority providing?</p> <p>(vi) is the local authority preparing an IDP?</p>	<p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p> <p>YES/NO</p>
<p>Child's development and progress</p> <p><i>What has the child done well in the past year?</i></p> <p><i>Is the parent able to articulate what their plans are for the next year and what they see as the next steps in their child's educational development and what next steps have they identified?</i></p>	<p>YES/NO</p>

<p>Does the child have clear hopes and aspirations for their future?</p> <p><i>What are they aiming to learn next?</i></p> <p><i>Have they any areas of interest that they want to know more about?</i></p> <p><i>Do they know what they would like to do when they are older?</i></p>	
<p>Where does the child receive their education?</p> <p>At home</p> <p>Home educator groups</p> <p>In libraries</p> <p>Educational trips e.g., museums, castles etc.</p> <p>On-line tuition</p> <p>Other</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<p>Who provides the education/lessons for the child?</p> <p>Parent/Carer</p> <p>Other family member(s)</p> <p>Friends of the family</p> <p>Home education groups</p> <p>Privately employed tutor</p> <p>Virtual tutor tuition</p> <p>Other</p> <p>If the parent employs a tutor, have they enquired whether the tutor has had a Disclosure and Barring Service (D.B.S.) check?</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <p>(YES/NO)</p>
<p>Experiences</p> <p><i>Is it possible to determine from the evidence provided that the child is benefiting from:</i></p> <ul style="list-style-type: none"> • <i>Learning from real-life experiences</i> • <i>Being supported with personal, social, wellbeing and health issues</i> • <i>A broad range of activities such as music and art.</i> 	<p>YES*/NO</p> <p>YES*/NO</p> <p>YES*/NO</p> <p>*if Yes give brief example</p>

<p>Physical activity and play</p> <p><i>Is it possible to determine from the evidence provided that the child is benefiting from participation in physical activity and play?</i></p>	<p>YES*/NO</p> <p>*if Yes give brief example</p>
<p>Meeting with other children</p> <p><i>Is it possible to determine from the evidence provided that the child is benefiting from:</i></p> <ul style="list-style-type: none"> • <i>social experiences with other children</i> • <i>having opportunities to make friends.</i> 	<p>YES*/NO</p> <p>YES*/NO</p> <p>*if Yes give brief example</p>
<p>Resources</p> <p><i>Is it possible to determine from the evidence provided what resources and facilities the parent is using to facilitate their child's learning e.g., online resources, educational workbooks, arts and craft materials, libraries or community facilities.</i></p> <p><i>Did the parents identify whether there were any additional resources that could benefit their child?</i></p>	<p>YES/NO</p> <p>YES*/NO</p> <p>*if Yes give brief example</p>
<p>Links with other organisations</p> <p><i>Does the child belong to any clubs, associations, organisations?</i></p>	<ul style="list-style-type: none"> • <i>Careers advice</i>
<p>Access to local services</p> <p><i>Is the parent aware of the availability of local services?</i></p> <ul style="list-style-type: none"> • <i>e.g., health nurse, access to health initiatives (e.g., period dignity grant), careers advice, ALN advice, youth support service etc.</i> 	<p>YES/NO</p>

<p><i>Would the parent like us to share their details with these services to enable the parent to have more information?</i></p> <p><i>*(If YES, this will be actioned by LA EHE Officer)</i></p>	<p>YES*/NO</p>
<p>Is the local authority able to determine whether the child is in receipt of a suitable and efficient education?</p> <p>Does the local authority believe the education provided is suitable and efficient?</p> <p><i>Please outline why the local authority has arrived at the above decision.</i></p>	<p>YES/NO?</p> <p>YES/NO?</p>
<p>Any further action required?</p> <p><u><i>If yes define action, by whom and when</i></u></p>	<p>YES/NO</p>
<p>Next discussion with parents</p> <p>To follow up on actions identified above Date--/--/----</p> <p>Annual discussion to determine suitability of education provision Date--/--/----</p>	

Home education Officer Name:

Signature:

Date:

Final report shared with parents on --/--/----

<p>Child's view of report</p>	
<p>Date</p>	<p>Child's signature</p>
<p>Parental view of report</p>	

Date	Parent's signature

Annex 6: annual EHE discussion contact letter

Name
Address
Date

Dear [name of parent/guardian]

Home education for [name of child/ren]

You will recall when we met on **[insert date]**, I explained the local authority has a duty to establish that children in their area who are of compulsory school age are receiving a suitable education.

Suitable education means full-time efficient education suitable to the child's age, ability, and aptitude and any additional learning needs the child may have.

To enable the local authority to determine whether your child is receiving suitable education, the local authority would like to discuss the education that you are providing.

We would like to discuss **[name of child's]** education and progress, any plans and aspirations that you or your child may have. We propose that we meet with you and **[name of child]** at your home/ the County Hall or a neutral place on **(Date)** at **(Time)** and anything else that you would like to discuss, such as support that may be available to you from the local authority or from other local home educating groups.

If this time and date is not convenient or if you would rather meet at an alternative place, please contact me using the email address/ telephone number below.

