

Frequently Asked Questions - Elective

To assist with any query that you may have regarding Elective Home Education (EHE) in Kensington & Chelsea and Westminster Council, this FAQs document is provided. If you have a question that is not answered below please email home.education@rbkc.gov.uk

I am interested in registering my child for EHE, who do I contact?

If your child is currently on roll of a school, you may notify the school that you wish to home educate your child. You may also contact the council by email home.education@rbkc.gov.uk

Am I legally obliged to inform my local authority that I want to educate my child at home?

The law does not currently require you to notify your local authority of your intentions to EHE. However, the local authority does have a legal duty to ensure its resident children are in receipt of a suitable education. It is therefore recommended that you register your intentions. For further information, a [Guidance for Parents](#) is provided to you.

My child's current school has requested I remove my child from their roll and register as EHE, can they do this?

A school cannot request or advise a parent to de-register their child from the school to EHE. Any decision to EHE must be made by you. The responsibility to provide a suitable education to your child will be effective from the date after you remove your child from the school.

My child has special needs with an Education, Health and Care Plan (EHC), can I still home educate my child?

You have a right to electively home educate your child if you wish. It remains the responsibility of the local authority where your child lives to ensure that your child's needs are met.

If your child is attending a special school, the local authority must give consent for your child's name to be removed from the school roll.

The following provides the number of children currently recorded as EHE with an EHC plan.

| Academic Year | Kensington & Chelsea | Westminster |
|---------------|----------------------|-------------|
| 2020-21 | 8 | 6 |
| 2019-20 | 3 | 4 |
| 2018-19 | 6 | 6 |
| 2017-18* | 5 | 7 |
| 2016-17 | 1 | 2 |

**A re-structure of the service area responsible for EHE in April 2018 presents a higher figure from this point due to how data is recorded. All families registered as EHE are counted as such from the date made known to the respective local authority.*

Would the local authority supply textbooks, exam papers etc?

The local authority does not supply textbooks or pay/ arrange for exams. If you make the choice to home educate your child, you will be expected to pay for any exam fees, should you wish your child to sit them, and the cost of textbooks, tuition fees etc.

Am I required to follow the National Curriculum?

If you decide to EHE it will be your responsibility to provide your child with a suitable full-time education programme that meets your child's needs according to age, ability, aptitude and any special educational needs. There is no requirement for you to follow a prescribed curriculum. However, the education programme should be well balanced and prepare your child for life within the community of which he or she is a member.

After I notify the school that I want to register my child as EHE with the local authority what happens next?

The local authority will send you a formal registration letter and acknowledgment of your intention to home educate your child, a request will be made for you to provide your education philosophy. A visit either face-to-face or virtually will be made with an elective Home Education Assessor (EHA) . [The EHE policy](#) for Kensington & Chelsea and Westminster is provided.

What is a Home Education Assessor (HEA)?

HEA's are employed by the Council and are qualified Teachers with at least three years' experience of teaching and/or substantial experience in assessing the quality of educational provision. They meet all required checks for working with children and be qualified and registered to work in the UK.

What should I expect from the visit/virtual meeting?

If you prefer a face-to-face visit it will be conducted in your child's home unless otherwise agreed by the EHE Assessor with you. In the case of the visit taking place elsewhere a suitable venue, such as a library or children's centre, will normally be agreed. The visit would not normally take any longer than one hour and the HEA would expect to meet with your child. The same principal would apply for a virtual visit.

If your child has a EHC Plan, in most cases an Educational Psychologist will arrange to visit you and your child.

Do I receive a copy of the report form the visit?

You will be provided with a copy of the report approximately 2-3 weeks after the visit.

Can I provide evidence of home educating my child rather than agreeing to a visit?

If you do not wish to meet with the HEA, we will refer to your completed questionnaire setting out your education philosophy and ask that you support this with evidence of your child's work. If you do have support in the delivery of your child's learning, such as a tutor, an endorsement in the delivery of the programme is accepted as evidence but is not essential in the assessment. If available, they would need to confirm that the education provided, in their view, is suitable.

