

Elective Home Education Policy

Education Welfare Service
Barnsley Metropolitan Borough Council

Guidance and Procedures for Parents and Carers, Schools, Academies, Services
and Partner Agencies

September 2026

Reviewed annually or sooner where legislation, statutory guidance or local arrangements
change



Elective Home Education: Guidance and Procedures

Contents

Introduction and overview	
Purpose and scope	2
Principles	2
Legal and guidance framework	2
Definitions	3
Working together to identify and support Elective Home Education	
Parental rights and responsibilities	3
What constitutes suitable education	4
Responsibilities of schools and academies	5
Responsibilities of Barnsley Council	6
Notification, enquiries and assessment process	6
Children with SEND and EHC plans	7
Safeguarding, vulnerability and multi-agency working	8
Children's wishes and feelings	8
Flexi-schooling	9
Support, qualifications and post-16 pathways	9
When education may not be suitable	9
School Attendance Orders and return to school	10
Complaints, equality and data protection	10
Governance, quality assurance and review	11
Barnsley implementation model and operational pathway	11
Appendices	
Appendix A: Operational pathway	17
Appendix B: Suitability framework	18
Appendix C: Schools checklist	19
Appendix D: Key references and contacts	20

1. Purpose and scope

1.1 This policy explains Barnsley Metropolitan Borough Council's approach to elective home education (EHE). It sets out the respective rights and responsibilities of parents, schools and the Council, and the process used to identify whether a child of compulsory school age is receiving an efficient, suitable, full-time education.

1.2 It applies to children of compulsory school age who live in Barnsley and whose parents choose to educate them otherwise than by regular attendance at school. It also informs practice where a family is considering EHE, where a child moves into Barnsley while being home educated, or where concerns arise about the suitability of provision.

1.3 EHE is different from education arranged by the Council otherwise than at school, including provision made under section 19 of the Education Act 1996, and from education otherwise than at school (EOTAS) specified in an Education, Health and Care (EHC) plan.

1.4 This policy should be read with Barnsley's published information for families, safeguarding procedures, Children Missing Education arrangements, Fair Access Protocol, SEND procedures and the Every Child in School Every Day plan.

2. Principles

- Education is compulsory; attendance at a school is not required. Parents may fulfil their duty by providing education otherwise than at school.
- EHE can be a positive and successful choice. The Council will work respectfully and proportionately with families and will recognise diverse educational philosophies and approaches.
- The child's education, welfare, voice, identity, and individual circumstances will remain central to decision-making.
- Home education is not, in itself, a safeguarding concern. Reduced visibility may, however, increase the importance of professional curiosity, lawful information sharing, and coordinated support where vulnerabilities or risks are known.
- Support and early problem-solving should be offered before withdrawal wherever possible, especially where EHE is being considered because of unmet need, bullying, anxiety, attendance difficulty, exclusion risk or unresolved SEND concerns.
- No parent should be pressured or encouraged by a school to remove a child from roll to avoid exclusion, attendance action, SEND duties or accountability. Any indication of off rolling will be addressed.
- Intervention will be evidence-based, fair, timely, and no more intrusive than necessary.

3. Legal and guidance framework

3.1 This policy has regard to the following legislation and national guidance, as amended or replaced:

- Education Act 1996, particularly sections 7, 19, 436A and 437-443.
- Education Act 2002, section 175.
- Children Act 1989 and Children Act 2004, including sections 10 and 11 of the 2004 Act.
- Children and Families Act 2014 and the SEND Code of Practice: 0 to 25 years.
- Equality Act 2010 and Human Rights Act 1998.
- School Attendance (Pupil Registration) (England) Regulations 2024.
- DfE Elective Home Education: departmental guidance for local authorities and guidance for parents, updated 19 August 2024.
- Working Together to Improve School Attendance.

- Keeping Children Safe in Education 2025 until 31 August 2026 and Keeping Children Safe in Education 2026 from 1 September 2026.
- Working Together to Safeguard Children 2026.
- Children's Wellbeing and Schools Act 2026 and regulations or statutory guidance made under it as provisions are commenced.

3.2 Where legislation or statutory guidance changes, the current law and guidance take precedence over this policy. The Council will publish interim practice instructions where necessary pending formal revision.

4. Definitions

Term	Meaning
Elective home education	Education provided by parents at home or otherwise, instead of full-time attendance at school.
Parent	A person who is a parent has parental responsibility, or has care of the child for the purposes of education law.
Compulsory school age	From the prescribed school starting point until the last Friday in June in the school year in which the child turns 16.
Efficient	Education that achieves what it sets out to achieve.
Suitable	Education that is appropriate to the child's age, ability, aptitude and any special educational needs, and which prepares the child for life in their community and modern society without foreclosing later options.
Full-time	Not defined by a fixed number of hours for EHE. It is assessed by the nature, quality, consistency and overall effect of the provision, taking account of the child's circumstances.
Informal enquiry	A proportionate enquiry by the Council to establish what education is being provided and whether it appears suitable.
School Attendance Order (SAO)	A statutory order under section 437 of the Education Act 1996 requiring a child to become a registered pupil at a named school where the legal tests are met.

