



EDUCATION OTHERWISE

# Home Education: Education Reports

## SUMMARY

Education Otherwise is a charitable organisation which has been supporting home educated families for over forty years. Our information sheets are based on our knowledge and expertise, supported where appropriate by legal advice.

### Key Messages

- 1) **An education philosophy can be part of a report:** Education philosophies can form part of an education report, but cannot replace one.
- 2) **The Local authority is entitled to make informal enquiries:** Local authorities can make informal enquiries and an education report is the most suitable response to these.
- 3) **Always get someone to check the report:** A second set of eyes can pick up on errors.
- 4) **Samples of work are not necessary:** Local authorities may ask for samples of work, but parents are not obliged to provide them.
- 5) **It is unwise to copy a report:** The report must be about each child and a copied report will not reflect that.
- 6) **Local authorities must act reasonably:** Local authorities must act reasonably at all times **and not ask for more than is necessary.**
- 7) **Reports must not be statements of intent:** A good education report describes the child's education and progress now and is not about future intentions.
- 8) **Be proud of the education provision:** The education report is an opportunity to demonstrate pride in the child's provision and achievement.

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## Introduction

Education Otherwise (EO) is a charitable organisation which has been supporting home education and home educating families for over forty years.

For most parents the choice to home educate is a lifestyle choice, requiring significant commitment in terms of time and resources; it is not something which parents generally decide to do without a great deal of research and thought. The decision to home educate can be made for a great many reasons, such as wanting to travel widely, wanting to spend more time together as a family, providing for a child's special interests, a child having special needs, being bullied, or simply being less well suited to a school environment.



EO frequently receives enquiries from parents about home education, often relating to how they should engage with their local authority. This has been particularly concerning for parents since the publication of the Elective Home Education Departmental Guidance for Local Authorities (EHEDGLA), in April 2019 and the more recent publication of Draft Statutory Guidance for Local Authorities on Home Education by the Welsh Assembly Government.

## Home education is a legal choice

EO has obtained advice from Queen's Counsel (QC, which is a title given to a senior barrister) in order to help us to provide accurate advice to parents. The QC we instructed specialises in public law and education law, is a former part-time Chair of the Special Educational Needs and Disability Tribunal and a current 'A list' member of the Equality and Human Rights Commission's Panel of Preferred Counsel. The QC also trains lawyers and others, in education and public law.

This fact sheet is based on the advice that EO received from the QC, but parents should of course obtain their own legal advice and should not use this as a substitute for independent legal advice.

## Education is compulsory, school is not.

Education is compulsory for all children in England and Wales from whichever date is soonest of the 1st January, 1st April, or 1st September after the child attains 5 years of age. Education remains compulsory to the last day in June, of the academic year during which the child attains 16 years of age (by the end of the summer holiday period).

Schools most usually accept children from age 4 years, but that child remains below compulsory school age and the parent can opt to not provide an education to the child until they become of compulsory school age.

The duty to ensure that the child receives a suitable education is a duty upon the parent, regardless of how the child is educated and this derives from the Education Act 1996 s7:

**‘The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—  
(a) to his age, ability and aptitude, and  
(b) to any special educational needs he may have, either by regular attendance at school or otherwise’.**



This means that home education is of equal status in law to school education and a parent may elect to home educate at any point during the child’s compulsory education years. In fact, home education is the default position, as a child does not become a registered school pupil until such point as a parent elects to register that child in a school.

(Please see our information sheet on frequently asked questions for Special School information and information relating to school attendance orders).

## Education philosophies

It is common practice for home educating parents to refer to an education report as an 'education philosophy', but this is not accurate. In fact, a philosophy can form part of an education report, but cannot stand in place of an education report.