If you have any queries prior to our discussion, please contact me on the number [below].

I look forward to seeing you and **[name of child]**.

Yours sincerely

Home Education Officer
Email:
Telephone:

Annex 7: initial school attendance order notice template

Dear [parents' name]

Re: home education for [child's name]

It appears to [name of the local authority] that you are the parent* of [name & DOB of child] (the child) of compulsory school age living at [address of child] within the local authority area.

[Name of local authority] recognises and respects the rights of parents to educate their children at home and is committed to working with those parents.

[Section 7 of the Education Act 1996](#) states that: 'The parent of every child of compulsory school age shall cause him to receive an efficient full-time education suitable

a) to his age, ability and aptitude, and

b) to any special educational needs [(in the case of a child who is in the area of a local authority in England) or additional learning needs (in the case of a child who is in the area of a local authority in Wales)] he may have, either by regular attendance at school or otherwise.

A suitable education would include provision in numeracy, literacy and language skills, appropriate to the child's age, ability and aptitude and any additional learning needs/special educational needs they may have. These are essential in preparing the child to participate in, and function in, society.

I refer to letters issued to you recently offering to meet with you to discuss the education you are providing and to share advice and support for your provision of home education for your son/daughter. As I received **[no response/ a refusal to attend a meeting]**, the local authority cannot be satisfied that your child/ren are receiving an efficient full-time education suitable to his/her age, ability and aptitude and to any additional learning needs which he or she may have.

OR (delete as appropriate)

I refer to letters issued to you recently expressing concern about the provision of home education for your son/daughter. The local authority is not satisfied that your child/ren are receiving an efficient full-time education suitable to his/her age, ability and aptitude and to any additional learning needs which he or she may have.

In accordance with section [437\(1\) of the Education Act 1996](#), the authority requires you, within 15 days from the service of this notice, to satisfy **[name of local authority]** that your child is receiving a suitable education.

I look forward to hearing from you in relation to my request within the above-mentioned timescale.

Yours sincerely

Home education officer

Email:

Telephone:

Annex 8: School attendance order notice template (child without an IDP which names a school)

Dear [name of parent],

I wrote to you on [date] requiring you to satisfy the local authority that within 15 days that [name of child] is receiving suitable education. More than 15 days have now elapsed. On behalf of the local authority, I consider that [name of child/ren] should attend school and I intend to serve on you a school attendance order.

In the school attendance order, the authority intends to name [name of school] in the order and to name the following school(s) which they regard as (a) suitable alternative(s)

-
-
-

If you select one of the schools named above within 15 days from the date of service of this notice on you, the authority will name that school in the order.

Alternatively, if one of the following occurs within 15 days from the date of service of notice on you, the relevant school will be named in the Order accordingly:

1 You apply for admission to a maintained school, and inform me if the school is in another local authority's area, and [name of child] is offered a place at the school as a result of the application

2 You ask this authority to provide a place for [name of child] at a school which is not maintained by a local authority, and [name of child] is offered a place at such a school under arrangements made by this authority for us to pay the fees under section 517 Education Act 1996.

3 You apply for a place for [name of child] at a school which is not maintained by a local authority and notify us of your application without asking us to pay the fees; and [name of child] is offered a place; and the school is suitable to [name of child]'s age, ability and aptitude and to any additional learning needs [name of child] may have.

OR (delete as appropriate)

Having considered [name of child] needs, I do **not** consider there are suitable alternative schools in [name of local authority]. Unless you provide a suitable alternative school, the local authority will name [name of school] in the order.

Unless you provide information that confirms that you are delivering a suitable efficient full-time education suitable to the age(s), ability(abilities) and aptitude(s) of your child(ren) and any additional learning needs your child(ren) may have the local authority will issue the school attendance order after a further 15 days from the date of this letter.

Yours sincerely,

Home education officer
Email / Telephone:

Annex 9: School attendance order template

Dear [parents' name]

[name of local authority] (“the Authority”)

As you, [name of parent], of [address of parent], being the parent* of a child of compulsory school age in the area of the Authority, have failed to satisfy the Authority in accordance with the requirements of the notice served on you under section 437(1) of the Education Act 1996 by the Authority on [date of notice] that [name of child] is receiving suitable education, either by regular attendance at school or otherwise.

And as, in the opinion of the Authority, [name of child] should attend school.

You are required to cause [name of child] to become a registered pupil at the following school:

[Insert full name and address of the school and omit the whole or part of the following words as the case requires]

being the school [specified by the Authority] [selected by you] [determined by a direction of the Welsh Ministers] [as the school to be named in this Order] [specified in the statement for the child under section 324 of the Education Act 1996] [specified in the individual development plan for the child under Part 2 of the [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#)].

Failure to comply with the requirements of this order is an offence unless you can prove that [name of child] is receiving suitable education otherwise than at school.

Yours sincerely,

[Name of local authority officer] of [name of local authority]

Email:

Telephone:

**The expression ‘parent’ in relation to a child or young person, includes any person who is not a parent of the child but has parental responsibility for him or her, or who care of the child.*