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1 General

This Policy has been developed in accordance with legislation and trusted sources of information, primarily the GOV.UK and ACAS websites.

1.1 Scope

JSP 342 Education of Service Children Overseas is the policy covering the MOD facilitation of overseas education for Service children accompanying Service personnel on overseas assignment. It covers early childhood education, childcare, primary and secondary education.

1.2 Aim

The MOD recognises the importance of children's education in building and sustaining thriving Service families. The MOD also recognise the demands that Service life can make on Service children in particular because of mobility, separation, and deployment. MOD policy is therefore aimed at minimizing/mitigating, when reasonably possible, the impact Service life may have on a Service child's education where they accompany their Serving parent overseas. It should be noted that the provision of any measures to reduce evidenced educational impact of accompanied overseas service, are not designed to provide continuity of education for children.

The MOD provides support for continuity of children's education through the provision of Continuity of Education Allowance, that policy is in JSP 752.

This document provides a policy framework for the facilitation and delivery of education services overseas for Service children. This policy is to be used to direct educational decisions by Chains of Command and Serving parents and carers. In writing this policy the [Family Test](#) was considered to ensure it limits the negative impact on Service families.

1.3 Armed Forces Families and Safeguarding (AFFS) Function

Working to the Chief of Defence People through the Director of Armed Forces People Policy, the AFFS organisation is the Departmental focus for all policy issues related to Armed Forces families (including children's education) and safeguarding. AFFS advises the wider MOD, Other Government Departments, Devolved Administrations, and other stakeholders, to ensure their policy, procedures and practice take best account of Service children's educational needs. The Education Policy Team (EPT) owns this policy and can be contacted by email on People-AFFS-Education-Mailbox@mod.gov.uk.

The EPT educational specialists provide educational advice and guidance to the overseas chain of command (CofC), Defence Children's Services (DCS), Service personnel, schools, local authorities, and other stakeholders. This includes assessing educational



transitions between locations and conducting in person visits to overseas schools to enable local commands and families to make informed decisions about the educational options available.

Where eligibility or entitlement to an allowance or expense is not clear, advice should be sought from the Overseas Education Supportability Team (OEST) at RC-DCS-HQ-OES@mod.gov.uk in the first instance. For out of policy guidance on exceptional circumstances or clarification of eligibility where family circumstances are different to that provided in this policy, the Education Policy Team are the definitive policy source.

General enquires about Armed Forces family support and safeguarding should be directed by email to People-AFFS-MAILBOX@mod.gov.uk.

1.4 Defence Children Services (DCS) Function

DCS is responsible for the delivery of education, assurance, support activities and care in MOD provided schools and settings overseas and at the Queen Victoria School (QVS) in Scotland. Further details about DCS, including service provision, points of contact and detailed information about MOD provided schools can be accessed at: [Defence Children Services \(DCS\) - GOV.UK](#). DCS can be contacted by emailing RC-DCS-HQ-Mailbox@mod.gov.uk.



2 Legislative Framework and Responsibilities

2.1 Within the UK

In the UK, legislative responsibility for education has been devolved to the Scottish Parliament, the Northern Ireland Assembly, and the Welsh Assembly. In England, legislative responsibility for education lies solely with the Department for Education (DfE). When personnel and their families move within the UK, the education legislation applicable to the administration in which they are located carries primacy. Areas such as SEND, admissions or the curriculum are different across administrations.

2.2 Overseas

The full legal context for the delivery of children's education overseas varies from location to location and will include host nation laws and/or any relevant international agreements relating to the status of UK forces. In all overseas locations the MOD seeks, wherever possible, to align its educational policy with the principles laid out in Department for Education (DfE) policy.

2.2.1 Admissions Overseas. There is no automatic entitlement for admission into a non-MOD provided school overseas and it is important to understand that the governance of education provision, including decisions on admission and retention, taken by these schools is final. MOD Schools are empowered to decline admission to a Service child if deemed, through the MOD Assessment of Support needs process, that the setting is unable to offer and deliver a suitable education.

2.2.2 MOD Policy Assessment of Support Needs For Accompanied Assignments Overseas is the definitive policy on supportability for accompanying Service family members.

2.3 Parental Responsibilities

Parents are responsible for the education of their children. This is equally true for parents posted to overseas MOD locations. Parents are to research education provision in the prospective overseas location as dictated by this policy. Parents must declare all known additional educational needs for their children during the family supportability assessment as detailed in [MOD Policy Assessment of Support Needs For Accompanied Assignments Overseas](#). Information on education overseas is available through RC-DCS-HQ-OES@mod.gov.uk and People-AFFS-Education-Mailbox@mod.gov.uk. Parents can find further guidance on application of this policy and their responsibilities on the Defence Children Services GOV.uk website: [Guidance Education Overseas For Service Children](#)

2.3.1 Children with SEND



Local authorities in each devolved administration set out what will be provided for children with special educational needs. In England this is called an Educational, Health and Care Plan (EHCP), in Scotland a Co-ordinated Support Plan, in Wales an Individual Development Plan and in Northern Ireland a Statement of Special Educational Needs.

Plans may not be transferable on assignment overseas or automatically reinstated on return to the UK and parents are advised to consult early with their child's allocated school and/or local authority prior to returning to the UK. Full disclosure of any SEND support requirements must be made during the supportability process. Failure to do so could ultimately lead to the family member being returned home at the cost of the Service person. Information and guidance on SEND education overseas is available through RC-DCS-HQ-OES@mod.gov.uk. Families returning to the UK can seek guidance from the Educational Advisory Team (EAT) RC-DCS-HQ-EAT@mod.gov.uk.

2.4 Departmental Responsibilities

In overseas locations, wherever possible, the MOD facilitates access to an efficient and suitable education. In certain locations the MOD provides schools which deliver an education to meet the needs of Service children. These schools are run by DCS and conform in type, scope, and standard to that required by the Education Acts in England. In these locations Service children are expected to attend the MOD school. When an MOD school cannot meet the needs of a child, and parents identify other possible suitable schooling, supportability must still be confirmed, and where MOD funding is sought for education, parents will need to seek OEST advice on whether casework will be required.