A philosophy is not just an opinion, or a view of how things should be done, but is a much stronger belief which is protected under the Equality Act 2010. The Act states that you must not be discriminated against because you hold a particular philosophical belief, or because someone thinks you hold a particular belief (this is known as discrimination by perception). The reason why this is important, is because a parent holding a philosophical belief in home education and how it is practised could be protected by law, but only if the belief meets the criteria to be a philosophy. The criteria were created by legal precedent (case law) and are as follows:

**An education philosophy cannot replace an education report**

- **The belief must be genuinely held;**
- **it must be a belief and not an opinion or viewpoint based on the present state of information available;**
- **it must be a belief as to a weighty and substantial aspect of human life and behaviour.**
- **it must attain a certain level of cogency, seriousness, cohesion and importance and**
- **it must be worthy of respect in a democratic society, and compatible with human dignity and the fundamental rights of others.**

In practice, the majority of home educating parents do not hold a philosophical belief which would meet the necessary criteria. However, if a parent does hold a philosophical belief in respect of home education, it is important that they include a section in the report to explain that belief, as by doing so they are afforded protection under the Equality Act 2010.

## Education goals and beliefs

By far the majority of home educating parents will have clear beliefs about what an education should set out to achieve and the methods they intend to use to reach that goal, even when that belief does not meet the criteria to be considered to be a philosophy. It is important that parents include a description of these aspects of their home education provision in their education report, as precedent has established that parents have a duty to provide 'an efficient education'.

Efficient is defined as ‘that which achieves what it sets out to achieve’.

Consequently, by defining in writing what the parent is setting out to achieve, they are effectively defining what the Education Act 1996 s7 means specifically to their family.



## Defining home education goals and beliefs sets the standard against which the provision can be assessed



Clearly, what the home educating parent sets out to achieve must result in the education being suitable for the child’s age, ability and aptitude, together with any special needs they may have, but it is the choice of the parent as to how they achieve that aim.

## The reason for education reports

Parents often ask why they should write an education report and question the right of the local authority to ask for information about the home education provision. Local authorities do have the right to make reasonable, informal enquiries of home educating parents if it appears to them that a suitable education may not be taking place, or if they do not know if the home education provision is suitable.

It is advisable that parents respond to local authorities’ enquiries, as if they do not, the authority may assume that the education provision is not suitable. It is however, entirely up to the parent how they choose to respond. Parents may be happy to accept a visit to their home, meet away from their home, or to fill in a form provided by the local authority, instead of writing an education report. EO recommends writing an education report.

**England:** When considering a parent’s home education provision, local authorities in England must refer to the Elective Home Education Departmental Guidance for local authorities (EHEDGLA). They may form their own policies as to how they make an assessment of suitability, but may not deviate substantially from the EHEDGLA without good reason.

The EHEDGLA makes clear that a local authority may make an informal enquiry, but that in doing so it must act reasonably and give weight to information provided by the parent. Local authorities may not dismiss information because it is not in a form that they prefer.

*'Until a local authority is satisfied that a home-educated child is receiving a suitable full-time education, then a child being educated at home is potentially in scope of this duty. ... However, this should not be taken as implying that it is the responsibility of parents under s.436A to 'prove' that education at home is suitable. A proportionate approach needs to be taken' (EHEDGLA para. 4.2).*

*'Of course, the local authority should give reasonable weight to information provided by parents, on its own merits. For example, an authority should not dismiss information provided by parents simply because it is not in a particular form preferred by the authority (e.g., a report by a qualified teacher). On the other hand the information provided by parents should demonstrate that the education actually being provided is suitable and address issues such as progression expected and (unless the home education has only just started) achieved. It should not be simply a statement of intent about what will be provided, or a description of the pedagogical approach taken'. (EHEDGLA para. 6.12)*

