



Stebbing Primary school

Flexi-Schooling Arrangements

These guidelines for schools and parents serve to provide information and guidance to schools and parents / carers regarding the process and procedures for Flexi-schooling as part of Elective Home Education arrangements.

Created/updated:	January 2022
Ratified By Governing Body:	February 2022
Reviewed:	September 2023

1. Introduction

- 1.1. These guidelines have been developed in conjunction with Headteachers and home educating families in order to provide information and guidance to schools and parents regarding the process and procedures for Flexi-schooling as part of Elective Home Education (EHE) arrangements. It will assist schools in their response where parents request an arrangement for their child to attend school part time and receive the remainder of their education at home or elsewhere, organised by the parent. See Background below.
- 1.2. Combining schooling and non-schooling education in any ratio is perfectly legal, provided that the outcome is the provision of suitable full-time education for the child (ren), and the local authority must satisfy itself that this is so. However, the Headteacher must agree to the arrangement. Any school, maintained or independent may accommodate flexible-schooling if it wishes to, but no school is under an obligation to do so. In deciding whether to agree to a request for flexischooling arrangement, a Headteacher may consider such issues as:
 - Continuity of teaching and learning between home and school
 - The effect on school organisation and funding
 - The effect on school resources
 - The effect on school discipline and the morale and motivation of other children
 - Peer relationships / support
 - Safeguarding
- 1.3. If a Headteacher agrees to a flexi-schooling arrangement s/he should notify the local authority at the earliest opportunity and provide details of the agreed arrangements.

2. Background Information

- 2.1. The responsibility for a child receiving full time education rests with parents. In England, education is compulsory, but schooling is not. Where a parent elects to educate a child partly at school and partly at home or, elsewhere as an expression of parental preference, this is called Flexi-schooling. Where a parent favours this form of educational approach s/he may request flexi-schooling on a short or long term basis.
- 2.2. Where a parent elects to educate a child entirely at home as an expression of parental preference, this is called Elective Home Education.
- 2.3. Elective Home Education (EHE) is a term used by the Department for Education (DFE) to describe parents' decisions to remove their child (ren) from the school roll in order to provide education at home instead of sending them to school. This is different to the home tuition provided for children and young people unable to attend school through illness or disability or, with what is sometimes called 'education otherwise than at school', such as that provided by a local authority in a hospital setting or Pupil Referral Unit.

- 2.4. In 2007 the DCSF (now DfE) published guidance regarding children educated at home in accordance with the wishes of their parents. Paragraph 5.6 of the 'Elective Home Education: Guidelines for Local Authorities' is specific to Flexischooling:

"Flexi-schooling" or "flexible school attendance" is an arrangement between the parent and the school where the child is registered at school and attends the school only part time; the rest of the time the child is home educated (on authorised absence from school). This can be a long-term arrangement or a short term measure for a particular reason. "Flexi-schooling" is a legal option provided that the Headteacher at the school concerned agrees to the arrangement. The child will be required to follow the National Curriculum whilst at school, but not whilst he or she is being educated at home. Local authorities should make sure that heads of school are made familiar with flexi-schooling and how it may work in practice.

- 2.5. There are also requirements on schools to record a child's attendance. 'Keeping Pupil Registers: Guidance on applying the Education Pupil Registration Regulations' DCSF 20082, gives advice on the recording of a pupil's attendance under flexi-schooling arrangements.

114. "Flexi-schooling" is the term used for a system whereby children are partly educated at school and partly educated elsewhere, usually at home. The nature of home education is that it often does not follow strict timetables or the patterns of a normal school day. The families involved like the flexibility of having their children undertake educational activities in the evening and at weekends e.g. attending sports clubs as part of a physical education programme. Unlike full-time home education, any agreement between a pupil's parents and a school for the child to be "flexi-schooled" is at the Headteacher's discretion.

115. Flexi-schooling should not be confused with apart-time timetable. In the case of the former, the child must be in full-time education throughout the school-year.

116. Schools must not seek to persuade parents to educate their children in order to avoid exclusion or action for poor attendance. They must follow statutory exclusions guidance if they wish to remove a child from the school and, in the case of poor attendance, address the reasons for the absences.