2.4.1 School Transport

Funding and arrangements for school transport are the responsibility of the relevant overseas CofC with advice from their finance/resource team. Decisions should seek to ensure that a child's education is not disadvantaged due to home to school transport arrangements. The use of Military Transport (MT) for home to school transport and transport required to deliver the school curriculum is detailed in Defence Movements and Transport Policy JSP 800 – Volume 5 and all personnel are to use this policy for direction and guidance.

In the UK, the use of MOD provided transport is not generally permitted for school transport, except under the conditions granted within JSP 752 (Tri-Service Regulations for Expenses and Allowances).



3 Early Childhood Education Overseas

3.1 General

- 3.1.1 Service children overseas are not required by policy to attend early childhood education/childcare and there may be no type of provision available in location. **A host nation may require children to be in formal education before the age of compulsory schooling in England (age 5). In these circumstances personnel must seek advice from their CofC on host nation laws, Statutes of Forces Agreements (SOFAs) and other international agreements that may be applicable.**
- 3.1.2 Local CofC are not required by policy to provide access to early years settings, although it is considered good practice to do so where it is practicable and where sufficient demand exists.
- 3.1.3 It is a parental responsibility to check the availability and nature of early years provision in overseas locations prior to posting.
- 3.1.4 General guidance on early childhood education, childcare and the use of childminders overseas is accessed by contacting the early years policy lead at: People-AFFS-Education-Mailbox@mod.gov.uk. [Guidance Childcare for Service children on GOV.UK](#) provides an overview for families.

3.2 Provision

The offer of early childhood education will differ across the globe. In certain locations there are MOD provided settings, whilst in other locations the options could be between host nation or international provision.

- 3.2.1 Where MOD settings are available/accessible, parents wanting to access early childhood education are expected to enrol in the MOD provided setting.
- 3.2.2 MOD provided settings follow the Early Years Foundation Stage (EYFS) framework (statutory in England), information is available at: [Defence Children Services \(DCS\) – GOV.UK](#).
- 3.2.3 Where no MOD EYFS setting is provided, it is the parents responsibility to ensure the childcare provision is suitable for their child's needs, and the needs of their family.

3.3 Related Entitlements



Service families in overseas locations are to ensure they are aware of the possible available funding for early years education and childcare, full details are available in the DIN [Funded childcare entitlements and processes for overseas Service personnel and UK Based Civil Servants \(UKBCs\) with accompanying pre-school aged children](#) with further information at the [GOV.UK](#) website.

3.3.1 Funded early childhood education/ childcare in MOD provided settings. All Regular Service and Full Time Reserve Service (Full Commitment) (FTRS FC) personnel and UKBCs who are assigned overseas and are accompanied by pre-school children aged 3 to 4 years old, for whom they have parental responsibility, are eligible for the universal childcare entitlement of 15 hours funded childcare per week for 38 weeks per year.

To be eligible for the additional entitlements available to working families, both parents i.e., the Defence person and their spouse/partner (or a sole parent in a lone parent family), must be in paid employment, or starting work within the next 31 days, and earning the equivalent of 16 hours per week at the UK National Minimum or Living Wage.

3.3.2 Overseas Nursery Authority (ONA). Where no MOD provided setting is available, or they are unable to meet the care requirements of the child, ONA can be applied for. ONA can only be applied for when using childcare providers, (or childminders), that have been registered, regulated, and inspected by the host nation. Parents are responsible for ensuring that their chosen provider meets these criteria. Childcare provided by nannies is not supported under ONA, full details are available in the DIN [Funded childcare entitlements and processes for overseas Service personnel and UK Based Civil Servants \(UKBCs\) with accompanying pre-school aged children](#).

3.3.3 Tax Free Childcare. Eligible dual-working parents may make use of Tax-Free Childcare overseas only where it is supported by HMRC and only in a registered setting. Detailed guidance is accessed at [childcarechoices.gov.uk](#).



4 MOD Provided Education Overseas

4.1 General

There is no central policy which defines those overseas locations where an MOD school or childcare setting should be provided. Where an MOD school or setting exists, responsibility is divided between DCS who run the establishment, and the local CofC who are responsible for maintaining the infrastructure.

4.1.1 Where a new school or setting is being considered by the CofC, it is vital that both DCS and AFFS are consulted at an early stage. The business case will need to consider, among other things:

- The local demand for education or childcare and why this is not currently being satisfied by other means.
- The legal context under which the school or setting would operate including any relevant international agreements.
- The associated build and maintenance costs, and DCS's funding requirements for operating the school.

4.2 Provision

MOD provided schools are aligned to the English state-maintained education system. This includes key stage tests, public examinations, and registration with the DfE.

The locations and stages of education covered by MOD schools are identified at: [Defence Children Services \(DCS\) – GOV.UK](#) and further details should be accessed by contacting the head teacher at the relevant school or by emailing RC-DCS-HQ-Mailbox@mod.gov.uk.

4.3 Entitlement to MOD Funded Placement

Following completion of MOD Policy Assessment of Support Needs, children receiving confirmation of supportability in an MOD school will be entitled to an MOD funded education. Children who fall into the categories below are entitled to an MOD funded school place in an MOD provided school:

- Children of serving UK Armed Forces personnel on overseas assignment.
- Children of UK Armed Forces personnel on loan or secondment to Commonwealth or foreign governments.
 - Unless there is a contract of service between the parent and the government concerned which covers the provision of children's education. Such contracts may provide for the cost of children's education to be borne by the government concerned or by the parent.



- Children of UK-based Civil Servants, employees of the MOD and its agencies on overseas attachment.
 - Service Institutions and Welfare Agencies listed under Statute of Forces Agreement (SOFA) or MOD contract
- Children of staff of other government departments who are recruited for overseas service and usually based in the UK. The department concerned must agree to meet the fees of the child.
- Where an entitlement has been agreed through an international arrangement or exchange programme (for example under SOFA or such international agreement). This applies to children of non-British forces.