5. Parental rights and responsibilities

5.1 The right to home educate

5.1.1 Parents may choose EHE without the Council's permission where the child attends a mainstream school, including where the child has an EHC plan. Different requirements apply where a child attends a special school under arrangements made by the Council or is registered at a school because of a School Attendance Order.

5.2 The duty to provide education

5.2.1 Parents must cause their child to receive an efficient, suitable, full-time education appropriate to their age, ability and aptitude and to any special educational needs they may have, either by regular attendance at school or otherwise. Suitable education should begin when the child is removed from roll; EHE is not a period in which no education is required.

5.3 Curriculum and methods

5.3.1 Parents are not required to follow the National Curriculum, school hours, terms or teaching methods; use specific resources; hold teaching qualifications; provide a school-style classroom; or enter the child for public examinations. The provision must nevertheless be real, active, coherent, and suitable for the individual child.

5.4 Costs and practical arrangements

5.4.1 Parents normally meet the costs of EHE, including resources, tuition, equipment, examination entry, travel and work-experience arrangements. The Council will provide information and signposting and may offer support within available resources, but EHE does not create an automatic entitlement to Council funding.

5.5 Cooperation with enquiries

5.5.1 Parents are not required to accept a home visit or follow a single prescribed form of engagement. However, where the Council has information that a child may not be receiving suitable education, parents are expected to respond and provide sufficient information for the Council to reach an informed view. A failure to provide information, particularly when concerns are identified, may leave the Council unable to conclude that education is suitable and may lead to formal action.

6. What constitutes suitable education

6.1 Suitability is assessed individually. There is no universal EHE curriculum or standard format, and an unconventional or autonomous approach is not unsuitable merely because it differs from school.

6.2 The Council will consider whether the education:

- is appropriate to the child's age, ability, aptitude and special educational needs;
- is sufficiently broad, balanced and coherent to support development and future progression;
- enables the child to make progress from their individual starting points;
- develops literacy and numeracy to a level appropriate to the child's needs and circumstances;
- provides access to suitable learning resources and sustained educational activity rather than mainly supervision, childcare or unstructured occupation;
- prepares the child for participation in their community and for life in modern Britain, while respecting the family's philosophical or religious convictions;
- does not conflict with the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs;
- does not isolate the child from opportunities to develop social, cultural, physical and personal skills, recognising that these opportunities need not mirror school;
- is safe and takes reasonable account of the child's physical and emotional wellbeing; and
- does not unlawfully discriminate or expose the child to unsuitable, extremist or harmful material.

6.3 Evidence may include a written account, discussion, samples of work, projects, photographs of activities, information about resources, progress records, reports from tutors, online learning records,

or another reasonable method chosen with the family. The Council will assess the whole picture and will not require a home visit as the only acceptable evidence.

6.4 A plan alone may not demonstrate that education is taking place. The Council may allow a reasonable settling-in period where appropriate, but the legal duty applies from the outset, and any period must be child-specific, time limited and kept under review.

7. Responsibilities of schools and academies

7.1 Before removal from roll

7.1.1 When a parent indicates that they are considering EHE, the school should offer a timely, non-judgmental discussion. The purpose is not to obstruct a lawful parental choice, but to understand the reasons, ensure the decision is informed, and explore whether barriers can be resolved. Where possible, relevant professionals should be involved, particularly for a child with SEND, a social worker, significant health needs, known safeguarding concerns, or other vulnerabilities.

7.1.2 Schools must not advise EHE to address absence, behaviour, unmet SEND, potential exclusion, poor attainment or resource pressures. They should evidence support offered and any reasonable adjustments, pastoral response, attendance support or review of provision.

7.2 Parental notification

7.2.1 For a child at a mainstream school, clear written notification from a parent that the child is to be educated at home is normally sufficient. The school should clarify ambiguous correspondence but must not delay deletion merely to secure attendance at a meeting or completion of a Council form.

7.2.2 Where two parents share parental responsibility and disagree about home education, the local authority should establish who has parental responsibility and gather the full circumstances. In most cases, the parent with whom the child lives for the majority of the time is considered to have effective control over the child's education and school attendance. However, this can be overridden by a Specific Issue Order or other relevant order made by the Family Court.

7.2.3 For local authorities, a dispute between parents does not automatically make home education unsuitable. The focus remains on whether the education is suitable; whether any Family Court orders affect decision-making; ensuring both parents are appropriately informed and involved, subject to safeguarding considerations and supporting the resolution of parental disagreement wherever feasible.

7.3 Deletion and notification

7.3.1 The school must comply with the School Attendance (Pupil Registration) (England) Regulations 2024, including the applicable deletion ground and notification to the local authority. The school should notify Barnsley Education Welfare Service without delay using the current EHE notification process and transfer relevant educational, attendance, SEND and safeguarding information securely and lawfully.