117. Educational activities that take place outside the normal school day are not recorded in the statutory attendance register. Off-site activities which take place during the school's normal day can be recorded as approved educational activity but only if the activities meet the legislative requirements and the school has received confirmation that the activity took place during the session in question. Sessions which the child is expected to attend the school are marked in the normal way.

3. When Flexi-Schooling Arrangements are Inappropriate

- 3.1. Flexi-schooling should only be considered following a request from the parent / carer of a child or young person, and only as part of Elective Home Schooling arrangements. It should not be used to manage behavioural and disciplinary issues or, as a solution to poor attendance.
- 3.2. The DfE latest exclusions guidance gives an unequivocal message that unofficial exclusions are illegal and should not take place. This includes pupils being sent home for either short periods of time, or for longer, indefinite periods, and parents being strongly encouraged to home educate even though they may not be aware of the responsibilities involved. These pupils may be marked as an authorised absence, or in some cases marked as attending, and eventually taken off the school roll incorrectly without having another school place to go to. This practice is illegal and the formal exclusion process should always be used.

4. When Elective Home Education is Considered Unsuitable

- 4.1. Neither the school nor the local authority has statutory duties in relation to monitoring the quality of home education on a routine basis. However, if it appears to the school that parents are not providing a suitable education it may ask parents for further information about the education they are providing. If a parent declines to do so the school may withdraw its agreement to the flexischooling arrangements and notify the local authority of its concerns. Where this is the case, this action would not be considered a precursor to any formal procedures; however, the following may occur:
 - a. The pupil would be required to attend at school on a full-time basis, or;
 - b. The parent may remove the child from the school roll
- 4.2. In the event of the child being removed from the school roll the local authority may consider further action under 437 of The Education Act 1996.

5. Reaching Agreement for Flexi-Schooling

- 5.1. The Headteacher will consider each request on its own merits.
- 5.2. There are limited circumstances in which an application for a school place can be refused if there is room within the Published Admission Number in the relevant year group. Admission authorities must comply with parental preference for applications outside of the normal admissions round unless one of the statutory reasons for refusing admission applies. Applications for a child to join a school under the flexi-schooling arrangement will be considered under the local authority's Fair Access Protocol if applicable.
- 5.3. A Headteacher can refuse a request for flexi-schooling if the proposed arrangements cannot reasonably be met by the school. However, no request should be refused without first considering the proposal, and any refusal should include a reasonable explanation.
- 5.4. Following agreement by the Headteacher for a child to receive education under the flexi schooling arrangement, the child will be registered at the school.

- 5.5. On the days when it is agreed s/he will attend, the National Curriculum will apply and must be followed as if the child were attending full time.
- 5.6. The requirement to follow the National Curriculum will apply to all children except.
- Temporarily, due to exceptional circumstances such as prolonged absence from school on health grounds or family crisis;
 - As part of a Statement of Special Educational Needs;
 - With the permission of the Secretary of State to allow curriculum development and experiment to take place, for an agreed period.
- 5.7. On days when a pupil does not attend school under the flexi-schooling agreement, there is no requirement for the parent to follow the National Curriculum.

6. Attendance Register

- 6.1. In August 2020, the Government published revised advice on school attendance. The advice clarified the Government's expectations on how various school attendance codes should be used to record pupil school attendance. Schools should not mark a pupil as attending school using the attendance code B for off-site education activity, unless the school is responsible for supervising the off-site education, and can ensure the safety and the welfare of the pupil off-site. [School attendance guidance](#)
- 6.2. In April 2019, the Government published revised advice on Elective Home Education. The advice clarifies the Government expectations on how a Flexi-School agreement can be made and how this should be coded within the school registration system. [Elective home education: departmental guidance for local authorities](#)
- 6.3. In September 2019, Essex Schools Services provided guidance to schools referring to Flexi-Schooling arrangements.
- 'The code which schools are required to enter into their register for any such sessions is the 'C' code which reflects that the pupil is absent due to 'other authorised circumstances' – in other words, the flexi-schooling arrangement has permitted the pupil to be absent from school. [Education Access - Flexi-Schooling](#)*
- 6.4. Schools are ultimately responsible for the attainment of every child registered on their roll. Whilst being home educated, parents and carers are responsible for pupils, not schools.
- 6.5. Where parents have entered into flexi-schooling arrangements, schools may continue to offer those arrangements. Pupils should be marked absent from school during periods when they are receiving home education.
- 6.6. The reference in the Government's revised advice on school attendance, that was categorical that a school could not agree to a flexi-schooling arrangement, has been removed.
- 6.7. On the days for which it has been agreed the pupil will attend school the Pupil Registration Regulations including all appropriate codes for attendance and absence, will apply:

