

Home Education Northern Ireland Assembly 2014

December 2015 Update

A Review Group is now being established by the Education Authority to take forward the development of a final draft Elective Home Education policy, which will involve consultation with a range of key stakeholders."

<http://www.hedni.org/2015/12/education-authority-publishes-summary-consultation-responses>

April 2015 Update

[New Single Education Authority](#) No further news on the possible revised policy.

READ ARCHIVED PAGE [HERE](#) (DECEMBER 2015)

Home Education Northern Ireland Assembly 2014

[Northern Ireland Home Education Information](#)

[Elective Home Education Question Search NIA website](#)

[Clickable Political Map Northern Ireland](#)

MLAs from the following political parties have asked questions about home education: **SDLP, DUP, UUP and TUV**
MLAs from the following areas have asked questions about home education: **West Belfast, North Antrim, South Antrim, Upper Bann, East Londonderry**

Three members of the Education Committee have questioned the Minister about this policy, including the Chair and the Deputy Chair.

Topics covered by MLAs: what is the reasoning behind the draft policy; why does it go beyond the law/gold-plate the law; why go further than other countries in UK; has the Minister looked at what happens in other countries; where did this idea come from; will it curtail the freedom of families who home educate for religious reasons; will the Education Committee look at it; will the Minister check it before it is finalised; what engagement has there been with families over the draft policy; what is the role and responsibility of the Education and Library Boards.

June 23rd 2014

[Oral Answers to Questions June 23rd 2014](#)

Joanne Dobson (UUP)

1. asked the Minister of Education why the North Eastern Education and Library Board sought the legal advice, which led to the consultation on the draft policy on elective home education. (AQO 6412/11-15)

John O'Dowd

I understand that in light of legal advice received by the North Eastern Education and Library Board, following litigation in which a home education issue arose, the education and library board reviewed its arrangements for ensuring that the parents of children and young people who are electively home educated provide an efficient and suitable full-time education for their children.

Joanne Dobson (UUP)

I thank the Minister for his answer, but he cannot be oblivious to the very real concern among home educators. Therefore, does he agree that proposing massive changes based on an interpretation of the law, which is not shared by the educational authorities in England, Wales or Scotland, is potentially damaging? Will he confirm to the House whether he has sought legal advice on the issue?

John O'Dowd

This is not England, Wales or Scotland. We have our own education legislation, including on home education. A consultation is going on. While I will keep an open mind on the consultation and the guidance that will be issued by the education and library boards, I have a concern that the majority of Members who have spoken on the matter have spoken about the needs of the adult and not of the child.

Can everyone in the Chamber reassure themselves? In what way do you reassure yourself that a child who is being home educated is being properly home educated? How do you reassure yourself of that? I ask that because it appears to me that everyone who has spoken on the matter thus far is completely reassured — they have no hesitation whatsoever in endorsing the current guidance and saying, "Yes, children are being properly home educated. We can reassure ourselves, 100%, that, in every case, the children are being properly home educated." However, as I said in my

initial answer, it has already gone as far as litigation against one of the boards because that was not the case. Therefore, we have a legal duty to make sure that we are doing it properly. I think that we also have a moral duty to make sure that we are doing it properly.

Mervyn Storey (DUP)

It is disappointing that the Education Minister has cast a slur on parents who make the choice to educate their children at home. I think that he should seriously reflect on what he has said in the House today. Will the Minister confirm that representatives from his Department attended meetings of the strategic regional group on this issue?

John O'Dowd

Mr Storey continues to have selective hearing as well as selective education policies. I have not cast a slur on parents who are involved in home education

Mervyn Storey (DUP)

You did.

John O'Dowd

What I am saying is — [Interruption.] What I am saying is — [Interruption.] What I am saying is —

Gregory Campbell (DUP)

It sounded like it.

John O'Dowd

Mr Deputy Speaker, if people who wish to be a Minister but cannot make it to the role of Minister continue to interrupt me, it is very hard to do Question Time. The Member appears desperately to require a Dispatch Box in front of him. Perhaps the First Minister, who has just left, will treat him to a Dispatch Box some day.