4.3.1 Where a Serving parent is assigned on an unaccompanied tour (INVOLSEP), and the non-UK national parent lives in their country of origin, a child of the family may attend an MOD school in the country of origin for the duration of the Serving parent's unaccompanied tour. This is subject to the agreement of any conditions imposed by the MOD. An application for a place at an MOD school in the country of origin is to be submitted to DCS for approval before the child can be enrolled.

4.3.2 A child will continue to be entitled to a place in an MOD school during periods when the parent is temporarily assigned to another location (for example, for all operational tours, exercise, training, or active service), provided that:

- The parent continues to serve, or be employed, on the establishment of the overseas CofC or;
- The family retains official entitled family status in the overseas location.

4.4 Entitlement to Fee-Paying Placement

The following policy defines the entitlement to a placement in an MOD school on a fee-paying basis:

- Children of UK-based employees of the Service institutions and welfare organisations listed under an MOD contract. Children in this category must not be ordinarily resident in the country where the MOD provided school is located.
- Children of US Forces personnel whose admission to an MOD school is approved by the Department of Defense Education Activity (DoDEA) organisation.
- Where entitlement and responsibility for funding has been agreed through international agreements (for example SOFA).

4.5 Non-Entitled Children

Any child who does not fall into any of the categories detailed above is not entitled to a place in an MOD school.

4.6 Fees and Expenses



The education of children in MOD schools from Reception to Year 13 is free to parents of entitled children. This entitlement may be extended for children who have been previously placed out of chronological year group or where there is agreement to extend the placement to support examination re-sits. Normally this is up to the age of 19 years.

Service Personnel are advised to contact the relevant MOD school for advice and information on any additional fees or expenses. MOD Schools may charge parents for certain activities. For detailed information and procedures for fees and expenses contact DCS by emailing RC-DCS-HQ-Mailbox@mod.gov.uk.



5 Non-MOD Provided Education Overseas

5.1 Education Systems

Where there is no MOD provided school and where the language of instruction in host nation state schools is English, the MOD expects Service children to enrol in and use the state provided education.

5.1.1 Where the functional CoFC (in consultation with, and agreed by, AFFS EPT) determines that the state provision is not suitable (either is not taught in English or for other safeguarding/curriculum provision reasons), local private day schools may be used.

- Local state schools whose language of instruction is not English will in most cases be considered as not suitable.
 - This does not preclude a family from requesting an MOD funded place at a bilingual state school or a state school taught in the host nation language. This should be carefully considered as part of the supportability process.
 - Para 5.4.2 gives further information on support for families choosing this option.

5.1.2 The following guidelines should be considered for each case requesting MOD funded private educational provision:

- A suitable education is one that covers a broad and balanced curriculum sharing common aspects of the [Department for Education 'national curriculum'](#) as taught in local-authority-maintained schools in England.
- 'Local private school' in this policy refers to non-state provided education such as private day schools or independent schools. 'Local' is reasonably interpreted as a school location that allows for daily travel to the residence at work address of the Service family. DfE guidance on maximum journey time for school age children is available on GOV.UK, [Home-to-school travel - GOV.UK \(www.gov.uk\)](http://www.gov.uk).
- In overseas locations where suitable local day schools (state or private) are unavailable, boarding school provision will only be agreed where exceptional circumstances have been evidenced on a case-by-case basis. Appropriately evidenced casework must be submitted through the budgetary CoC to OEST for AFFS EPT review.
 - Parents with a preference for boarding provision should explore the use of CEA for a UK boarding school. This is the only MOD policy with boarding as an educational provision for Service children.
 - An absence of suitable state/day schools in the overseas location does not infer that boarding will be a supportable option.



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- [MOD Policy](#) on assessment of support needs directs that there is no automatic entitlement to an accompanied assignment.
 - In overseas locations where a suitable local day school (state or private) using English as the language of instruction is not available, casework must be submitted for review if MOD funded education is sought. Appropriately evidenced casework must be submitted through the budgetary CoC to OEST for AFFS EPT review.
- 5.1.3 The full cost of fees and other admissible expenses, as per para 5.4, are refundable. Personnel are to follow local payment procedures through their budget authority.
- A child can take up a place in a host nation school (if entitled by virtue of their nationality). Where a suitable MOD provided school place exists, parents who make this choice are responsible for all education costs and related expenses.
 - Where parents choose to enrol their children in a fee-paying provision, without approved supportability for the school, they become responsible for all educational costs. Policy on education related entitlements will therefore cease to apply.
 - In situations where the application of this policy is unclear, guidance can be sought from AFFS EPT people-affs-education-mailbox@mod.gov.uk.
- 5.1.4 Once a named education provider has been approved as supportable for a Service child, the school can only be changed through an additional review of supportability.
- 5.1.5 MOD Civilians are directed to MOD Civilian HR and the Overseas Transfers Policy for specific provisions and policy on education overseas where there is no provided MOD school. Terms and conditions in civilian contracts take primacy on entitlement.

5.2 Responsibilities

- 5.2.1 **AFFS.** Where formally requested by the overseas CofC, AFFS will conduct reviews of the local education offer. This review will allow the CofC to make an informed decision about the education options available.
- 5.2.2 **Parents.** The age at which a child must legally start formal education differs across the globe and Service children may be required to start before or after compulsory school age in England (the term after children turn 5). Parents should therefore always seek advice from their CofC on host nation laws, on SOFAs and other international agreements regarding education. They may also seek advice from the OEST.
- 5.2.3 Schools overseas deliver different curricula, examinations, and qualifications. Parents with children entering a critical phase of education (Years 9, 10, 11 and Years 12 and 13) should consider the impact of a move on their children's education prior to accepting an assignment and should seek advice from OEST.



- 5.2.4 There are transferable qualifications overseas, such as the International Baccalaureate and International GCSE (IGCSEs). Parents should ensure they understand any qualifications offered and how they equate to UK qualifications. In the UK, this equivalence is formally assessed by the Education Counselling and Credit Transfer Information Service (ECCTIS), who can provide certificates of equivalence to individual students where available.
- 5.2.5 Parents are to ensure they understand all costs that they will be liable to pay before accepting a school place. Guidance on what parents are liable to pay can be found in para 5.4.6.
- 5.2.6 **Overseas Commands.** Overseas Commands are responsible for making decisions about educational suitability and supportability. These decisions must be balanced against individual family circumstances, operational commitments and be informed by subject matter expertise. Commands are also responsible for the funding arrangements related to a Service child's education overseas.
- 5.2.7 As per the principles in HM Treasury document [‘Managing Public Money’](#), value for money must be considered as part of the decision making process.

5.3 Entitlement

The MOD recognises entitled children in an overseas location is defined as:

- Children of serving UK Service personnel.
 - Where entitlement and responsibility for funding education has been agreed between the MOD and the service provider/contractor and is expressed within the terms and conditions of employment contract.
 - Where entitlement and responsibility for funding has been agreed through international agreements (for example within a SOFA).
- 5.3.1 Differences in the Terms and Conditions of Service for Service personnel and entitled MOD Civilians requires additional consideration when confirming policy eligibility for the use of local/international schools. **MOD Civilian policy on host nation/international education provision must be consulted alongside this document; entitled MOD civilians should refer to their [Overseas Transfer Policy](#) as this takes primacy on entitlement to education.**

5.4 Fees and Expenses

Where Defence agrees to fund a child's education overseas, all costs fall to the relevant overseas command budget.

Compulsory education fees that are normally free in the state-maintained education sector in England are eligible for reimbursement. These fees normally include, for example, tuition



fees, non-refundable registration and enrolment fees, compulsory charges such as insurance, school medical fees or use of technology fees.

- Fees for extra tuition should only be reimbursed when that extra tuition is necessary and would normally be a free entitlement in the state-maintained education sector in England.
- Costs related to Common Entrance Exam are not refundable.
- The entitlement to funded education may be extended for children who have been previously placed out of chronological year group or where there is agreement to extend the placement to support examination re-sits. Normally this is up to the age of 19 years.

The value of any scholarship/bursary awarded to children attending international/host nation schools overseas should be declared, so that the sums involved can be offset against fees.

5.4.1 The expense requests below must be submitted to the OEST before budgetary authority and payment processing. The OEST form is accessed on [Defence Children Services \(DCS\) – GOV.UK](#) or by emailing the OEST at: RC-DCS-HQ-OES@mod.gov.uk.

5.4.1.1 SEND support (including Speech and Language Assessment and Therapy). Where a child's SEND needs are being met within school provision and are part of the school fees, costs are normally admissible for refund. Reimbursement of costs of educational assessment are normally admissible for refund where the assessment has been recommended by the school and where there would normally be entitlement in the state-maintained sector in England.

5.4.1.2 Language Tuition Fees. Financial assistance for children who attend non-English speaking schools and nurseries overseas is available. Such assistance must not exceed 130 hours in total. It would normally be limited to a maximum of five hours' tuition per week, and for a maximum period of six months. Tuition may take place up to three months prior to the take up of the post overseas, but this must be paid initially by the claimant and a refund claimed once in post.

5.4.1.3 Catch Up Lessons. Financial assistance may also be sought for catch up lessons where parents have identified their children have fallen behind on their English language whilst attending a non-English speaking school or nursery overseas and would struggle on return to the UK education sector. Catch up sessions must be taken prior to the return to the UK and will form part of the overall 130 hours language tuition entitlement.

5.4.2 Exceptional Circumstances. The refund of fees is normally admissible from the September following the child's fourth birthday until the end of the academic year in which the child reaches the age of eighteen with the following exceptions:



- Where a child is legally required by the host nation to start school earlier, fees can be claimed.
- In circumstances (for example, serious illness) where the child's education has been so disrupted that they could not successfully complete their course by that time, fees may be refunded up until the end of the academic year in which the child's nineteenth birthday falls. For fees to be refunded, any course of prolonged schooling must have started before the eighteenth birthday.

5.4.3 The following expense claims do not need to be passed through the OEST for authorisation prior to submission to expense authorisers/budget approval:

- School Fees. These fees normally include tuition fees, non-refundable registration and enrolment fees and compulsory charges.
- Field Study Trips/Residential Educational Courses. The cost of field study and residential educational courses, but not the board and lodging charges, should be refunded if it is required as part of a syllabus for prescribed public examination.
 - Activities relating to the Community Action Service element of the International Baccalaureate do sometimes attract a charge. A full breakdown of options and charges should be provided to the budget holder before any claims can be authorised.
- Private Car. Personnel are directed to JSP 752 Tri-Service Regulations for Expenses and Allowances for details on the use of motor mileage allowance.
- Universal Infant Free School Meals (UIFSM). These can be claimed for children in the equivalent of Reception, Year 1 and Year 2. Detailed guidance can be found in Part 7 of this policy document.
- Education Resources. The following is not an exhaustive list of what is normally provided free of charge in England's state-maintained schools:
 - Books and Stationery. The refund of the cost of essential books and stationery (for example textbooks and art materials) as required by a school authority and that would normally be provided free of charge in England's state-maintained sector, is admissible. Such claims are subject to audit, and refunds should be made only on production of suitable receipts.
 - Technology. Technology fees charged to the family that do not result in a device becoming the property of the claimant/child. Where electronic devices are provided on a staged payment or deposit basis, costs cannot be reclaimed if the device becomes the property of the claimant/child at any time during the assignment.
 - Local Commands may also identify expenses specific to their host nation state education system. Service personnel are advised to take advice from their budget holders on such compulsory charges.