7. Funding

- 7.1. For the child attending under flexi-school arrangements, the school receives full funding. Flexi-schooled children are included in count returns as for other children.

8. Admissions

There is no distinction between children who attend school as part of a flexischool arrangement, and those who do not. Whatever the degree of part-time attendance, the pupil will count towards admission numbers on roll as if they were full-time.

9. Infant Class Size Legislation (ICSL)

There is no distinction between children who attend school as part of a flexischool arrangement, and those who are not. Whatever the degree of part-time attendance, the child will not be an exception to ICSL (sometimes called Key Stage One Legislation) solely by being flexi-schooled.

10. Insurance

There is no distinction between children who attend school as part of a flexischool arrangement, and those who do not.

11. Children with a Statement of Special Education Needs (SEN)

There is no distinction between children who attend school as part of a flexischool arrangement, and those who do not.

12. Children Educated Outside of Their Chronological Age Group

There is no distinction between children who attend school as part of a flexischool arrangement, and those who do not.

13. Flexi-Schooling Arrangements

It is strongly recommended that a written agreement is devised between the school and the parent in order to clarify the expectations for all concerned. This should include:

- Expectations of the school
- Expectations of parents
- The agreed pattern of attendance at school
- The length of time the agreement is to run and the periods by which the arrangement will be reviewed. It is recommended that this be termly.
- How the register will be marked
- The flexibilities within the agreement to ensure the child is able to take part in activities and special events that fall outside normal arrangements such as, assemblies, school trips and

journeys, extended school activities, sports days, productions or performances, sports events, visitors to school, etc.

- First day contact by the parent if the child is absent from a session that they would normally be present at school or, at approved educational activities.
- Arrangements for the school to follow up any unexpected or, unexplained absences as it would for any other child.
- Arrangements during any period of formal testing or other assessment.
- Parents' responsibilities to ensure that anyone employed at the parent's expense to provide education at home, is suitable to have access to children Provisions under any Special Educational Needs the child may have.
- Monitoring and reporting arrangements between the school and home to ensure the child achieves his/her potential and to promote good school home relationships.
- Procedures in the event the school has concerns that parents are not providing a suitable education.
- Circumstances under which the school or parent can withdraw from the agreement, including any notice period.
- How any disputes will be resolved.

14. Appeals Against the Decision of a Headteacher Not to Agree to a FlexiSchooling Request

There is no appeal against the Headteacher's decision.

15. Education Transport

- 15.1. Where a pupil meets the criteria for education transport to be provided between home and school, the transport will not be affected by the flexi-schooling arrangement. However, transport will only be provided on those days the child attends school under the flexi-schooling arrangement.
- 15.2. The school will advise the education transport team of the arrangement, the days on which transport is required, and the duration of the agreement, if known.
- 15.3. Where ad-hoc arrangements apply, for example: a pupil attending extra-curricular activities or a school trip on a home educating day, education transport will not be provided and it will be the responsibility of the parent to arrange for the child's transport to and from the school.
- 15.4. The exception to this is when the arranged transport is solely for the pupil (no other pupils are transported as part of a collective 'pick-up'). On this basis transport may be arranged for a pupil where s/he attends after school activities on an agreed school day.

16. Free School Travel

- 16.1. Where pupils attending school under a flexi-schooling arrangement meet the relevant criteria, they would be entitled to apply for free school travel.