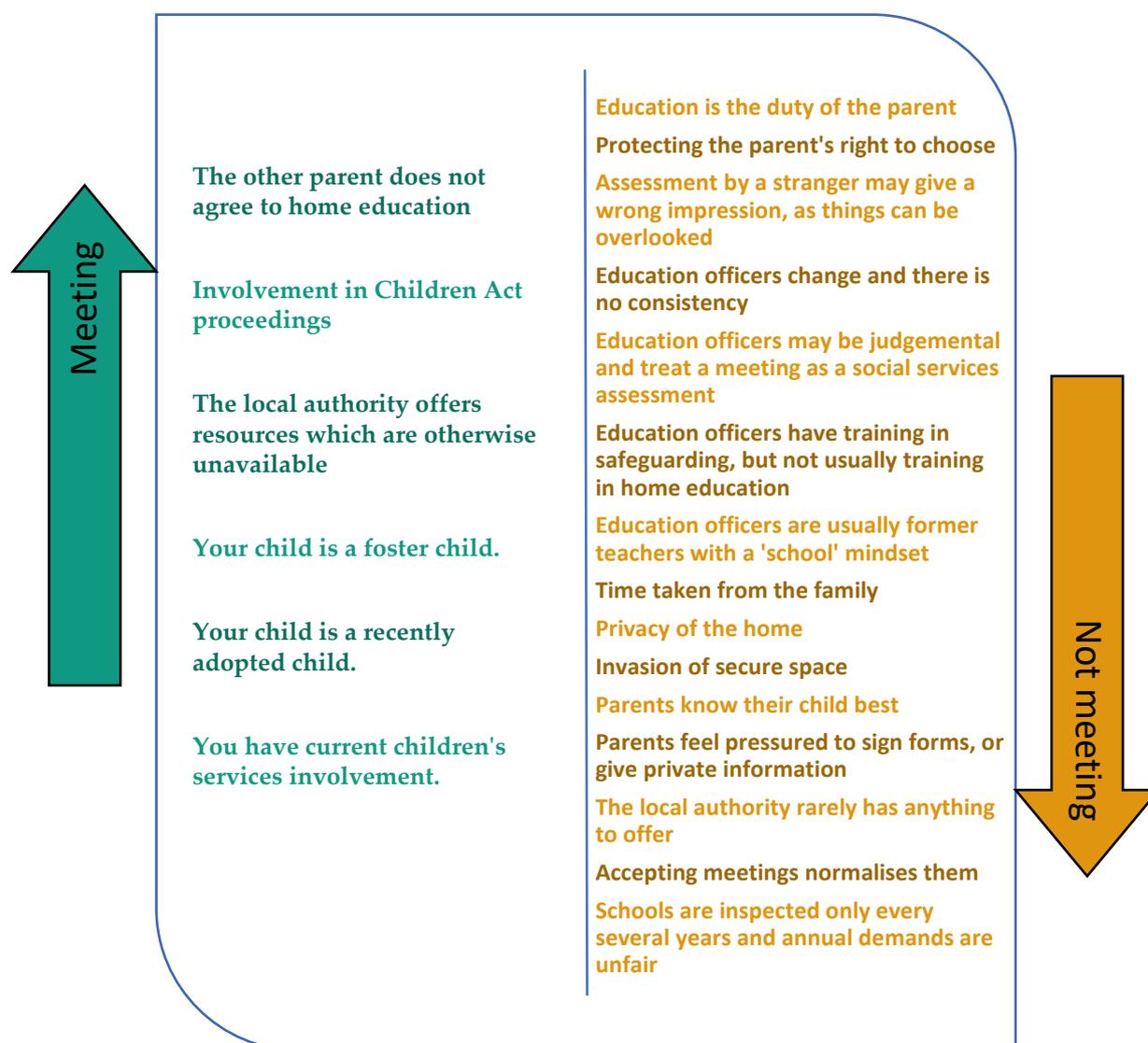
**Wales:** When considering parent's home education provision, local authorities in Wales must refer to the Elective Home Education Non-Statutory Guidance for Local Authorities (EHENSGLA). They may form their own policies as to how they make an assessment of suitability, but may not deviate substantially from the EHENSGLA without good reason. The EHENSGLA states that LAs may take into account:

- consistent involvement of parents in the delivery of the provision within a mostly family-based setting;
- recognition of the child's needs, aspirations and learning styles;
- opportunities for the child to be stimulated by their learning experiences;
- access to resources/materials required to provide home education for the child, such as paper and pens, books and libraries, arts and craft materials, physical activity, ICT and the opportunity for appropriate interaction with other children and adults;
- The involvement of Careers Wales at an appropriate stage and
- The development of literacy and numeracy skills suitable to the child's age, aptitude and ability, taking into account any special educational needs that they may have.