What I said was that we have a duty of care to the children involved, and we do have a duty of care to those children. In my original answer, I pointed out that this has reached litigation stage and entered the realms of law. The law has said that the guidance requires to be reviewed. The education and library boards have taken it on board and reviewed it. I do not have in front of me a diary of every meeting that my officials have ever attended, nor do I wish to have such a diary, but I regret the fact that the boards did not present me with the consultation documents before issuing. However, I believe that the consultation should continue. I have committed to the House and to others that, at the end of it, I will sign off the guidance if I am satisfied that it is in compliance with the legislation.

Pat Sheehan

Will the Minister tell us what arrangements are in place to monitor the education provided to children at home?

John O'Dowd

The arrangements are broadly as follows. The boards have advised that they do not undertake inspections of home education. While the Education and Training Inspectorate provides inspection services for a number of organisations, it does not undertake inspections of home education provision. The boards have various arrangements in place to monitor the education provided to children who are educated at home. This includes annual visits to a child's home, reviewing samples of a child's work and providing advice to parents on how to support their child's education.

I understand that the boards' draft home education guidance document does not include any reference to the inspection process but proposes that each board will undertake monitoring that will focus on a child's welfare; ensure that a child has access to education suited to his or her age, ability and aptitude; and provide advice to parents on educational resources. It would be very difficult for anybody in the House to disagree with those three points: the boards will monitor a child's welfare; it will be ensured that a child has access to education suitable to his or her age; and advice will be provided to parents on educational resources. Are Members opposite and to my left — physically rather than politically — suggesting that that should not be the case? I do not see any difficulties in any of those three matters. However, I have said, and I repeat, that we will assure that whatever guidance is issued is in compliance with the law.

Sean Rogers (Social Democratic and Labour Party)

Thanks to the Minister for his answers thus far. Given that there has been no public advertising of the consultation process for elective home education, how would parents who are considering such education for their children know about the consultation?

John O'Dowd

I do not have the full details of how the programme was advertised, but it is fair to say that the consultation process has garnered sufficient publicity. I have answered questions on it in the House on several occasions. I have quite a healthy-sized mailbag relating to home education, and Members are asking questions about it, so it is out there. People are aware of it, and responses are being made to the consultation. If there are ways to improve knowledge of the consultation, I will advise the boards of those. However, I emphasise that this is a board consultation. The education and library boards have taken on the consultation, and, at this stage, my only role will be to ensure that I am satisfied that the final guidance is in compliance with the legislation.

[Written Answers June 13th 2014](#)

Draft Elective Home Education Policy 2014

Mr Rogers asked the Minister of Education whether any consultation events for the draft Elective Education Policy have been advertised (i) in the local press; (ii) on radio; and (iii) television.

[\[Social Democratic and Labour Party, South Down\]](#) (AQW 33839/11-15)

Mr O'Dowd: The Education and Library Boards (the Boards) have prepared guidance which reflects their legislative responsibilities in the area of the education of children other than at school including those who are educated at home and they are currently consulting on this guidance.

The Boards have advised that they did not advertise consultation events for the draft home education guidance document in local press, on radio or on television but have adopted a range of methods to facilitate engagement and consultation

with all those who have an interest in home education. For example, each Board has written to the parents of all children who have notified them that they are presently electing to home educate their children and also to other key stakeholders to advise of the consultation exercise.

Each Board's Consultation Strategy document details the range of activities through which the Boards will actively seek to engage with those who have an interest in home education. This is published on each Board's website alongside their draft guidance and the Boards will also make this available in various formats upon request.

I would note that as part of that Board's consultation I have made clear that I expect the Boards to ensure engagement with as wide a range of stakeholders as possible including young people and their families and to ensure also that the feedback they receive is considered very carefully in reviewing the draft guidance.

I will wish to review each Board's guidance once it has been subject to consultation and reviewed and refined in response to the engagement that has taken place.

Elective Home Education 2014

Mr Allister asked the Minister of Education how his expectation of engagement with stakeholders by the Education and Library Boards on Elective Home Education will be obtained if the said consultation has not been advertised in local newspapers. [[Traditional Unionist Voice, North Antrim](#)]

(AQW 33907/11-15)

Mr O'Dowd: The Education and Library Boards (the Boards) have prepared guidance which reflects their legislative responsibilities in the area of the education of children other than at school including those who are educated at home and they are currently consulting on this guidance.