7.3.2 Where a child attends a special school under arrangements made by the Council, the school must not delete the child's name without the Council's consent. Where a School Attendance Order is in force, the child must remain registered unless and until the order is revoked or otherwise ceases to have effect.

7.4 Records and safeguarding

7.4.1 The school should retain a clear audit trail of the parent's notification, discussions held, the child's wishes and feelings where obtained, support offered, agencies consulted and the date and

legal basis for deletion. Any safeguarding concern must be referred through normal safeguarding procedures; notifying the Council of EHE does not replace a referral to Children's Social Care or the police where required.

7.5 Flexi-schooling

7.5.1 A request for flexi-schooling is not a request to remove the child from the roll. The headteacher may agree or refuse the arrangement. If agreed, it should be recorded in writing, reviewed regularly, and coded in accordance with current attendance guidance and regulations.

8. Responsibilities of Barnsley Council

8.1 Barnsley Council will:

- Maintain accurate records of known EHE children and, when commenced, comply with statutory children-not-in-school registration duties.
- Make reasonable efforts under section 436A of the Education Act 1996 to identify children who are not receiving suitable education.
- Provide clear, accessible and accurate information to families, schools and partners.
- Offer early advice and support where EHE is being considered and help families explore return-to-school options where requested.
- Make proportionate enquiries where it appears that a child may be home educated or may not be receiving suitable education.
- Assess suitability fairly, taking account of the child's individual circumstances and evidence provided.
- Offer different ways to engage, including a home visit, meeting at another venue, virtual discussion, written submission or other reasonable method;
- Seek and give due consideration to the child's wishes and feelings, according to age and understanding.
- Coordinate with SEND, Children's Social Care, health, early help, youth justice and other services where lawful and necessary.
- Act promptly where education appears unsuitable or where safeguarding concerns arise.
- Use the School Attendance Order process where the statutory test is met and informal resolution has not secured suitable education.
- Monitor trends, disproportionality, repeated movement between school and EHE, and possible off-rolling;
- Quality-assure practice and report outcomes and impact through appropriate governance arrangements.

9. Notification, enquiries and assessment process

9.1 Receipt and initial checks

9.1.1 On notification or identification of EHE, the Education Welfare Service will create or update the child's record and undertake proportionate checks. These may include school status, address, parental responsibility, SEND/EHC plan status, Children's Social Care involvement, attendance history, exclusion status, and other known vulnerabilities. Information will be obtained and shared only where there is a lawful basis, and it is necessary and proportionate.

9.2 Initial contact

9.2.1 The Council will write to the parent on receipt of the request and contact the parent promptly, normally within 10 working days, to acknowledge EHE, explain rights and responsibilities, provide information and offer a discussion or visit. The Council will seek the child's views where appropriate and will ask how education is being provided or will be provided.

9.3 Information about provision

9.3.1 The parent will be invited to provide information within a reasonable period, normally 15 working days unless circumstances justify a different period. The request will be tailored and will explain any specific concerns. Parents may provide evidence in the form that best demonstrates the provision.

9.4 Assessment and outcome

9.4.1 An appropriately trained officer will assess the information against the suitability framework in Appendix B. The written outcome will normally be one of the following:

- Suitable: the available evidence indicates that the section 7 duty is being met. The Council will agree on proportionate future contact, normally annually, while remaining responsive to changes or new concerns.
- Further information required: the evidence is incomplete, or matters need clarification. The Council will identify what is missing, why it is relevant, and a reasonable timescale.
- Concerns about suitability: the Council will set out the concerns clearly, identify the improvement or evidence required, offer advice where appropriate, and specify a review date.
- Appears unsuitable: where the evidence indicates that suitable education is not being provided, or insufficient information is provided in circumstances giving rise to concern; the case may proceed under section 437 of the Education Act 1996.

9.5 Ongoing contact

9.5.1 There is no automatic legal requirement for annual monitoring in every case, but the Council may make periodic contact to fulfil its responsibilities and respond to changing circumstances. Frequency and method will be proportionate to the available information, the child's needs, previous engagement, and any identified risk. New information may justify an earlier review.

9.6 Changes of address or education status

9.6.1 Parents are encouraged to tell the Council if they move; the child returns to school, provision changes materially, or the child reaches the end of compulsory school age. The Council will support admission and Fair Access processes where appropriate.

10. Children with SEND and EHC plans

10.1 The right to EHE applies equally to children with SEND. Suitability must take account of the child's identified needs, and the Council must continue to exercise its SEND functions.

10.2 Where a child with an EHC plan is educated at home by parental choice and the Council is satisfied that the arrangements made by the parents are suitable, the Council is not required to arrange the special educational provision in the plan solely because the parents have chosen EHE. The EHC plan must nevertheless be maintained and reviewed at least annually while it remains necessary.