Whether in England, or in Wales, parents can readily provide sufficient information to the local authority by writing an education report.

## Meeting the local authority

Although in general EO recommends writing education reports, there are circumstances which make it preferable to meet with the local authority and each parent must make a decision based on their own individual circumstances. Some of the reasons for meeting the local authority and the reasons for not meeting with them are below:



## Different situations require different length education reports

### Education report format

Many local authorities will accept a short report of 2 – 3 pages and a competent education officer should be able to use such a report to differentiate between parents who are providing a suitable education and those who may not be. However, it may be pragmatic to write a longer report in order to avoid unnecessary stress and disagreement.

If the local authority has served a notice on the parent under the Education Act 1996 s437, or the parent is writing a report for a child with a SEN statement or EHC Plan then a longer report is necessary.

If a parent is facing enforcement proceedings in respect of a school attendance order, it is sensible to produce a longer report, together with collating a scrapbook diary covering the child's recent education provision. This can of course include samples of the child's work, if the parent wishes to include them. It is important to remember that samples of work are not necessary and that the local authority may not serve, or pursue, a school attendance order based on lack of such samples. However, parents may find it pragmatic to provide such samples where the local authority has expressed specific concerns about the education provision.

If a parent has more than one home educated child, it may be sensible to write a separate report for each child, even though some elements will be repeated. This is because separate reports enable the parent to demonstrate that they have taken into account the specific needs, aptitudes and aspirations of each child.

**Separate reports for each child demonstrate that each child's individual needs are considered and accommodated**

The key points to remember when writing the report is that it must be detailed, explain the child's progress and not be a 'statement of intent'. What that means is that a report written in response to a local authority enquiry should talk about the education the child is currently receiving and the child's progress since the last report, or since starting home education, not about how the parent is considering educating the child. Of course, a report written to seek consent to remove a child from a special school would be an education plan and would describe the parent's intentions.



The report should be clearly written with good descriptions of the education provision and in paragraphs. This is because the more clearly written a report is, the more likely it is that the local authority will understand what the child's education looks like and accept that it is suitable.

## Describing education

There are many approaches to education and to home education, all of which have equal status in law provided that the provision is suitable to the child's age, ability, aptitude and any special needs that they may have.

Parents often find describing their education provision difficult, particularly when they use an unstructured approach, but writing as a parent who is proud of their child's education and achievements can overcome this.

A significant concern to parents is the knowledge that most people relate education to the concept of a curriculum and mostly in the form of a structured, subject based approach such as the National Curriculum. However, the definition of a curriculum is far broader and includes child centred and problem centred approaches, often used by home educating parents.

Parents using a structured and subject based approach can readily write an education report by reference to each subject and progress can be described in terms of how the child has moved through the curriculum. It may be helpful to reference descriptions taken from the national curriculum programmes of study, as these will provide structured steps which are well understood by education officers and which provide the parent with a ready guide to their child's progress.

For a parent using a structured approach, progress is readily described by reference to stepped workbooks, online courses, or increased understanding of a particular point. An example of this would be to explain that the child had successfully completed workbook 3 and was working capably on workbook 4, or that the child could previously add and subtract and has now mastered multiplication.

Parents using a project based, or child centred approach can present the report in a similar way to those using a structured approach if they wish to do so. If the education is likely to be scrutinised by a Court, this type of report presentation can be helpful, as it presents the information in a way that the Court will readily understand it. However, parents need not write the report in that way.

Reports can be structured to explain what each project was and the learning the child took from it. This could be by using a whole project description, or by breaking it down into learning areas.

