

## Coventry Local Authority Flexi-Schooling Guidance for Schools

### 1 Introduction

Every child and young person is different and schools use a wide range of strategies and resources to meet their needs. Some parents may feel that a flexi-schooling arrangement will help to meet their child/young person's needs effectively.

The aim of this guidance is to:

- Make clear the various rules and guidelines that would need to be followed and considered under a flexi-schooling arrangement.
- Provide information for schools to support parents/carers in considering whether this would be beneficial to their child/young person.
- Provide information for schools in making decisions about their approach to flexi-schooling and around particular requests.
- Provide a model for an ongoing structure to support flexi-schooling arrangements, where these have been agreed.

### 2 Flexi-schooling definition

The responsibility to ensure that a child/young person receives full-time education while he or she is of statutory school age lies with the parent/carer with parental responsibility. The 1996 Education Act states that the parent/carer of every child of compulsory school age shall cause him or her to receive efficient full-time education suitable to his or her age, ability and aptitude, and to any special educational needs he or she may have, either by regular attendance at school or otherwise.

Some parents/carers may decide to provide a suitable education by educating their child/young person at home, rather than seeking to enrol their child at a school. This is known as Elective Home Education and is where the parent/carer takes full responsibility for the education of the child/young person.

Flexi-schooling is not the same as Elective Home Education. Parents/carers who request flexible attendance are asking for a pattern of provision which will involve both attendance at school as well as times when the child/young person will receive educational provision at home.

Flexi-schooling is also different from temporary part-time attendance arrangements which the school/parent/carer may seek to make. Such part-time arrangements are monitored and reviewed with the intention that the child/young person be returned to full-time attendance as soon as possible. Although provision may be split between school and home (and should be systematically reviewed), flexi-schooling arrangements do not have to be introduced with a fixed purpose of returning a child/young person to full-time education.

Arrangements for Flexi-schooling can only be made at the request of a parent or carer with parental responsibility. This is not an arrangement which can be initiated by a school.



### 3 Legality of flexi-schooling

While parents/carers have an absolute right both to school placement and to Elective Home Education, they have no legal right to a flexi-schooling arrangement; Head teachers/principals can refuse to agree to such requests. There is no specific appeal against the decision of a Head teacher/principal not to agree to a flexi-schooling request.

### 4 Attendance recording

School would need to mark the register with code C (authorised absence) where pupils are home educated during school hours, e.g. as part of a flexi-schooling arrangement. The [GOV.UK web page](#) containing the Home Education Guidelines says "Pupils who are being flexi-schooled should be marked as absent from school during the periods when they are receiving home education," (p35, Section 10.8).

### 5 Parent/carer considerations

The implications of making partial educational provision at home are significant, both in terms of expertise and resources and in the commitment to make a shared provision work. The education provided at home and at school should together constitute a full-time placement. While there is no statutory curriculum for the home education part of a flexi-schooling arrangement, parents/carers will need to be mindful of the impact on the child's access to the National Curriculum and the possible fragmentation of the learning experience.

Flexi-schooling is unlikely to be successful if the reasons for choosing it are negative and the choice is motivated by the desire to avoid difficulties around certain subjects, teachers, peers, aspects of school discipline or attendance itself. Flexi-schooling does not give an alternative means of opting out of an element of the curriculum with which a child, for whatever reason, is uncomfortable.

Parents/carers need to be open and honest about the child/young person's previous educational experience where this was not at the school. For example, any suspensions or exclusions from previous settings need to be documented.

Parents/carers need to be aware that limited attendance in school could make it difficult for a child/young person to maintain strong relationships with peers and this could result in an element of social exclusion.

Parents/carers need to understand that, under a flexi-schooling arrangement, a school carries significant statutory responsibilities for a child/young person's safeguarding, attendance and education. Robust and transparent communication systems will need to be agreed to enable the school to safely and confidently enter into, and maintain, an arrangement.

Parents/carers also need to understand that schools are places that work to set structures and timetables but these are always subject to change. Whilst a school will always do its best to keep to agreed set patterns, or communicate clearly where changes to these patterns have to be made, parents/carers need to understand that this is not always possible.

If a child/young person on a flexi-schooling arrangement moves to a different school, there is no guarantee that flexi-schooling will be able to continue. This would be a decision for the headteacher in that new school.



## 6 School considerations

Safeguarding the child/young person is of paramount importance.

All pupils on roll, whether flexi-schooled or not, have equal status. Schools need to be mindful of their statutory responsibilities regarding equality of opportunity for all.

There is no opt-out for schools with regards to the National Curriculum based on a flexi-schooling proposal. Although a child/young person may not be attending all school sessions, the school will still need to ensure that they have appropriate access to the National Curriculum. The child/young person cannot be disappledied from statutory curriculum or assessment arrangements simply because flexible attendance has been agreed.