The Boards have advised that they did not advertise consultation events for the draft home education guidance document in local press, on radio or on television but have adopted a range of methods to facilitate engagement and consultation with all those who have an interest in home education. For example, each Board has written to the parents of all children who have notified them that they are presently electing to home educate their children and also to other key stakeholders to advise of the consultation exercise.

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I would note that as part of that Board's consultation I have made clear that I expect the Boards to ensure engagement with as wide a range of stakeholders as possible including young people and their families and to ensure also that the feedback they receive is considered very carefully in reviewing the draft guidance.

I will wish to review each Board's guidance once it has been subject to consultation and reviewed and refined in response to the engagement that has taken place.

[Written Answers June 6th 2014](#)

Elective Home Education 2014

AQW 33615/11-15

Mr Gregory Campbell To ask the Minister of Education what consideration has been given to how the relevant authorities in other regions of the UK address the issue of Elective Home Education. [[Democratic Unionist Party, East Londonderry](#)]

Mr O'Dowd: Whilst the issue of elective home education is a devolved policy area my Department actively seeks to ensure, as for any policy area, that appropriate consideration is given to how such matters are addressed in other jurisdictions including the south of Ireland, Scotland, England, Wales and further afield.

The Education and Library Boards are currently undertaking an open consultation on their draft guidelines for elective home education and have advised that, in developing the guidelines, information from a range of sources was reviewed. I understand that this included consideration of, for example, the elective home education policy in the South of Ireland, the "Elective Home Education Guidelines for Local Authorities" published in 2007 by the Department for Children, Schools and Families and Birmingham City Council's Elective Home Education Policy.

[NI Assembly Transcript June 2nd 2014](#)

Elective Home Education 2014

Mr Attwood asked the Minister of Education to outline the reasons for the **draft policy** on elective home education giving **greater power to education and library boards than is currently the case under section 13** of the Education and Libraries (Northern Ireland) Order 1986. (AQO 6217/11-15) [[Social Democratic and Labour Party, West Belfast](#)]

Mr O'Dowd: Legislation places specific responsibilities in the education of children other than at school on parents and the five education and library boards. That includes those who are educated at home. The boards have directly prepared **guidance** that reflects the existing legislative requirements, and they are consulting on it.

I consider that the consultation process provides an important opportunity for views and ideas to be provided to the boards on how they best strike the balance between ensuring that the rights and needs of the children concerned are appropriately protected and facilitating parental preference for home education. As Minister of Education, my focus is on ensuring that the needs of children and young people are met. Therefore, I have indicated that I expect the boards to ensure engagement with as wide a range of stakeholders as possible, including young people and their families, as

part of that consultation and to ensure that the feedback that they receive is considered very carefully in reviewing the **draft guidance**. I have also made it clear that I will wish to review their **guidance** once it has been subject to consultation and reviewed and refined in response to that engagement once it has taken place.

Mr Attwood: I thank the Minister for his answer. He stressed that there was a legal requirement to do what he is proposing. Will you confirm that it is your view that, under the 1986 order, there is a legal requirement, and will you explain why your predecessor said in answer to a question that there was no legal requirement for home educators to register with the library boards? In any case, do the requirements that you are laying down not go too far by having to register children, inspect homes and approve the curriculum etc? **That goes far beyond what happens in England and other jurisdictions.** [[Social Democratic and Labour Party, West Belfast](#)]

Mr O'Dowd: With respect to the Member, it is clear that he did not listen to my response. I am not proposing anything. The education and library boards are currently in a consultation process on **issuing best practice for homeschool education**. There are balances of rights in that. There are the balances of the parent and the parental home, and there are the balances of the right of the child to receive a good education. There is also the legal requirement on the education and library boards and my Department to ensure that children have access to education. All those things are being consulted on.

I am not consulting on anything. My Department is not consulting on any matter in that regard. However, I have made it clear to the library boards that I want the consultation process to be open and transparent for everyone to be able to make their views known. I expect the new **guidance** to be presented to me before it is finally signed off.