5.4.4 The following are not admissible for refund:

- All items of clothing, including sportswear.



- The cost of meals from the equivalent of Year 3 (England) except where these are included in fees.
- Charges for extracurricular activities (societies, clubs and school camps/trips) which are not part of the regular and supporting school curriculum and which are normally paid for by the parent in the UK.
- Charges for wraparound childcare costs.
- Technology where the item is owned by or becomes the property of the Service person or Service child.

5.4.5 Entitlement to these expenses will be subject to the Service person or MOD Civilian not receiving a refund via any other means. Allowances as set out in JSP 752 Chapters 9 (Overseas Service) and 14 (Service Children's Education), and any other allowances in association with overseas transfer contracts cannot be used in conjunction with this policy to receive double payments for expenses.

5.4.6 When an assignment overseas is extended or transferred, educational supportability for Service children must be renewed as per MOD Policy Assessment of Support Needs. Service personnel must not assume continued funding of private education or supportability in host nation education. This is particularly important when an extension in assignment takes a Service child into a subsequent phase of education, such as moving from primary to secondary education, and this transition was not part of the original educational supportability review. OEST will complete a full review of educational supportability as part of the mandated assessment of support needs.



6 Elective Home Education

It's a parent's responsibility to ensure that their child is educated. When a Service family accompanies the Service person overseas, school age children in the family will usually attend school; the MOD supports parental choice for families choosing to home educate their children.

Overseas, parents and children may not be able to access the educational support networks that they might be able to access in the UK. This may present challenges for parents delivering education in the home. Service personnel may be assigned/transferred to a location where home schooling is not permitted or is subject to constraints which do not apply in England.

Parents must note:

- Elective home education does not confer any entitlement to an extension of assignment, dependency status, or Service Family Accommodation.
- Work experience is not a statutory requirement, therefore children educated at home have no entitlement to MOD support in sourcing or enabling work experience.
- Parents will not be able to access MOD education resources for the period of home education.
- The UK has ratified the United Nations Convention on the Rights of the Child (UNCRC) which through Article 28, requires signatory States to 'recognise the right of children to education'. These rights are also protected under Protocol 1, Article 2 of the European Convention on Human Rights which is incorporated into the domestic law of the UK by the Human Rights Act 1998.
- Article 12 of the UNCRC requires signatory States to provide a right for children to express their views and for due weight to be given to those views, in accordance with the age and maturity of the child. This means that there is an expectation for parents to consider their child's views of home education, whether they are happy to be educated in this way and whether home education is realistically possible in a family's circumstances.
- Furthermore, the Education Act 1996 places a legal duty on the parent or guardian of a child of compulsory school age in England and Wales to ensure that the child attends and receives full-time education, either in a school or by any other means appropriate for their age, ability and aptitude and taking into account any special needs they may have. The Education (Scotland) Act 1980 and the Education and Libraries (Northern Ireland) Order 1986 make similar provision in relation to Scotland and Northern Ireland.

The MOD Policy Assessment of Support Needs For Accompanied Assignments Overseas outlines the process to determine if elective home education is supportable on a case-by-case basis. This will involve a multi-agency meeting involving the CofC to assess the appropriate supportability decision. A guide for parents containing information on the



process for elective home education can be accessed at: Defence Children Services (DCS) – GOV.UK or on request by emailing RC-DCS-HQ-EHE@mod.gov.uk.

6.1 Command Responsibilities

Overseas, departmental responsibility for the safety and welfare of Service/MOD Civilian personnel and their entitled family members is delegated to the functional CofC.

When determining the supportability of a child overseas where elective home education is a factor, the overseas CofC should consider home education in the context of host nation laws, Status of Forces Agreements, and any other applicable international agreements. All determinations are to be on a case-by-case basis and are to take account of the following:

- Where elective home education is lawful, there is to be no presumption that a child is supportable, under the assessment of support needs, in the overseas location.
- Where home education is not permitted in a host nation, the applicability of the host nation's laws to Service/MOD Civilian personnel and their entitled family members is laid out in Status of Forces Agreements (SOFAs) or other applicable international agreements. These international agreements do not create an exemption from host nation law. In some countries, parents will not be able to legally home educate, whilst in others, home education may be subject to conditions. It is therefore critical that parents take advice from their CofC when considering home education and prior to any decision making.

For children whose parents are electing to home educate overseas, it is crucial that any potential impact for a child's education presented by the overseas context can be assessed, this is done through the educational supportability assessment which is part of the MASO process. The CofC is responsible for leading the MASO and for decisions on supportability.

Should the CofC receive a notification of a child's persistent unauthorised absence when the parents fail to ensure the child attends school as part of a plan to home educate, the CofC will lead a MASO to assess continuing educational supportability. The CofC should contact DCS for advice on this by emailing: RC-DCS-HQ-EHE@mod.gov.uk

Where a concern that a child is not receiving education is raised to the CofC or the CofC becomes aware of a concern, the CofC is to first engage with DCS, who will provide advice to the CofC on the steps to take. Any cases that do require safeguarding procedures are to be referred to the contracted social work provider as directed in JSP 834: Safeguarding. Detailed advice on safeguarding procedures is accessed by contacting the Global Safeguarding Team (GST) at: People-AFFS-Safeguarding-Mailbox@mod.gov.uk

6.2 DCS Responsibilities



DCS will ensure periodic reviews of home education provision will be conducted by education and welfare professionals. To assist in this process DCS are to hold a register of all Service children overseas in elective home education.

During the MASO process, DCS's advice on a child's educational supportability will be informed by the following considerations:

- Will the child have access to educational resources suitable to age, ability, and aptitude, and to any special educational needs?
- Will the child have access to social and educational networks suitable to age, ability, and aptitude, and to any special educational needs?
- Will the child have access to any specialist or additional resources that are needed?
- Will elective home education present risks to the safety and/ or welfare or safeguarding of the child, the family and others and can these risks be mitigated?