My last visit was unsatisfactory, what happens now?

The EHE Assessor will make recommendations in their report and arrange a further visit within 6 weeks. However, this does not apply for those who are SEN. Should their visit fail they will need to return to the provision named on their EHC plan.

If after the second visit the provision is still deemed unsatisfactory, and the local authority believes that there is insufficient evidence that a suitable education is being provided, a Notice (which gives no less than 15 days to respond) will be served instructing your child to attend school – a **School Attendance Order under Section 437 (3) of the Education Act 1996**.

What information do you hold about my child on the EHE records?

We hold their full name, date of birth, address, parent details and contact details, whether they have any SEN needs or have an EHC plan. If your child was on roll of a school, we would be provided with a notification of your request to home educate and basic education background information. We also record dates of your last visit and whether it was unsatisfactory.

We **do not** ask for your religion or ethnicity. We do ask for your reason to home educate for our monitoring purposes, but you are not obliged to provide this information. For more details on information we may request, please refer to the Privacy Notice from page 5.

How long do you hold my child's details after I register for EHE?

The Elective Home Education Officers will keep your details for the duration of your child's statutory schooling; or until you request that you no longer wish to remain registered with the local authority as EHE, for which your details will be deleted after 3 years from the date of your de-registration request. For more detail on how we hold your information, please refer to the Privacy Notice from page 5.

How many children do you currently have registered as EHE in Kensington and Chelsea and in Westminster and how does this compare to previous years?

| Academic Year | Kensington & Chelsea | | | Westminster | | |
|-----------------|----------------------|-------------------------------|----------------|-------------|-------------------------------|----------------|
| 2020-21 to date | 98 | Female 42 | Male 56 | 165 | Female 78 | Male 87 |
| 2019-20 | 71 | Female 28 | Male 43 | 111 | Female 60 | Male 51 |
| 2018-19 | 73 | Female 33 | Male 40 | 112 | Female 44 | Male 68 |
| 2017-18* | 71 | Female 32 | Male 39 | 96 | Female 40 | Male 56 |
| 2016-17 | 51 | Gender was not held centrally | | 69 | Gender was not held centrally | |

*A re-structure of the service area responsible for EHE in April 2018 presents a higher figure from this point due to how data is recorded. All families registered as EHE are counted as such from the date notified to the respective local authority.

Do you keep a record of how many children have attended a school prior to registering as EHE?

Some families have made the choice to remove their child from a school to EHE so this information will be made known to us by the school. Other families have made the choice to EHE at an early stage in their child's life so they may never have attended a school. We do not therefore feel it is relevant to hold this data so cannot provide if requested.

I would like some further information and advice, where can I find it?

For more useful information in regards to EHE you may be interested in reading the following webpages:

<http://www.electivehomeeducationservice.co.uk/>

<https://www.legislation.gov.uk/ukpga/1996/56/contents>

<http://www.educationotherwise.org/>

Produced and updated termly by:
The Admissions and Access to Education Team
2nd Floor, Green Zone
Kensington Town Hall
Hornton Street
W8 7NX

Email: home.education@rbkc.gov.uk

Privacy Notice for Elective Home Education

Purpose for processing your information

The responsibility for monitoring Elective Home Education Officers sit within the Admissions and Access to Education Service. Local Authorities (LA) have a legal obligation (s437 Education Act 1996) to ensure that all children who are of statutory school age who reside in the area are in receipt of a 'suitable education'. Any/all parents have a legal right to educate their children 'otherwise' than at school, commonly referred to as 'elective home education' (EHE).

The Council has in place its own EHE policy and procedures, with due regard to legislation and guidance in order that it is able to meet its statutory duty. This duty applies in relation to children of compulsory school age who are not on a school roll and when the LA does not know if a child is receiving a suitable education otherwise than being at school. The parents/carers of all children identified as such will receive a letter from the LA, outlining the LAs procedures in relation to EHE.