It is important to cover numeracy (maths) and literacy (writing, reading, spelling, speaking and listening), as these are areas in which the local authority will be most interested in assessing suitability.

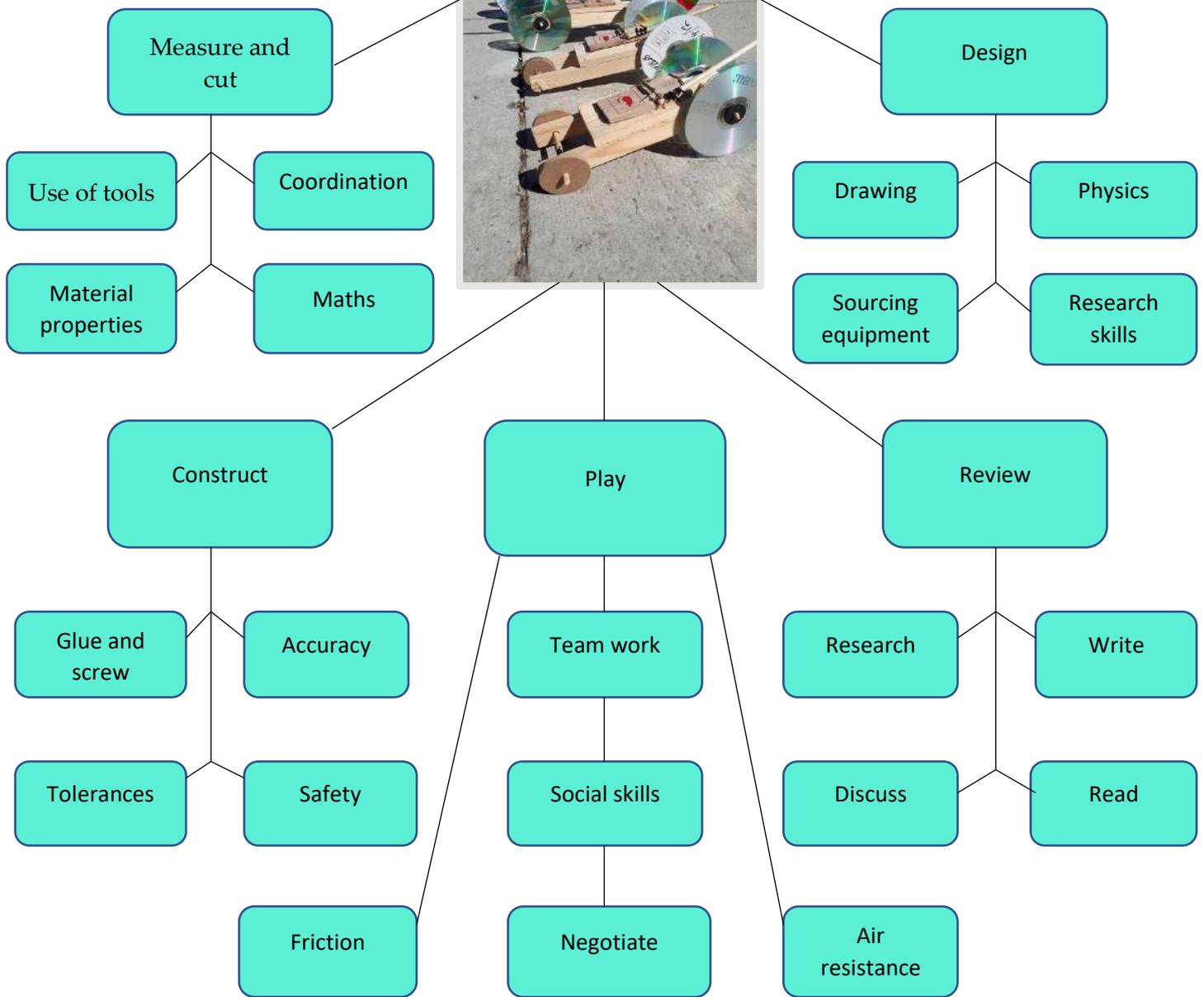
Parents using a child centred approach can describe what the child has learned and how that learning arose through their day to day interactions. This approach starts from the child's experience and explains how that experience resulted in the child acquiring knowledge, whereas a structured approach starts from specific knowledge and how that was given to the child.