During a review, DCS will seek the child's opinion on the home education received. This is to enable children to express their views and can be relevant to advice on whether the educational needs of the child can be met through home education. DCS will make enquiries with parents upon receipt of a concern that a child's educational needs are not being met.

6.3 Parental Responsibilities

Parents who are considering delivering home education overseas as an alternative to school-based education, are to actively seek advice and guidance from DCS before making any action to remove a child from school. They must then engage with the Overseas CofC to discuss issues that may prevent home education (for example, legality in the host nation). All requests to electively home educate will be reviewed by a multi-agency team, the depth of the review will depend on each family's circumstances and the overseas location. Each MASO is conducted on a case-by-case basis.

Regardless of when the MASO occurs for EHE (pre or during an assignment) parents must ensure they provide all known educational needs for every child under supportability assessment.

Parents who electively home educate take on full responsibility for delivering their child's education (including examination costs) and for all costs of education including transport, additional educational support and/or reasonable adjustments. It is a parent's responsibility to provide notice to their current school so that their child can be removed from the admissions register. If a child is removed from school without notice this is considered an unauthorised absence and the Service person is to notify their CofC who will generate a MASO.

Where parents are considering re-entry into any school overseas, this may present new supportability risks so is considered to be a change in circumstances and requires a new



MASO, inclusive of an educational supportability assessment. It is important to understand that there is no guarantee that a school overseas will be able to automatically support a child who is transitioning from home education to school-based education. Parents should initially contact DCS for advice on transitions.

Where a child is determined (for any reason) as unsupported in the overseas location, parents should understand that this may result in the following: return to the UK, re-assignment, or involuntary separation. These courses of action will be determined by the CofC, working in partnership with the relevant agencies and the Service Assigning Authorities (for Service personnel) and the relevant TLB for MOD Civilians and giving due regard to the circumstances of the individuals concerned.

7 Universal Infant Free School Meals

MOD schools overseas provide an educational service to meet the needs of dependant Service children, including entitled children of MOD UK based civilians and sponsored organisations serving outside the UK; as far as is reasonably practicable MOD schools conform in type, scope, and standard to that required by the Education Acts in England. Thus, where reasonably practicable, the MOD has adopted the principles of Universal Infant Free School Meals for Service children overseas.

7.1 Eligibility and Provision

Service children and children of entitled MOD Civilians in schools overseas aged 4, 5 and 6 (Reception, Year 1 and Year 2 or equivalent) are entitled to a free school lunch meal. As year groups differ overseas, the date of birth of a child is used to confirm eligibility, this is to keep MOD policy in line with DfE policy as far as reasonably possible. It is the applicant's responsibility to check they are eligible to claim.

In most locations, schools will provide a lunch meal but in some this may not be possible due to local conditions/restrictions. To mitigate against all circumstances, and to follow the DfE principles, the following rules will apply:

- Where a meal is provided by the school and the costs are borne by the parent, a refund of actuals is admissible.
- Where a meal is provided by the school and the costs are not borne by the parent, no refund is admissible.
- Where a meal cannot be provided by the school, and the cost of providing a meal for the child at school is borne by the parent, a refund is admissible at the appropriate daily rate published by the DfE on the [GOV.UK](https://www.gov.uk) website.
 - This includes where the school is unable to cater for the child's specific dietary needs. This includes needs such as vegetarian, vegan, food allergies and intolerances, Halal, Kosher and those related to identified special educational needs and disabilities.



- Where the school provides a lunch meal, but the parent declines it through choice on their child's behalf, no refund is admissible.
- Where the meal forms part of the school fees, for which the parent has already been remunerated, no refund is admissible.
- Claims can be made in arrears up to 1 April 2022 in accordance with JPA and budget authority guidelines.

7.2 Audits

DBS will conduct regular eligibility checks via JPA and will flag any duplicate/incorrect claims to the budget owner. Any refunds received in error will be recovered.

Applicants must retain all documentation linked to their UIFSM claim (completed and signed off JPA F031, receipts etc) for auditing purposes.

8 Returning To The UK

The MOD does not have any statutory duties in relation to school admissions within the UK. The Armed Forces Covenant also does not override school admissions policies. The MOD does work closely with schools and local authorities to support families when returning to the UK, and advice and guidance can be sought from AFFS or DCS. This can include supporting Service families if local authorities do not meet their statutory duties in providing school places.

For children returning to England from overseas, admission authorities are required by the DfE [School Admissions Code – GOV.UK](#) Para 2.21 to allocate a school place in advance of a child's move. If the school is oversubscribed, they must use the address at which the child will live to secure a school place as per [Admission of Children Crown Servants Explanatory Note \(2021\)](#). Parents should contact receiving local authorities and schools as soon as possible to ensure school places can be secured. Each devolved administration in the UK may have differences regarding admissions. Families are encouraged to engage with their receiving local authority for guidance if unsure.

8.1 School Transitions

Returning from an overseas assignment requires early planning. Families should seek to gather school records regarding their children's progress from their school provider overseas. This information will be critical in supporting the receiving school to meet the needs of their children, aiding a smooth transition.

Each of the UK nations have adopted different school curricula, examinations, and qualification structures. Parents should ensure they are aware of the potential impact on



their children's education. This should be a consideration when transitioning out of and when returning to the UK.

Families should seek advice for all transitions involving children with identified SEND.

9 Applicability

9.1 Basic Principles of Policy Construction.

This policy, associated procedure and toolkit applies to all MOD employees who are Serving members of the Regular Armed Forces, including mobilised Reserve Forces personnel; UK based civilians on an official MOD permanent posting or temporary transfer; UK based civilians on an operational deployment; civilian staff specifically recruited for overseas service.

In situations where the application of policy is unclear or where this policy appears to be silent, guidance should be sought from the Education Policy Team in AFFS by emailing People-AFFS-Education-Mailbox@mod.gov.uk.

The basic principles in the construction of education overseas policy are:

- The UK Service Home Base. That Service personnel are normally recruited in the UK and that the UK is regarded as the home base for Service personnel and their families.
- The Circumstances of Service personnel. That policy is constructed to cover as many circumstances as Service personnel will find themselves during their career. However, there will be circumstances that are not fully covered by the policy. In such an event Service personnel may submit casework.
- Regular service as Starting Point. That the starting point for construction of policy is normally Regular Service personnel, with the policy then adapted for Reserves and other cohorts. It is intended that any differences in eligibility and entitlement will be contained within the Regulations.

9.1.1 Benefits May be Varied or Cancelled. Expense and Allowance policy is kept under constant review. Rates are also changed frequently. As a result, expense and allowance policy and/or rates can be varied or cancelled at any time. Service personnel must not make financial plans on an assumption that current expenses and allowances policy and rates will continue unchanged. Service personnel may only submit claims for expenses and allowances in accordance with the policy and rates current at the time the activity that generates the claim took place. There are no reserved rights to expense and allowance policy or rates that were in effect prior to the date the activity took place.



9.1.2 Substitution of Expenses or Allowances. Where eligibility exists, it does so only within carefully defined circumstances. Individuals may not use any perceived savings made by not claiming one expense or allowance in order to claim another for which there is no eligibility. The cash equivalent of an unclaimed allowance may not be substituted for use in circumstances where there is no eligibility.

9.2 Audit and Receipts.

Most allowance payments will be made via the JPA Expenses Claim system (which includes the MyExpenses App). These claims and those submitted manually via the Unit HR Admin Staffs will be subject to a random audit in accordance with the process outlined in JSP 752 Chapter 4 Annex A. To facilitate this audit, claimants must retain the supporting receipts and documentation for a period of 24 months from the date of submission of the claim unless specifically otherwise directed.

9.3 Casework

In addition to the advice provided by OEST, those who consider their circumstances warrant the submission of casework for review by OEST and AFFS EPT are to adhere to the guidance in Part 3 of the JSP 342 Procedure document.

9.3.1 Responsibilities

- Chain of Command/Budgetary Authority. CoC are the first reviewing body for all casework. They are to:
 - Ensure the casework fits the guidelines as per section 3 of JSP 342 Procedure.
 - Provide a statement covering whether they support the casework, including reasons for their decision.
 - Highlight any special circumstances surrounding the assignment that are unique to this case meaning an out of policy decision is in the best interests of the MOD.
 - Ensure there is a consideration of value for money and cost/risk against operational outputs.

- Overseas Education Supportability Team. OEST are the second reviewing body of all casework submitted for consideration of admissibility. They are to comment on the support and educational guidance provided to the Service person and the family in the supportability assessment process, the advice given and any non-compliance with policy from any party throughout. They are to reference relevant policy, educational statutory requirements or host nation laws that apply along with any safeguarding concerns. A summary of their recommendation should be included along with a determination as to whether the casework falls within policy or if it needs to be reviewed by AFFS EPT.



- AFFS Education Policy Team. The EPT, as the owners of JSP 342 provide an overall determination on whether the casework should be admissible in cases that fall outside of the policy as it is written. The decision by AFFS, as the MOD SMEs, will be considered against the extant policy, the aim and spirit of the policy and the interests of the MOD. The educational outcomes for the Service child as well as their wellbeing and safeguarding must also be considered.

9.3.2 Casework Determination. On completion of OESTs submission, and AFFS EPT where required, the casework will be passed back to the CofC/budget authority for their overall determination on the case. The CofC is to make an informed decision based on the policy and educational specialist determinations provided to them.



10 Document Information

10.1 Document Coverage

This Policy supersedes all previous MOD Policy on Education of Service Children Overseas. The totality of documents included in this Policy Suite are listed in the Military People Policy Optimisation team site.

10.2 Document Information

Filename:	Education of Service Children Overseas Policy
Document ID:	JSP 342
Owning Function/Team:	Armed Forces Families and Safeguarding Team
Service Owner (1*):	Defence People Team
Approving Authority:	

10.3 Document Versions

Version	Pub. Date	Revision History	Revised Pages
1	12/11/2024	Policy Optimisation Programme Revamp	N/A

MOD will review this Policy in two years, or when changes to legislation or best practice dictates.

10.4 Linked JSPs

MOD Policy	Assessment of Support Needs For Accompanied Assignments Overseas
JSP 752	Tri-Service Regulations for Expenses and Allowances
JSP 834	Safeguarding



11 Diversity and Inclusion

MOD respects and values people of all backgrounds. The Education of Service Children Overseas policy is designed to ensure all employees are treated in a fair, transparent and consistent manner. All those involved in the management of MOD employees must abide by legislation and should adhere to MOD policy.

For more information on diversity and inclusion, please see the [MOD Diversity & Inclusion Pages](#) on MODnet.

This policy has been subject to an Equality Impact Assessment (EqIA).

Document	Date	Owner
20240408 Equality Analysis_Policy Education of Service Children Overseas	8/4/2024	AFFS EPT



12 FAQs

- Q: Will the MOD pay for any school I choose?
A: Where there is no MOD school in the overseas location of the Service parent, and where the language of instruction in schools is English, the MOD expects Service children to use local state provided education.
Where there is no suitable local state school (i.e. the taught language is not English or the state curriculum does not provide a broad and balanced curriculum sharing common aspects of the Department of Education 'national curriculum' as taught in local-authority-maintained schools in England), casework can be submitted to AFFS EPT outlining the exceptional circumstances that require supportability within a private schooling provision.
In line with HM Treasury published guidelines, [Managing Public Money](#), the MOD must balance fiscal responsibilities with the operational output of its Commands. A Budget Holder is authorised to decline funding for educational options if it is felt a school does not provide value for money against operational outputs and other options are available. This will vary from case to case, the base for comparison of offers is the DfE England local-authority-maintained school offer.
- Q: Can I move my child to a different school once overseas?
A: Any change to school placement following agreement of supportability must be discussed with the OEST prior to any steps being taken to withdraw a child from school or move a child to a different school. A supportability review will be required as a result of a request to change schools, this will involve the CofC and needs to be supported with details of additional educational costs as a result of the change of school.
- Q: Does an MOD school have to take my child?
A: As with all schools, safeguarding is a primary concern of the school's management. For example, where an admission would place children over the stated class size or if a child is deemed not supportable in location, the MOD school has the right to refuse an admission.
- Q: Why can't I get the same amount of childcare funding in Scotland/Wales/NI as I do in England?
A: Within the United Kingdom education is a devolved responsibility, and the statutory entitlement of UK residents (including Service Personnel and their dependents) may vary depending on where they are stationed within the UK. Up to date information can be found on the Childcare choice's website. <https://www.childcarechoices.gov.uk>
- Q: Why is there a difference across the UK in the cost of early education and childcare?