Where the National Curriculum is delivered through cross-curricular activities, arrangements made with the parent/carer would need to protect the cohesion of the child/young person's experience. There may be resource implications; effective co-ordination will require time and the school could decide that it will provide some materials so that learning can keep pace with that of other children/young people. However, schools are not obligated to provide such materials and parents/carers are not obligated to engage in this way - any such arrangement would need to be stipulated in the agreement.

Pupils will be recorded as absent when not in school. The C code (authorised absence) must be used. This will affect the school's overall absence and attendance figures so the school will need to consider this in monitoring these figures. If the child is unable to attend a session, home or school-based (e.g. because of illness, medical appointment etc), the parent/carer must inform the school and then this will be reflected in the school's register using the usual absence codes. The school should consider maintaining a separate sign in/out register for each child/young person with a Flexi-Schooling Arrangement in place and use this to inform the school's attendance records.

Schools receive full funding for flexi-schooled pupils and they must be included in all census returns.

The school should consider the child/young person's previous educational experience when agreeing a flexi-school arrangement. Transition arrangements may be appropriate where a child/young person has previously been entirely home educated or has attended a provision significantly different from a mainstream setting.

Arrangements for flexi-schooling may make both the identification of Special Educational Needs (SEN) and the meeting of those needs more difficult to secure. Where a child/young person has an Education, Health and Care Plan (EHCp), the decision (to agree a flexi-schooling agreement) must be taken following consultation with the Local Authority. Where flexi-schooling is agreed for a child/young person with an EHCp, this should be monitored through the usual annual review process.

Since the child/young person remains on the school roll in a flexi-schooling arrangement, the school retains the responsibility for their progress in school and for tracking that progress.

In some home education situations, children/young people may work with professionals from a third-party organisation (e.g. an educational charity). Whilst a child/young person is at home, the responsibility for the suitability (safeguarding and quality of provision) of this adult lies with the parent (although significant concerns regarding safeguarding can prevent any home education situation from continuing). However, when they are in school, this responsibility would lie with the headteacher/principal.



The responsibility for a flexi-schooling arrangement lies with the school, not the Local Authority. Schools would need to work with parents to address any issues which arise. The only exception to this is where an Education, Health and Care Plan is in place as the responsibility for the delivery of the plan ultimately lies with the Local Authority who would need to be informed and included in discussions if any concerns arise.

## 7 Agreeing a flexi-schooling arrangement

If a parent/carer is interested in making a flexi-schooling request, the headteacher/principal should be contacted so that the proposal may be considered. The request should be made in writing, clearly marked as a request for flexi-schooling. The request should demonstrate consideration of the points laid out in Section 5 (above) and should also include:

- Intended benefits to the child/young person (of flexi-schooling provision as opposed to full-time Elective Home Education or full-time school placement)
- Proposed split of time to be spent at home and at school
- Intended aspects of the curriculum to be covered within school
- Proposals about home/school communication systems which will enable the school to carry out its statutory duties

The request could also include information about what educational provision will be undertaken at home (this may support a school in agreeing to a flexi-schooling request). However, parents/carers do not have to provide this information and schools are not responsible for educational coverage conducted at home.

Pupils who attend part-time under a flexi-schooling arrangement are subject to the same school admission processes as other pupils and are counted in the same way as a child/young person who attends full-time for the purposes of the infant class size regulations. A child/young person cannot be offered a flexi-schooling place if they do not already have a place at the school (unless they have an EHCP).

Ultimately, it is the decision of the headteacher/principal as to whether the school will enter into a flexi-schooling agreement with the parent/carer. However, schools may wish to have a process in place that involves other key members of staff and/or leaders, e.g. phase leader, class teacher, SENDCo.

Governors/trustees have a role in agreeing and reviewing a general approach to requests for flexi-schooling and a particular link governor/trustee could be in place to check that appropriate processes are being followed. However, it is not the role of governors/trustees to make decisions about individual cases.

In the event that a headteacher/principal does not agree to a flexi-schooling arrangement and the parent/carer believes the process has not been followed correctly, this should be dealt with using the school's Complaints Policy.

In the event that the headteacher/principal does agree to a flexi-schooling arrangement, the school will draft an agreement document which needs to:

- be agreed by the school and parents/carers before implementation
- define clear communication systems and regular review points

A model flexi-schooling agreement is included as an appendix to this guidance. This would require review by individual schools prior to being adopted and used.



## 8 Dealing with concerns

It is very important to a successful Flexi-Schooling arrangement that school and home work in partnership. The aim of both needs to be to maintain a positive relationship with open discourse. However, both parties need to be able to raise concerns if they arise, so that these can be dealt with appropriately.