Mr Storey: If the Minister did not initiate the process, who did given that I understand that his Department sits on a regional strategy unit with the education and library boards? Following Mr Attwood's comments, we would like clarity on where this came from. Will the Minister give an assurance that this is not an attempt by some to require registration and make it more difficult for parents, particularly those from an evangelical Christian perspective, who take a personal view of ensuring that their children are educated at home in an environment that is conducive to their learning, to do what they have always done in a way that is honourable and within the law? [[Democratic Unionist Party, North Antrim, Chair Education Committee](#)]

Mr O'Dowd: I understand that **the process came about as a result of legal advice given to the North Eastern Education and Library Board**, which then proposed consultation on **guidance**. The other boards, which now seek to work in greater cooperation with one other, also believed that it was the right time to consult on the matter.

As I said in response to Mr Attwood, there is a balance of individual legal rights in this debate, but I urge Members not simply to follow those who shout the loudest. At the very heart and centre of the consultation process is the children's right to education, whether in the home or in school. I assure the Member opposite that I am not aware of any agenda to stymie the rights of anyone, including evangelical Christians, to educate their children at home, if that is their wish. My understanding of the process is that it is to ensure that the rights and entitlements of children to education and the rights of all others involved are being upheld. I will ensure that that is the case before signing off or approving any **guidance** at the end of the consultation. Mr Attwood suggested that the boards overstepped the mark in relation to the Education order 1986. I will satisfy myself whether that is the case before any final **guidance** is issued.

Mrs Dobson: Minister, you will be aware that I raised this issue with you recently. You know that this has caused anger among parents who choose to educate their children at home, especially the idea of people entering their home. When will the Assembly and the Committee be given the opportunity to debate and shape the future of elective home education? [[Ulster Unionist Party, Upper Bann, Member Education Committee](#)]

Mr O'Dowd: It is for the Assembly's Business Committee to decide which topics are debated in the Assembly, and it is for the Education Committee to decide what is discussed there. I have no say in either.

Mr Allister: The Minister is anxious to point out that the guidance is not his. Does he accept that the guidance issued for consultation gold-plates what section 13 of the 1986 Order requires? Surely even he can see that. [[Traditional Unionist Voice, North Antrim](#)]

Mr O'Dowd: No, I do not accept that; nor do I deny it. There would not be much point in the education and library boards having a consultation process if I, as Minister, were to stand here in the middle of it and say, "This is how things are". The consultation process is ongoing. Members of the House, political parties and individuals are perfectly entitled to respond. When the outcome of that arrives on my desk, **I will satisfy myself that all the questions raised here today and others that I am aware of have been answered. I will also seek legal advice on whether the boards have gold-plated section 13 of the 1986 Order or whether, as Mr Attwood suggests, they have overstepped it. All those things will be satisfied before any final decisions are made.**

[Written Answers May 30th 2014](#)

Draft Northern Ireland Elective Home Education Policy 2014

Mr Campbell asked the Minister of Education what engagement his Department has had with families that educate their children at home during the consultation on the draft Northern Ireland Elective Home Education **Policy**. [[Democratic Unionist Party, East Londonderry](#)]
(AQW 33614/11-15)

Mr O'Dowd: Legislation places specific responsibilities on parents and on the five Education and Library Boards in the area of the education of children other than at school including those who are educated at home. The Boards have directly prepared **guidance** which reflects those legislative responsibilities and they are currently consulting on this guidance.

As part of that consultation I have made clear that I expect them to ensure engagement with as wide a range of stakeholders as possible including young people and their families and to ensure also that the feedback they receive is

considered very carefully in reviewing the **draft guidance**.

The Boards have adopted a range of methods to facilitate engagement and consultation with all those who have an interest in Elective Home Education. I understand that each Board has written to the parents of all children who have notified them that they are presently electing to home educate their children and also to other key stakeholders to advise of the consultation exercise. Further details are provided in each Board's Consultation Strategy document. This is published on each Board's websites alongside their **draft guidance** and the Boards will also make this available in various formats upon request. I have made clear that I will wish to review each Board's **guidance** once it has been subject to consultation and reviewed and refined in response to the engagement that has taken place.