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A: Early childhood education and childcare costs vary across the UK, this is the same for all parents accessing it, not just Service families. Early childhood education and childcare is not a statutory requirement. All families who access early childhood education and childcare, do so through personal choice, based on the individual circumstances of their family. Those that choose to send their child to an early childhood education and childcare provider, will pay fees or access the relevant funded entitlements, based on family circumstances, and the location in which this service is accessed. We recommend that all Service families conduct their own research into the availability and costs of childcare before they choose their next assignment.

- Q: What is the MOD doing about the disparity across the UK of 2-year-old funding the government introduced in April?

A: 15 hours of funded childcare for 2- year-olds is available for working parents in England and Wales. The Flying Start Scheme in Wales provides free childcare to some eligible children aged 2-3 and is already in force. The MOD have not heard any proposals that Scotland will be introducing this. Education is a devolved matter and the MOD have no influence over it.

- Q: What meals can I claim for under Universal Infant Free School Meals?

A: Parents can claim back term-time only (38 weeks of the year) and only for 5 lunch meals per week for days the Service child was in attendance at school.

- Q: Can I claim for Universal Infant Free School Meals if I provide my child with a packed lunch?

A: Packed lunches can only be claimed for if the school can't provide any food or if certain allergies, learning difficulties and illnesses prevent a child from eating the meal provided by the school. Parents must provide relevant evidence prior to claiming. The value of the refund is in line with the funding provided to schools, this is published each academic year.

In general, MOD Schools overseas provide the meal free of charge to eligible children, however, where the school cannot provide a meal, a refund for a packed lunch can be claimed for. www.gov.uk/education/free-school-meals-fsm-funding

- Q: Why can't parents claim UIFSM when based in the devolved nations?

A: Education statutory services and funding is set and delivered by each Devolved Administration. Within the four countries of the United Kingdom Service families receive the same level of statutory services as other citizens. In overseas locations (that is: outside the United Kingdom) the MOD seeks to replicate the statutory entitlement that would be received in England, so far as it is reasonably practicable to do so. Since Northern Ireland, Wales and Scotland are part of the United Kingdom the MOD has no responsibility for delivering statutory services, and there is therefore no entitlement to the MOD Universal Infant Free School Meals.

- Q: Can I claim UIFSM for my children attending a virtual school?



A: UIFSM only be claimed when children are present in a school setting, attendance records need to be provided alongside any claim for UIFSM.

- Q: What is Overseas Nursery Authority?

A: The MOD delivers 15 or 30 hours per week for 38 weeks of the year free early education/childcare to all Regular Service Personnel, Reserve Personnel undertaking Full Time Reserve Service (Full Commitment) (FTRS FC) and entitled Civilians who are assigned overseas where they are accompanied by their eligible children, through places at MOD-provided settings or through access to the MOD Overseas Nursery Authority where there is no MOD-provided setting or an MOD-provided setting has no capacity.

- Q: My child is school age in England but our location does not have statutory schooling until age 5. Can I claim ONA?

A: The age at which a child is accepted into full-time school in overseas locations is dictated by local provision. When a child reaches the age at which they would be in full-time education in England and where there is no access to school-based provision, ONA may be extended until such time children enter full-time education locally.

- Q: Where the statutory school age is three, does the family apply for school funding through ONA?

A: If a host nation requires a child to begin education before the term after their 3rd birthday ONA may be claimed where no suitable state school exists. Advice can be sought from the ONA policy sponsor via the AFFS Child Expenses mailbox, People-AFFS-Child-Expenses@mod.gov.uk.



13 Glossary

- **Service Child.** For the purposes of this JSP only, the term ‘Service child’ means the child of at least one parent/carer with a legal obligation to support the child and where the parent/carer is either an MOD Civilian or Serving member of the Regular Armed Forces, including mobilised Reserve Forces personnel (who are eligible for overseas assignment).
 - For the purposes of this JSP, a child is deemed to be a person below the age of 18 years, unless otherwise specified.
 - People with SEND between the ages of 0-25 are recognised in the Children and Families Act (2014).
 - Young adults, under 19 years, who are retaking A-Level examinations, or have been held back an educational year are considered to be a Service child for educational purposes.
- **MOD Civilian.** UK Based Civilians on an official MOD permanent posting or temporary transfer, UK Based Civilians on an Operational Deployment, Civilian Staff Specially Recruited for overseas service.
- **Suitable Education.** For the purposes of this JSP, suitable education is defined as:
 - An education that offers a broad and balanced curriculum which shares common aspects of the English state school system.
 - An education that does not place the safety, welfare, or social development of a Service child at risk.
- **Efficient Education.** In line with Department for Education guidance, an efficient education is one which achieves what it sets out to achieve. It is important that this concept is not confused with suitability. An unsuitable education can be efficiently delivered – but is still unsuitable.
- **Local.** In this policy, local is used to define the distance of a school to the family residence at work address. A local school is one that is within the recommended distance from home as per DfE guidance [Travel to school for children of compulsory school age](#), a child of primary school age should be 45 minutes each way, and 75 minutes each way for a child of secondary school age, including any time taken to walk to a pick-up point,