Parents should remember that the definition of a suitable education is one which prepares the child to live in the community to which they belong, whilst allowing them to be part of another community if they so wish. This means that the value in everyday learning forms part of an education report, such as: handling money and accounts; using directions; accessing computers; growing and preparing food; animal care; understanding bodily systems; understanding government and law, or developing social relationships.

Prior to writing the report, it may be helpful to write notes, or a chart of what the child has learned. The following is an example of child centred education and learning.



## Learning through modelling



**Learn Achieve Thrive**

# Structured education report template

Home Education Report for (child's name) (child's date of birth)

Date

## Introduction

This section is where the parent's philosophy, or education goals and beliefs are described. It should include:

- How the parent feels that the education should be provided and why;
- What the parent believes that an education should achieve;
- How the education should be structured and why and
- Who delivers the education.

## About (child's name)

This section is used to describe the child's needs, abilities, aptitudes and aspirations, which should be age appropriate. That means that the parent would not expect to describe potential career paths and which examinations might be appropriate for a 6 year old, but would for an older child. Conversely, a parent would not usually discuss timetables for a 15 year old, but may do so for a 6 year old. This should include:

- How the parent's education philosophy or beliefs are applied to the child.
- how the parent meets the child's strengths and weaknesses;
- the child's special needs and
- any ambitions that the child has.

## The Education

This section describes how the parent educates the child and could include a description of a typical week. If a timetable is used, that could be included here.

The remainder of this section is most readily presented subject by subject. Each subject should include details of:

- What the child is currently learning;
- how the child is learning, what they are learning;
- what the child has achieved since the last education report, or since commencing home education
- what the child is working toward, if an examination, certificate, or other achievement is the target;



- a descriptive example of a piece of work if relevant, such as a science experiment, piece of writing, or a piece of art work and
- The resources used

It is important that the parent explains progress since commencing home education, or the previous report and this is particularly important for literacy and numeracy.

### Social opportunity

This section describes when, how and how often the child has opportunity to meet other adults and children. Home education groups need not be named and the child's young friends should never be named in reports, unless consent has been obtained by the child's parent.

Opportunities can include clubs, sports, meetings, home education groups and classes, but parents should not forget to include other opportunities for play which are less formal, such as playing at a friend's house, or at the park.

It is important that opportunity for exercise is included in this section, or separately as a subject if the parent prefers, as it is becoming increasingly common for local authorities to question this area of home education provision.

### Resources list

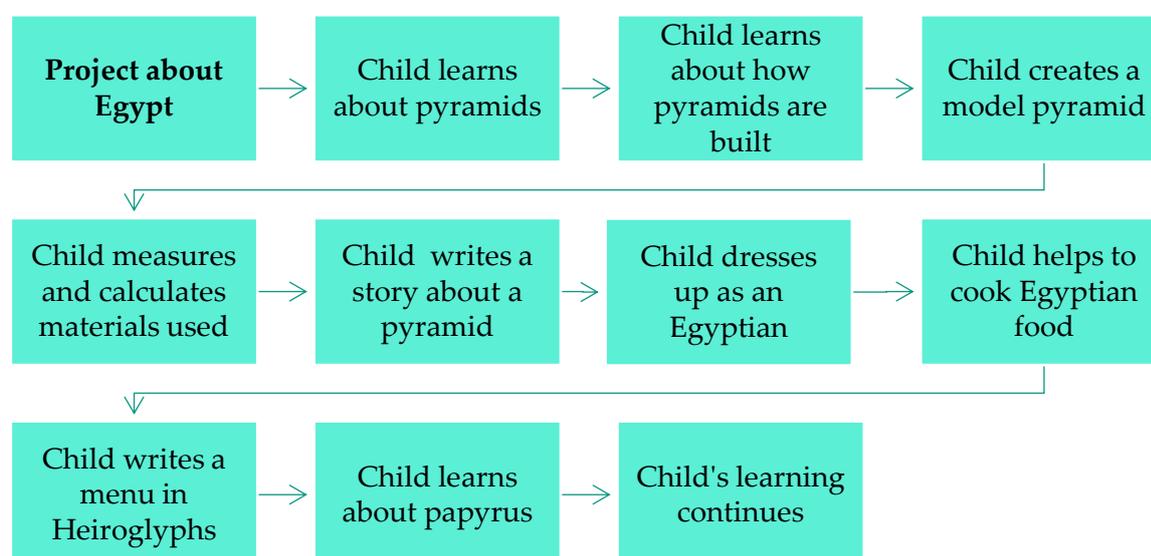
The resources list should include a description of the materials and opportunities that the child has, laid out in a clear way. Workbooks and text books should have age and series stated, but fiction books need not be listed by title. Art materials can be described in ranges, such as 'various crayons, pencils and pens' and many other resources can be listed in a similar manner.