10.3 Where the Council has itself arranged education at home or EOTAS, and this is specified in the EHC plan, the Council remains responsible for securing the special educational provision in the plan. The distinction between parental EHE and Council-arranged provision must be explicit in records and correspondence.

10.4 If the child attends a special school under arrangements made by the Council, Council consent is required before deletion from the admission register. Consent will not be withheld unreasonably, but the Council will consider the proposed education, the child's needs, the views of relevant professionals and any safeguarding information.

10.5 A request for EHE must not be treated as resolving concerns about unmet SEND. The school and Council should consider whether assessment, review, reasonable adjustments, provision changes, health support or another placement may address the issues that prompted the decision.

11. Safeguarding, vulnerability and multi-agency working

11.1 EHE is not a safeguarding concern in itself. The same safeguarding duties and thresholds apply to home-educated children as to all children. Concerns about abuse, neglect or exploitation will be addressed through Barnsley safeguarding procedures and not through education enforcement alone.

11.2 Where a child has a social worker, is subject to a Child Protection plan or Child in Need process, is undergoing section 47 enquiries, or is otherwise vulnerable, the Council and school will coordinate information and professional views. Where possible and lawful, a multi-agency discussion should take place before a final withdrawal decision, so the parent understands available support and risks can be assessed.

11.3 From 1 September 2026, schools must have regard to Keeping Children Safe in Education 2026. This includes maintaining a child-centred and coordinated approach, effective information sharing, and timely action where a child may be at risk.

11.4 A Child Protection plan or Children's Social Care involvement does not automatically prevent EHE under current law. It does require careful, recorded, multi-agency consideration, continued statutory visiting and review arrangements, and a clear plan for education and safeguarding oversight.

11.5 Refusal of a home visit is not, by itself, evidence of abuse or unsuitable education. It may be considered alongside other information. Where there is reasonable cause to suspect significant harm, the Council will use safeguarding powers and procedures; where the concern is educational suitability, the section 437 process will be used.

11.6 Parents who engage tutors, groups or online providers remain responsible for the suitability and safety of the education. They should make reasonable checks, including identity, references, safeguarding arrangements, supervision, online safety and, where available and appropriate, criminal record information. The Council cannot provide assurance that an individual tutor or unregistered setting is safe merely because it is known to be used by EHE families.

12. Children's wishes and feelings

12.1 The Council will seek to understand the child's views and educational experience in a manner appropriate to their age, communication needs and understanding. A child may be offered an opportunity to speak without a parent present, but this is not mandatory and will be handled sensitively.

12.2 The child's views are important but do not transfer the legal responsibility for education from the parent. Where the child's account differs from other evidence, officers will explore the discrepancy fairly and record how views were considered.

13. Flexi-schooling

13.1 Flexi-schooling is an arrangement under which a child remains registered at school and receives part of their education away from school, usually at home, by agreement with the headteacher. Parents have no right to insist on flexi-schooling, and a school is not required to agree.

13.2 Any arrangement should set out the educational programme, timetable, responsibility for safeguarding and progress, attendance coding, review arrangements and how the combined provision remains suitable and full-time. The school retains statutory responsibilities for the registered pupil.

14. Support, qualifications and post-16 pathways

14.1 The Council will provide or signpost information about local services, the SEND Local Offer, libraries, careers guidance, examinations, health and wellbeing support and routes back into education. The nature of available support may change and is subject to eligibility and resources.

14.2 Parents are responsible for arranging examination centres and meeting fees unless a specific funded arrangement is available. Families should plan early because centres, subjects, practical assessments and access arrangements may be limited.

14.3 The Education Welfare Service will work with relevant careers and participation services to support Year 11 EHE children to consider education, employment or training after compulsory school age and to reduce the risk of becoming not in education, employment or training.

14.4 Work experience and child employment must comply with relevant law, licensing, insurance, safeguarding and health and safety requirements. EHE does not exempt a child from child employment restrictions.

15. When education may not be suitable

15.1 The following may indicate that education is unsuitable. No single factor is automatically determinative; officers will consider the overall evidence and any reasonable explanation:

- No identifiable education is taking place or provision is only aspirational.
- Provision is sporadic, very limited or lacks sufficient substance to amount to full-time education.
- There is little or no progress over time without a reasonable explanation linked to the child's needs or circumstances.
- Learning is not appropriate to the child's age, ability, aptitude or SEND.
- The child has no meaningful access to literacy or numeracy development appropriate to their circumstances.
- Education is predominantly conducted in an unsuitable, unsafe or illegal setting.
- Material or teaching undermines fundamental rights, promotes intolerance or exposes the child to harmful or extremist content.
- The parent provides insufficient information to address specific and reasonable concerns, or the education substantially closes down the child's future options without a sound educational rationale.

16. School Attendance Orders and return to school

16.1 Informal resolution

16.1.1 Where concerns arise, the Council will ordinarily explain them, invite evidence, allow a reasonable opportunity to address them, and offer advice. The Council is not required to prolong

informal engagement where education is clearly absent; concerns are serious, the parent does not respond, or delay would be contrary to the child's interests.

