

Your rights as a home educator

HEdline

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You have a right to privacy

You can decide who comes into your home and meets your children. If an officer from the Education department of your local council wants to come and visit you, it is **up to you** whether to allow this.

HEdline's advice is to keep all communication with the Local Authority in writing. If they ask for information about the education you are providing, it is sensible to reply, but it is **up to you** how to do this.

You have a right to go out during school hours, and so do your children

You do not have to give your name and address to truancy patrols or anyone else.

HEdline's advice is to make an official complaint if you are stopped and asked to give your personal details. We can support you with this if you want.

You have a right to educate your children according to your own philosophy

You do not have to follow the National Curriculum, or anyone else's ideas about how to educate your children. Your responsibility is to provide an education that is suitable for **your child's** age, aptitude and ability, and any special needs **your child** may have.

See over for some useful references

Know your rights: Useful References

Section 7 of the Education Act, 1996

<http://tinyurl.com/sectionseven>

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.

DCSF Guidelines on Home Education, November 2007

http://www.dcsf.gov.uk/everychildmatters/_download/?id=1905

2.7 Local authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis.

3.5 If it appears to a local authority that a child is not receiving a suitable education it may wish to contact the parents to discuss their ongoing home education provision. Contact should normally be made in writing to the parents to request further information.

Hansard record of debate on the introduction of the power for truancy patrols to remove children from public places if they are truantiing, House of Lords, 1998

<http://www.publications.parliament.uk/pa/cm199798/cmstand/b/st980609/am/80609s08.htm>

“Many children are properly and lawfully educated at home and the provision would not apply to them. A child who is not a pupil at a school cannot be absent without authority from it. ... The power is to be used only with respect to children who are absent from school without authority.” *(Mike O’Brien, Parliamentary Under-Secretary of State for the Home Department)*

Article 2 of Protocol 1 of the European Convention on Human Rights:

No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions.