



Hartington C of E Primary School



"Caring & sharing as part of God's family"
"Loving our neighbour as we love ourselves" - Luke 10:27

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Derbyshire County Council
Elective Home Education (EHE)

Updated August 2025

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Introduction

This policy outlines parents' rights to educate their children at home, including roles of parents, schools and Derbyshire County Council (DCC) in relation to Elective Home Education (EHE). *Education Act 1996 s7* requires parents of compulsory school age children to ensure they receive efficient suitable full-time education. Most meet this duty by sending children to school – some choose to take on full responsibility by providing an education based at home, which the Department for Education (DfE) refers to as EHE.

We understand there are many reasons why a parent may choose EHE as a learning pathway for their children, and we aim to work with families and stakeholders by recognising rights, responsibilities, and roles of all these parties. Home Education Link Officers (HELOs) are allocated to specific districts of Derbyshire, and are in place to build and maintain positive relationships with young people and their families.

We always aim to act in the best interests of all compulsory school aged children and young people to ensure they receive a suitable education. We also endeavour to create an open culture of trust where families are listened to – where their views and opinions are heard and valued, and where all children and young people are safe. Families may contact the EHE team if they are considering home education, and can be provided with information regarding legal duties and other important aspects of EHE – this enables families to make informed decisions in each child's best interests. Current home educators are also welcome to contact HELOs about returning to school – and to share resources with the EHE team, contributing to a publicly available list of good practice opportunities.

Further information is available on the DCC main website and Local Offer:

- [Elective home education - Derbyshire County Council](https://www.derbyshire.gov.uk/education/attendance-missing-home-education/electivehome-education/elective-home-education.aspx) OR <https://www.derbyshire.gov.uk/education/attendance-missing-home-education/electivehome-education/elective-home-education.aspx>
- [Elective Home Education \(EHE\) - Derbyshire Local Offer](https://www.localoffer.derbyshire.gov.uk/education-and-learning/out-of-school-servicesacre/elective-home-education/elective-home-education-ehe.aspx) OR <https://www.localoffer.derbyshire.gov.uk/education-and-learning/out-of-school-servicesacre/elective-home-education/elective-home-education-ehe.aspx>

DCC's role and duties

The role of the EHE team is to give advice and information for parents who are considering or already providing home education, together with a legal duty to identify young people who are not receiving their education entitlement otherwise than at school – *s436A Education Act 1996*. This also forms part of our wider safeguarding responsibilities for all children living in Derbyshire. As such, we keep and maintain an up-to-date register of those who are home educated, establishing annual contact with families.

We also prioritise concerns about children who may not be in receipt of suitable education – regarding their age, ability, aptitude and any special education need they may have (*s7 Education Act 1996*). The EHE team aims to make reasonable and proportionate enquires – initially informal by nature. If these remain unsuccessful in establishing 'suitability', it becomes justifiable to conclude a child does not appear to be receiving suitable education which needs further formal procedure.

This may result in serving parents a notice under *s437 Education Act 1996* requiring them to satisfy, within a period specified in the notice, that their child is receiving a suitable education. If this is also unsuccessful, DCC may then serve a School Attendance Order (SAO).

DCC workers will operate in accordance with DCC's Children's Service Privacy notice: please see our [Children's services privacy notices - Derbyshire County Council](https://www.derbyshire.gov.uk/council/gdpr/privacy-notices/childrens-services/childrensservices-privacy-notices.aspx) OR <https://www.derbyshire.gov.uk/council/gdpr/privacy-notices/childrens-services/childrensservices-privacy-notices.aspx> – we also liaise with agencies within schools and other partner agencies regarding [Working together to safeguard children - GOV.UK](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2) OR <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

Potential 'off-rolling' by schools is never promoted by DCC and, as such, all schools are reminded regularly about this concern – especially in relation to becoming EHE. Significant patterns are monitored and raised with senior management.

Safeguarding specific issues

DCC will need to use its safeguarding powers if there are concerns that any child is suffering or is likely to suffer significant harm. 'Harm' covers neglect, impairment of health or other development incorporating physical, intellectual, emotional, social or behavioural – this also includes development of knowledge/skills/understanding via EHE.

We acknowledge that significant harm can be unintentional or deliberate – therefore, may be recorded as 'considerable', 'noteworthy' or 'important.'

Based on all information available, we follow Derby and Derbyshire Safeguarding Children Partnerships' current threshold document – this may well provide further detail for HELOs before their fuller contact with families.

Parents' duties

Education Act 1996 s7 states the parent of every child of compulsory school age is responsible for ensuring their child receives an efficient full-time education suitable to their age, ability, and aptitude and to any special educational needs they may have – either by regular attendance at school or

otherwise. In England, education is compulsory but school is not – so parents may lawfully choose to educate their child by EHE.

Where a parent is considering full responsibility through EHE, we understand this is a major decision – and encourage parents to seek unbiased advice and support from the EHE team at the earliest opportunity.

Home education can be a rewarding experience for parents and children when it is a positive choice. EHE requires time, dedication, hard work and patience – parents also need to be aware that they will be responsible for all costs including resources and examination fees.

Schools, EHC and LAC

Where a parent is known to be considering home education, schools need to follow established protocol – encouraging parents to understand the big picture prior to seeking deregistration. This includes an expectation of schools to pursue an open dialogue with parents, in order to explore the pros and cons of EHE for their children before parents make any changes to educational arrangements. Schools must never coerce families into home education, nor should parents use EHE to simply avoid problems with school provision by choosing the EHE pathway – rather than seeking resolutions. Any and all deregistration must always be seen primarily in the best interests of the pupil – not the school, parent or any other stakeholder. When a school receives written confirmation regarding parental intention to provide EHE, this should be acknowledged and then forwarded appropriately to the EHE team via the agreed procedure.

SEND (Special Educational Needs & Disability) colleagues will be informed of those with ongoing EHC (Education Health Care) Needs Assessment or with an established EHC Plan by the HELO at the point of deregistration. SEND colleagues are solely responsible for achieving legal *annual review* duties re: *SEND code of practice 2014*.

If a young person who is already in receipt of EHE becomes LAC (a 'looked after child'), formal EHE monitoring will discontinue at the date of the Care Order – enabling other DCC workers to meet the education entitlement as soon as possible.

Compliments and Complaints Procedure

Where there are positive or negative comments about aspects of the EHE service, please contact the EHE team – these will be dealt with as quickly as possible.

If you wish to make a formal complaint, please contact cs.feedback@derbyshire.gov.uk – this will be forwarded to a senior officer to investigate and will be answered within the corporate complaints timeframe.

Find more information on: [Derbyshire County Council – Complaints and Procedures](https://www.derbyshire.gov.uk/council/complaints/complaints-and-praise.aspx) OR <https://www.derbyshire.gov.uk/council/complaints/complaints-and-praise.aspx>

EHE team contact details

For enquiries relating to this policy, please contact the EHE team preferably by email using CS.EHE@derbyshire.gov.uk or by calling [01629 533720](tel:01629533720) and leaving a voicemail.

Please note: this policy should always be seen in conjunction with any recent amendments regarding the latest national and local government legislation and guidance.