We collect the following information:

In the course of supporting and monitoring elective home education we collect the following information,

In order to carry out registration and monitoring, we process personal information in relation to parent/carers and children:

- Personal contact details such as name, title, addresses, contact numbers, and personal email addresses.
- Personal demographics (including date of birth and gender)
- Education information including any Special Educational Needs and Disability (SEND) and previous or current school information.
- Involvement with statutory services such as Social Care, Access and Early Help, MASH, School Admissions, Exclusions, Data Team, Housing, The Bridge AP Academy (TBAP), SEND, and Youth Justice Service.
- Involvement with the Police and/or probation

This information is only used for the intended purpose but if we intend to use it for any other purpose; we will normally ask you first. In some cases, the Council may use your information for another purpose if it has a legal duty to do so, to provide a complete service to you, to prevent and detect fraud, or if there is a risk of serious harm or threat to life.

How we collect your information

The initial EHE notification may be a formal written notification either from the parent/carer directly or from the current/ previous school. The LA may be notified via other internal or external means that a child is not on roll of a school. On receipt of notification a registration form is sent to the parent/carer.

Who the information is shared with

The Elective Home Education officers may use your information for other legitimate purposes and may share (where necessary) with other Council departments and external

bodies responsible for administering services to children and young people. Reasons for sharing information with the internal and external bodies will be; to enable the process of registering and monitoring the child for elective home education, to fulfil the council's safeguarding duty and comply with the Prevent Strategy, and to provide Central Government bodies with mandatory data returns. The Home Office to notify of potential illegal immigration and the Police may request information at any time as part of a criminal investigation.

Internal bodies are; the schools admissions team, Child Licensing service, the SEND (Special Educational Needs & Disabilities) team, the Virtual School, the Data Team, the Early Help Service, the MASH Team and Safeguarding service, the Early Years' Service, Governance and Legal Services.

External bodies are; schools/academies (previous current and applied for, including Independent/Boarding); other Councils/boroughs and the Police. NHS Service, Central Government bodies comprising of the Department for Education, the Local Government Ombudsmen and the Office of the School Adjudicator; the Home Office and the Department of Work and Pension.

For the purpose of validating proof of address, the Elective Home Education Officers will refer to data held by any of the services mentioned above, internal Council Tax records, the Housing Team, Parking Services and the Fraud Team

How long do we keep your information?

The Elective Home Education Officers will keep your details for the duration of your child's statutory schooling; or until you request that you no longer wish to remain registered with the LA as EHE, for which your details will be deleted after 3 years from the date of your re-registration request.

Your rights and access to your information

You have the right to request a copy of the information that we hold about you.

The new General Data Protection Regulation also gives you additional rights about the information we hold about you and how we use it, including the right to:

- Withdraw consent and the right to object and restrict further processing of your data; however, this may affect service delivery to you.
- Request to have your data deleted where there is no compelling reason for its continued processing and provided that there are no legitimate grounds for retaining it.
- Request your data to be rectified if it is inaccurate or incomplete
- Have your data transferred or copied should you move to another authority
- Not be subject to automated decision-making including profiling

To submit a Subject Access Request email the Elective Officers at:

home.education@rbkc.gov.uk

If you have any concerns

Please contact us if you would like to know more about the information we hold about you and how we use it. The Elective Home Education Officers can be contacted on tel: 0207 745 6439 (RBKC) or 6448 (WCC) between 9am – 5pm Monday to Friday.

You have a right to complain to us if you think we have not complied with our obligation for handling your personal information; please email the Elective Home Education Officers at the addresses indicated above. Your concerns will be investigated via the respective Council's complaints procedures.

If you are not satisfied with the Council's response you have a right to complain to the Information Commissioner's Office (ICO). You can visit the ICO website at: <https://ico.org.uk/concerns/handling/>

Changes in your circumstances

You must notify us immediately if there are any changes in your circumstances and personal details so we can maintain an accurate and up to date record of your information.



City of Westminster



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA