

## **REVISED FUNDING GUIDANCE FOR LOCAL AUTHORITIES ON HOME EDUCATED CHILDREN**

1. This document provides revised guidance for local authorities on the funding of home educated children, in the light of various changes to the school and local authority funding system that come into effect in 2013-14. In that respect only, it replaces guidance on home education issued by the Department in a letter from Hardip Begol in 2010.

### Overall principles

2. It remains the case that when parents choose to electively home educate their children they assume financial responsibility for their children's education. However, the Department continues to recommend that local authorities should take a flexible approach to support for home educating parents where appropriate. Particular issues are addressed below.

### Special educational needs

3. In the previous funding system up to 2012-13, the Dedicated Schools Grant was calculated by totalling the number of pupils on various annual census forms and multiplying them by a guaranteed unit of funding. Home educated pupils for whom the local authority was providing significant financial support in respect of special needs could be entered on the Alternative Provision Census.
4. In the new funding system from 2013-14, special educational needs funding, other than in mainstream schools, comes from the local authority's high needs block within the Dedicated Schools Grant. The high needs block is not based on pupil numbers but on the historic spend on high needs of each local authority: the Alternative Provision Census is no longer used for funding purposes. So while home educated pupils supported by the authority can still be entered on the census, this no longer triggers additional funding. Local authorities' responsibilities in respect of high needs extend to all pupils who are ordinarily resident in their area, including those who are home educated. Local authorities have flexibility to move money between the other blocks of DSG and the high needs block in order to meet high needs in their area.
5. As regards children with statements of SEN which name schools as the appropriate placement for a child but parents decide to educate such a child at home, it remains the local authority's duty to ensure that the child's needs are met through the provision made by the parents. The local authority can support parents financially in these circumstances under section 319 or section 19 of the Education Act 1996 (this would fall under either paragraph 18 or paragraph 20 of Schedule 2 to the School and Early Years Finance

(England) Regulations 2012). In deciding how much support is needed, the local authority should be aware that, unlike schools, parents do not receive base funding from the public purse in support of SEN, and should not therefore be expected to pay £10,000 before they receive any support. Where children have statements of SEN that set out home education as the appropriate provision under section 319 of the Education Act 1996, the local authority has a statutory duty to arrange the special educational support set out on the statement.

6. Children with SEN but without statements may also be educated at home. In these circumstances local authorities should consider whether they require support from the public purse. This provision can also be made under section 319 or section 19 of the Education Act 1996.

#### Attendance at FE Colleges

7. With effect from September 2013 FE and sixth form colleges can admit pupils aged 14 or 15 and receive funding for them direct from the Education Funding Agency. This includes not only specific provision for groups of pupils but also individual admissions of pupils who would otherwise be home educated, and who may well be educated with young people aged 16-18. We would therefore not expect local authorities to be paying fees to the colleges for these pupils.
8. The Department recognises that some local authorities will have been paying fees to colleges in respect of home educated children in 2012-13 in the expectation that they would be able to reclaim a unit of DSG in 2013-14, which will no longer happen under the new funding system. The Department will reimburse authorities for this expenditure as an addition to DSG. We are consulting a number of authorities about the simplest way of doing this and will shortly set out a procedure.

#### Other kinds of support

9. Some local authorities may be providing other kinds of financial support for home educators such as examination fees. These smaller elements of support were never associated with additions to DSG. Local authorities can continue to provide this kind of support under section 19 of the Education Act 1996.