16.2 Notice under section 437(1)

16.2.1 If it appears that a child of compulsory school age is not receiving suitable education, the Council will serve a notice requiring the parent to satisfy the Council within the statutory period that the child is receiving suitable education. The notice and supporting correspondence will state the concerns and evidence considered.

16.3 School Attendance Order

16.3.1 If the parent does not satisfy the Council and the statutory requirements are met, the Council may serve a School Attendance Order naming a suitable school. Parents will have the opportunity provided by law to nominate a school. SEND duties, admissions requirements, and the child's circumstances will be considered. Failure to comply with an SAO may result in prosecution. Any safeguarding concerns will be considered separately under safeguarding procedures.

16.4 Revocation

16.4.1 A parent may ask the Council to revoke an SAO on the basis that suitable education is being provided otherwise than at school. The Council will consider current evidence and provide a reasoned decision. Rights to require referral to the Secretary of State will be explained where applicable.

16.5 Return to school

16.5.1 Where a parent wishes the child to return to school, the Council will provide admissions advice and use Fair Access arrangements where the statutory or local criteria are met. A child is not guaranteed a place at their previous or preferred school. Support should focus on timely and sustainable reintegration.

17. Complaints, equality and data protection

17.1 Complaints and representations

17.1.1 Families may raise concerns initially with the officer or manager responsible. Formal complaints will be handled under the Council's corporate complaints procedure. The complaints process does not suspend statutory action where the Council considers that delay would be contrary to the child's educational interests, although concerns about process or evidence will be reviewed appropriately.

17.2 Equality and accessibility

17.2.1 The Council will comply with the Equality Act 2010, make reasonable adjustments and provide accessible information or interpretation where required. Decisions will not be based on stereotypes relating to disability, race, religion or belief, sex, family structure, poverty, Traveller status or educational philosophy.

17.3 Information governance

17.3.1 Personal information will be processed in accordance with UK GDPR, the Data Protection Act 2018 and the Council's privacy notice. Information may be shared without consent where there is a lawful basis, including the discharge of education or safeguarding functions. Only relevant and proportionate information will be sought, recorded, retained and shared.

18. Governance, quality assurance and review

18.1 The Service Manager for Education Welfare and Inclusion is responsible for implementation. Managers will provide supervision, legal escalation, and quality assurance for complex suitability and SAO decisions.

18.2 The Council will monitor:

- numbers, characteristics, duration and reasons for EHE;
- rates of return to school and sustainability of placements;
- children with SEND, EHC plans, social workers or other vulnerabilities;
- suitability outcomes, response times, SAO activity and complaints;
- evidence of off rolling or disproportionate patterns by school or pupil group;
- the impact of support and intervention on children's educational outcomes.

18.3 Findings will inform service planning, school challenge and support, partnership safeguarding arrangements and delivery of Every Child in School Every Day.

18.4 This policy will be reviewed annually and sooner if legislation, case law, DfE guidance, safeguarding guidance or local arrangements change. In particular, the policy and associated forms will be revised when relevant children-not-in-school provisions of the Children's Wellbeing and Schools Act 2026 and supporting regulations are commenced.

19. Barnsley implementation model and operational pathway

19.1 Barnsley implements elective home education responsibilities through a staged, child-centred model. The model is designed to help families make informed decisions, ensure schools meet their registration and safeguarding duties, assess whether children are receiving suitable education, and support a return to school where this is requested or required. It should be read as the operational application of sections 1 to 18, rather than as a separate or duplicate policy.

19.2 Overview of the Barnsley pathway

Stage	Purpose	Barnsley action
1. Informed decision	Ensure EHE is a positive, informed parental choice and not a response to unresolved pressure, unmet need or off rolling.	Schools offer discussion and support; EWS provides information and signposting where needed.
2. Notification and checks	Confirm the child's status, identify vulnerabilities, and ensure lawful information sharing.	EWS records the notification, completes education, SEND, social care and safeguarding checks, and confirms any missing information.
3. Family contact	Explain rights and responsibilities, understand the child's circumstances, and identify support.	The allocated EWO offers contact, seeks the child's views where appropriate, explores unresolved barriers and records agreed actions.
4. Suitability review	Establish whether education appears efficient, suitable, and full-time.	The EHE Adviser considers evidence using Appendix B and provides a reasoned written outcome.
5. Support or escalation	Resolve concerns early where possible and act promptly where education appears unsuitable.	EWS offers advice, coordinates partners, supports return to school and uses the section 437 and SAO route where the statutory test is met.