## Unstructured education report template

Almost all of the sections used for structured education reports are the same for project based, or child led education reports. However, the education section itself is different.

This section describes how the parent educates the child and could include a description of a typical week and is the section which many parents who use project based, or child centred methods find most worrying. It is important to remember that any method can be presented in a structured way if preferred, but that it is completely acceptable to describe the education in a project based way, or by reference to what the child learned from their experiences.

A project based description might look similar to the following, but with many more learning experiences from each project. Parents should describe those experiences:



Child led education can be described in similar ways, using what the child discovered, how they discovered it, how they developed their understanding and what it led on to.

It is important that the parent explains progress since commencing home education, or the previous report and this is particularly important for literacy and numeracy. With project based and child centred education, this can be by describing what the child knows, can do, or has mastered since the last report, or commencing home education.

## It is impossible to avoid learning unless living in a vacuum

## Hints and Tips

Local authorities will sometimes judge a child's education provision by the standard of the literacy in the written report, so it is important to be careful about spelling and grammar. If the parent finds this difficult, asking someone to proof read is very valuable. In fact, even parents who excel at spelling and grammar should do this, as everyone makes mistakes.

Parents should try to avoid writing 'I will', 'or 'I intend to', not only because it might not happen and cause them to be criticised, but the report is about now and the recent past, not the future.

Parents should remember that the report is about their child and not write '*we do a lot of environmental sciences*', but instead write '**(name) does a lot of environmental sciences**'. This is because it could otherwise appear as if the parent is doing the child's 'work' for them.

It is always useful to add character to the child within the report, such as '**(Name) is so enthusiastic about woodwork that he cut up my bed headboard, in order to make a chair for his room**'. It sounds so much better than '**(child) does woodwork on Monday**'. This can help the local authority to recognise that the child's education is important to the parent and that they consequently ensure that it is suitable.

Parents should not say things such as '**we hope to go to France next month**'. It is better to say '**(child) is particularly looking forward to seeing a guillotine when we visit France next month**'. This is because hopes and wishes sound unlikely, whereas enthusiasm does not.



**Outdoor learning  
provides opportunity for holistic learning,  
within the natural environment**



The local authority does not need to know the family's personal home details, such as how much they pay for the education. The report should be about the education provision.

In recent years forest schools and other outdoor learning such as bushcraft, survival and beach schools, have risen in popularity. This is because parents recognise their value as holistic learning opportunities.

These resources give children the opportunity to acquire independence, learn about themselves, learn about the environment, develop teamwork abilities, and to develop practical skills. All of this can add to the child's ability to live in their community; the very essence of home education suitability.



COVID-19 having recently led to school closures throughout the World, outdoor education methods are likely to be taken more seriously by the public and by local authorities. Home educating parents who use outdoor learning and the natural world as part of their education provision, should remember to include and explain the benefits of these in their education report.



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