The primary method for discussing concerns would be at review meetings, planned to take place at a frequency described in the arrangement agreed by both parties (suggested at least termly). Either the school or the parent/carer could request to bring the next review meeting forward should they have a significant concern which needs to be discussed as a matter of urgency.

If parents/carers are unable to resolve issues or concerns in this way, they should refer to the school's Complaints Policy.

A school or parent/carer can withdraw their agreement to a flexi-schooling arrangement at any time. The child/young person would then be required to attend at school on a full-time basis or parents/carers can choose to seek a place at an alternative school or educate at home on a full-time basis (elective home education).

Where a Flexi-Schooling Arrangement has been agreed for a child/young person with an Education, Health and Care plan, the Local Authority would need to be informed and included in discussions where any concerns are raised as the responsibility for the delivery of the plan ultimately lies with them.

## 9 Associated documents

Government guidance can be found here:

<https://www.gov.uk/government/publications/elective-home-education>

When considering flexi-schooling arrangements, schools would also need to consider connected policies, e.g. those concerning attendance, safeguarding and behaviour.

## Appendix – Model flexi-schooling agreement template

Name of Child:	
Name of Parent/Carer:	
Confirm Parent/Carer has status of Parental Responsibility:	
Staff involved in approval of this arrangement (and date agreed):	<i>Must include headteacher/principal</i>
Intended benefits of the flexi-schooling arrangement (rationale):	
Period covered by this arrangement document:	<i>This document should be reviewed regular at a meeting involving school and parents/carers. Suggested frequency of at least once per term.</i>
Normal and expected pattern of school attendance:	
Special events in the forthcoming period which will affect this pattern:	<i>Even where no events have been identified, home and school both understand that plans can change</i>



	<i>and that clear and prompt communication from both sides will be important where this is the case.</i>
Transition arrangements (if applicable):	
Registration arrangements:	<i>The child/young person will be marked as C (authorised absence) when being educated at home. Any absence from home or school education needs to be notified to school with the reason given in line with the school's Attendance Policy. School will follow up any unexplained absences in line with the Attendance Policy. School may wish to keep a separate registration/sign in &amp; out sheet for the child/young person.</i>
Practical school arrangements:	<i>Which class will the child/young person work with? Who will be their teachers? Which other staff will they work with? Are there any other requirements?</i>
School curriculum delivery:	<i>What will the school's curriculum offer to the child/young person be during this period?</i>
Home curriculum delivery:	<i>Parents/carers are not obliged to provide this information and schools are not responsible for education undertaken at home. However, information may be provided/discussed as part of the home/school partnership.</i>
Aims and objectives during the period:	<i>What outcomes are we looking to help the child/young person to achieve during this period? How will know these have been achieved?</i>
Assessment arrangements:	<i>Do any national assessments fall in this period? What are the next national assessments that apply for the child/young person? What arrangements are in place? (National assessment arrangements apply to all pupils on the school's roll.)</i>
Special Educational Needs or Disabilities (if applicable):	<i>What needs does the child/young person have? Is an Individual Education Plan in place? Is an EHCP in place? (If so, this arrangement needs to be agreed in consultation with the Local Authority.) When is the next annual review? How has the flexi-schooling arrangement meeting the specific needs of the child/young person? Are any external professionals involved?</i>
Home/School communication arrangements:	<i>What arrangements are in place for communication between review meetings?</i>
Arrangements for raising concerns:	<i>School and parents/carers are encouraged to raise concerns and issues as and when they arise to aid effective provision for the child/young person.</i>  <i>Both can request to bring forward the next scheduled review meeting.</i>  <i>Parents/carers can follow the school's Complaints Policy if they feel their concerns have not been effectively dealt with.</i>



	<p><i>School will raise any significant concerns in writing and/or through review meetings.</i></p> <p><i>The Local Authority will be informed and involved where concerns are raised about an agreed arrangement regarding a child with an EHCp.</i></p>
<p>Withdrawing from the agreement:</p>	<p><i>Parents/carers have the right to a full-time place at the school rather than to continue a flexi-schooling arrangement. Alternatively, parents/carers can withdraw their child/young person with immediate effect at any point by removing them from the school roll. It would then be their responsibility to find an alternative school place or begin full-time Elective Home Education.</i></p> <p><i>The school can also cancel the agreement at any time. The headteacher/principal has the ultimate responsibility for agreeing to and withdrawing from flexi-schooling arrangements. If the school decides to withdraw from the flexi-schooling arrangement, parents/carers then have the same choices as detailed in the paragraph above.</i></p> <p><i>The Local Authority will be informed and involved where agreed arrangements regarding a child/young person with an EHCp are altered.</i></p>

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