6. Review and assurance	Maintain oversight, monitor trends, and improve practice.	Managers audit records, review timeliness and outcomes, and use intelligence to support schools and protect children's education.
-------------------------	---	---

19.3 Roles and responsibilities

The following roles work together to implement this policy without duplicating requests from families or schools:

Role	Primary responsibility
School or academy	Confirm parental notification, comply with pupil registration duties, transfer relevant information securely, continue safeguarding action until lawful deletion and raise any concern about pressure or off rolling.
EWS duty or administration	Create and update records, complete initial checks, issue standard information, track movement, and allocate work.
Allocated EWO	Contact the family, explain responsibilities, identify unmet need, seek the child's views, coordinate support and record agreed actions.
EHE Adviser	Assess suitability once provision is established, provide advice, record the evidence, and issue a reasoned outcome.
SEND service	Coordinate EHC plan, annual review and SEND responsibilities, distinguishing parental EHE from Council-arranged EOTAS.
Area Manager	Authorise complex decisions, oversee SAO decisions, complaints, and legal consultation.

19.4 School notification and information transfer

- Date-stamp the notification and save the parent's letter and EHE1 information to the child's secure record.
- Check the child's identity, address, school roll status, deletion date and whether Barnsley is the responsible local authority.
- Create or update the EHE record on Synergy and record the primary referral reason and source of notification.
- Check SEND and EHC plan status and notify or consult the SEND service where applicable.
- Check available Children's Social Care, Early Help and other service involvement in accordance with information-sharing arrangements.
- Consider any immediate safeguarding issue. Where a referral threshold may be met, follow safeguarding procedures without waiting for the EHE assessment.
- Write to the parent to acknowledge the EHE request and share resource links.
- Write to the parent who chooses to have no face-to-face contact with the Local Authority, outlining expectations and responsibilities regarding EHE.
- Allocate an EWO and provide the family with acknowledgement, legal information, support materials, privacy information and contact details.
- Notify the school that the information has been received and identify any missing information that the school is required or reasonably requested to provide.

19.5 Initial EWO contact and EHE2 procedure

19.5.1 The allocated EWO will normally offer contact or a visit within 10 working days of allocation. A home visit is offered, not required. The family may instead choose a Council venue, virtual meeting, telephone discussion, written response or another reasonable arrangement.

19.5.2 The purpose of the EHE2 discussion is to support an informed decision, understand the child's circumstances, and establish the proposed educational arrangements. It is not an assessment of

educational suitability by the EWO unless the officer is specifically trained and authorised to undertake that function.

19.5.3 The EWO will, as relevant::

- confirm current parent/carer contact details, household composition, parental responsibility and any disputes or orders;
- discuss the parent's reasons for EHE and whether the decision remains a positive and informed choice;
- consider whether unresolved school, attendance, bullying, exclusion, health or SEND issues contributed to the decision;
- explain section 7 of the Education Act 1996, the need for suitable education from the outset, expected cooperation with reasonable enquiries, likely costs and arrangements for examinations;
- discuss the intended education, resources, timetable or pattern, learning already begun, social and physical opportunities, and preparation for qualifications and adulthood;
- offer support and signposting, including SEND, Early Help, health, careers, admissions and Fair Access routes;
- ask whether the parent would consider a supported meeting with the school or a pathway back to school. This must not be presented as a condition of EHE;
- seek the child's wishes and feelings in an age-appropriate and accessible way. The child may be offered an opportunity to speak separately where appropriate and agreed, but must not be pressured;
- provide the child or young person with Barnsley information about support they would ordinarily access through school;
- agree specific, measurable and time-bound actions, identify who is responsible and record the next review date;
- complete the EHE2 record promptly, update Synergy and record any professional liaison or referral.

19.5.4 The 2025 procedure anticipated a second contact within 15 days. Under this revised policy, the EWO will normally arrange an initial review within 15 working days where the education plan is not yet established, where agreed actions require checking, or where vulnerabilities or concerns justify early review. Where sufficient evidence is already available, the case may progress directly to the EHE Adviser.

19.6 Resolving school-related issues

19.6.1 Where EHE appears to have arisen from unresolved school issues, the EWO will offer to coordinate a meeting with the parent, school and relevant agencies. The aim is to consider reasonable adjustments, SEND support, bullying response, attendance support, pastoral intervention, managed transition, or another suitable school pathway.

19.6.2 If the parent confirms EHE after receiving information and support, the decision will be respected unless a specific legal restriction applies. The school will be notified of the outcome and will have no continuing attendance responsibility after lawful deletion, but safeguarding information and any professional action must be transferred or continued as appropriate.

19.6.3 Any indication that a school has pressured a parent to home educate, or has used EHE to avoid exclusion, attendance, SEND or accountability duties, will be referred to the appropriate Council manager for challenge and monitoring under Every Child in School Everyday arrangements.

19.7 Handover to the EHE Adviser and suitability assessment

- When the parent confirms EHE and sufficient information about the proposed arrangements is available, the EWO will make a structured handover to the EHE Adviser.
- The handover will include the EHE1 and EHE2 information, child's views, SEND and safeguarding context, agencies involved, agreed actions, risks, adjustments and relevant school information.
- The EHE Adviser will offer an initial assessment meeting or an alternative evidence route once provision is established. Suitable education is required from the outset, but any settling-in period must be reasonable, child-specific, and recorded.
- The Adviser will assess provision against section 6 and Appendix B, record the evidence and issue a reasoned written outcome.
- Where provision is suitable, future contact will be proportionate and normally offered annually. Earlier review may be set for new provision, significant SEND, previous concerns, transition points or material change.
- Where more evidence or improvement is needed, the Adviser will clearly identify the concern, required information or change, available advice, and a proportionate review date.
- Where education appears unsuitable, the Adviser will refer the case to EWS using the unsuitable education referral route, with the evidence, chronology, attempts to engage, child's circumstances and recommended next step.

19.8 Children with social care involvement or safeguarding concerns

19.8.1 Where the child has a social worker, is subject to a Child Protection plan or Child in Need planning, or there are other known vulnerabilities, EWS will liaise with the responsible social worker and relevant professionals. The educational implications of EHE, reduced day-to-day visibility, the child's wishes and feelings, and required safeguards will be addressed in the multi-agency plan.

19.8.2 Safeguarding concerns must not be framed solely as a judgement that EHE is inappropriate. Professionals must identify the specific risk, use the correct safeguarding threshold, and maintain statutory visiting and review. If education also appears unsuitable, safeguarding and section 437 processes may proceed in parallel.

19.8.3 Where a child is subject to a Child Protection plan, EWS will provide information to and attend relevant meetings where requested or necessary. The plan should state how the child's education and welfare will be monitored and which professional is responsible for each action.

19.9 EHE cases involving SEND or an EHC plan

- EWS will notify the SEND service promptly and identify the responsible officer.
- The SEND service will determine whether the EHC plan remains necessary and arrange the annual review within statutory timescales.
- The record must state whether arrangements are parental EHE or Council-arranged EOTAS; responsibilities for provision differ.
- Where parental provision appears suitable, the EHE Adviser and SEND officer will coordinate review evidence and avoid unnecessary duplication for the family.
- Where provision may not meet the child's needs, the SEND officer, EHE Adviser and EWO will consider support, review of the plan, placement options and, where the legal test is met, SAO action.
- Consent to remove a child from a special school roll will be considered promptly, individually and not withheld unreasonably.

19.10 Unsuitable education and School Attendance Order procedure

- The EHE Adviser or EWO refers to the Area Manager with a written suitability assessment and evidence.
- The manager will quality-assure the legal test, chronology, proportionality, equality considerations, SEND position, safeguarding information, child's views and offers of support.
- Where further informal resolution is appropriate, the EWO issues a pre-formal letter setting out the concerns, evidence required and a clear response period, normally 15 days unless a different period is justified.
- If concerns remain and it appears that suitable education is not being provided, EWS serves the formal notice under section 437(1), giving the statutory period for the parent to satisfy the Council.
- If the statutory requirements remain met, the Council serves the School Attendance Order naming a suitable school.
- The EWO monitors compliance, supports admission, and records the child's entry to school. Where the child returns through Fair Access or another route, progress is tracked to confirm a sustainable placement.
- Failure to comply will be referred for legal consideration. Prosecution and safeguarding action are separate decisions and must each meet the relevant legal threshold.
- A request to revoke an SAO is considered promptly against current evidence, with a written decision and information about the parent's statutory rights.

19.10.1 For a child with an EHC plan, annual review or SEND action should not create avoidable delays where suitable education is clearly absent. EWS and SEND will coordinate the lawful education, placement and SAO pathways and obtain legal advice where necessary.

19.11 Ongoing review, movement and closure

- EHE records will contain a clear chronology, status, last assessment, next review, professionals involved and rationale for decisions.
- Where families move into Barnsley, EWS will request proportionate information from the previous authority and contact the parent. Where families move out, information will be transferred securely to the new authority where lawful and necessary.
- Where a child returns to school, EWS will confirm admission and start date and close or update the EHE record only when attendance is verified.
- At the end of compulsory school age, the record will be updated and archived in line with retention periods.
- Cases must not be closed solely because a parent has not engaged. The officer and manager must decide whether further section 436A, safeguarding or section 437 action is required.
- Managers will audit a sample of EHE1, EHE2, suitability and SAO records to ensure timeliness, child voice, legal accuracy, evidence-based decisions and consistent recording.

19.12 Standard records and templates

Record / template	Minimum purpose
EHE1 - school notification	Secure transfer of the parent's notification and relevant school, education, attendance, SEND, safeguarding and agency information.
EHE2 - parental contact record	Record of family details, reasons for EHE, child's views, proposed education, support offered, actions, timescales and next review.
Suitability assessment	Evidence considered, analysis against the suitability framework, child-specific conclusions, outcome, and review date.

Unsuitable education referral	Chronology, concerns, evidence, attempts to engage, support offered, SEND/safeguarding context and recommended escalation.
SAO decision record	Legal test, section 437 notice, parent response, school nomination, SEND/admissions checks, equality and proportionality consideration, authorisation and outcome.
Return-to-school tracking record	Application or Fair Access route, placement, start date, support plan and sustainability check.

Operational forms may be amended by the Service Manager to reflect law, information governance requirements and service systems without requiring full policy reapproval, provided that the substantive rights and procedures in this policy are not changed.

Appendix A: Operational pathway

Notification received from a parent, school, another authority, professional or other reliable source. EWS records the child and completes proportionate education, SEND, social care, safeguarding and residency checks.

Parent receives acknowledgement, legal information, support options and an offer of contact or visit, normally within 10 working days.

Child's views are sought where appropriate. Relevant professionals are consulted lawfully and proportionately.

Parents provide information about education, normally within 15 working days or another agreed period.

EHE officer assesses suitability and records a reasoned outcome: suitable; further information required; concerns requiring improvement; or appears unsuitable.

- Where concerns can be resolved informally, a clear action plan and review date are agreed. Support or return-to-school advice is offered.

Where it appears that suitable education is not being provided, the section 437 process is considered and authorised in accordance with service procedures.

- Any safeguarding concern is progressed through safeguarding procedures in parallel and is not treated as resolved by education enforcement.

Outcome, next contact and rationale are communicated in writing and recorded. Cases are quality assured according to risk and complexity.

Appendix B: Suitability framework

Dimension	Questions considered	Possible evidence
Child-centred	Does provision reflect age, ability, aptitude, SEND, interests, health and starting points?	Parent account; child's views; EHC plan; examples of differentiated learning.
Content and coherence	Is there a coherent range of learning with appropriate literacy, numeracy, and preparation for later life?	Plans; topics; reading; projects; resources; tutor or platform information.
Delivery and engagement	Is education actually taking place with sufficient regularity, support, and challenge?	Work samples over time; discussion; activity records; progress records.
Progress	Is the child developing knowledge, skills, and understanding from their starting point?	Earlier/current work; parent narrative; assessments; practical outcomes.
Resources and environment	Are resources and learning environments adequate and safe?	Resource list; photographs; visit; online access; arrangements for practical activity.
Personal and social development	Are there reasonable opportunities for physical, cultural, social, and personal development?	Clubs; family/community activities; sport; volunteering; peer interaction.
Future preparation	Does provision keep reasonable options open and support transition to adulthood?	Careers plan; qualifications plan; college/apprenticeship research; independence skills.
Safety and rights	Is learning safe, lawful, non-discriminatory, and compatible with fundamental rights?	Safeguarding arrangements; provider checks; content overview; child/parent discussion.

The framework is not a checklist requiring every type of evidence. Officers must make a holistic, individual, and reasoned decision.

Appendix C: Schools checklist

- Ensure the communication is a clear parental decision to provide education at home; clarify ambiguity.
- Offer a meeting and explore support, but do not make attendance at a meeting or completion of a form a condition of lawful deletion.
- Check parental responsibility and any relevant orders or disputes; seek advice where necessary.
- Obtain and record the child's views where appropriate.
- Review SEND, attendance, bullying, health, pastoral and safeguarding information and support offered.
- Consult the DSL and relevant professionals where the child has a social worker or is otherwise vulnerable.
- Do not delete a child attending a special school under Council arrangements without Council consent.
- Do not delete where an SAO applies unless the Council confirms it has been revoked or ceased to have effect.
- Use the correct deletion ground under the 2024 regulations and notify the Council without delay.
- Securely transfer relevant education and safeguarding information; make any safeguarding referral separately.
- Record the decision, legal basis, deletion date, and information supplied to the parent.
- Inform EWS immediately if there is concern about off-rolling, coercion or a family needing urgent support.

Appendix D: Key references and contacts

National references

- Department for Education, Elective home education: departmental guidance for local authorities and guidance for parents, updated 19 August 2024: <https://www.gov.uk/government/publications/elective-home-education>
- School Attendance (Pupil Registration) (England) Regulations 2024: <https://www.legislation.gov.uk/ukSI/2024/208/contents>
- Department for Education, Keeping Children Safe in Education 2026 (effective 1 September 2026): <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
- Department for Education, Working Together to Safeguard Children 2026: <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- Children's Wellbeing and Schools Act 2026: <https://www.legislation.gov.uk/ukpga/2026/21/contents>
- SEND Code of Practice: 0 to 25 years: <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

Barnsley contacts

Service	Contact
Education Welfare Service / Elective Home Education	EHE@barnsley.gov.uk 07875 308111
Postal address	Education Welfare Service, Corporate Mailroom, PO Box 634, Barnsley, S70 9GG
Barnsley EHE information	https://www.barnsley.gov.uk/educating-your-child-at-home
Barnsley Safeguarding Children Partnership	https://www.safeguardingchildrenbarnsley.com
Barnsley SEND Local Offer	Available through the Barnsley Council website

Operational contacts, forms and web links should be checked at publication and maintained separately where possible so they can be updated without waiting for a full policy review.