Home Education 2014

Mrs Dobson asked the Minister of Education for his assessment of the draft joint **policy** on elective home education published by the five Education and Library Boards. [[Ulster Unionist Party, Upper Bann, Member Education Committee](#)] (AQW 33619/11-15)

Mr O'Dowd: Legislation places specific responsibilities on parents and on the five Education and Library Boards in the area of the education of children other than at school including those who are educated at home.

WA 298 Friday 30 May 2014

The Boards have directly prepared **guidance** which reflects those legislative responsibilities and they are currently consulting on this guidance. The consultation process provides an opportunity for views and ideas to be provided to the Boards on how they best strike the balance between ensuring that the rights and needs of children themselves are appropriately protected and facilitating parental preference for home education.

As Education Minister my focus is on ensuring the needs of children and young people are met. Therefore, I have made clear that I expect the Boards to ensure engagement with as wide a range of stakeholders as possible including young people and their families as part of that consultation and to ensure also that the feedback they receive is considered very carefully in reviewing the **draft guidance**. I have also made clear that I will wish to review their guidance once it has been subject to consultation and reviewed and refined in response to the engagement that has taken place.

[Written Answers May 23rd 2014](#)

Home Education 2014

Mr Kinahan asked the Minister of Education what laws are extant to regulate home education. [[Ulster Unionist Party, South Antrim, Deputy Chair Education Committee](#)] (AQW 33473/11-15)

Mr O'Dowd: The legislation which applies to the education of pupils of compulsory school age, including pupils who are receiving elective home education, confers specific powers on both the Education and Library Boards (the Boards) and on parents.

WA 209 Friday 23 May 2014

Article 44 of the Education and Libraries (NI) Order 1986 requires that the Boards have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils shall be educated in accordance with the wishes of their parents.

Article 45 (1) of the Education and Libraries (NI) Order 1986 places a duty on parents of children of compulsory school age to ensure that the education provided to their child, whether by regular attendance at school or otherwise – which can include elective home education - is suited to the child's age, ability, aptitude and to any special educational needs the child may have.

Schedule 13 of the Education and Libraries (NI) Order 1986, which makes provision for the enforcement of Article 45 (1), places a duty on the Boards to ensure that children in their area are receiving a suitable education and that parents fulfil their duty in this regard.

Where it appears to a Board that a parent of a child of compulsory school age in its area is failing to perform the duty imposed by Article 45(1), the Board can serve on the parent a notice requiring him/her, within a set period, to satisfy the Board that the child is, by regular attendance at school or otherwise, receiving efficient and appropriate full-time education.

In cases where a parent fails to demonstrate that the education provided meets the child's specific needs the Board may, in accordance with Schedule 13 of the Education and Libraries (NI) Order 1986, serve a School Attendance Order (SAO) on the parent to require that the child becomes a registered pupil at the school named in the order. Where a parent applies for the order to be revoked the Board may do so if the parent has demonstrated that suitable arrangements have been made for the education of the child. If considered necessary, a Board may make application for an Education Supervision Order (ESO) to the Family Proceedings Court. Legal provisions for ESOs and Care Orders are contained in the Children (NI) Order 1995. The effect of an ESO is that the responsibility for securing the child's education is removed from the parents and transferred to the Board named in the order.

The Boards may also provide support to parents who chose to home educate including advice and guidance on suitable learning materials, on training or examination options. The level of training and advisory support will relate to the age and developmental profile of the child.

Home Education 2014

Mr Kinahan asked the Minister of Education to detail the role and responsibilities of Education and Library Boards

regarding parents who elect to home educate their children. [[Ulster Unionist Party, South Antrim, Deputy Chair Education Committee](#)]

(AQW 33474/11-15)

Mr O'Dowd: The legislation which applies to the education of pupils of compulsory school age, including pupils who are receiving elective home education, confers specific powers on both the Education and Library Boards (the Boards) and on parents.

Article 44 of the Education and Libraries (NI) Order 1986 requires that the Boards have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils shall be educated in accordance with the wishes of their parents.

Article 45 (1) of the Education and Libraries (NI) Order 1986 places a duty on parents of children of compulsory school age to ensure that the education provided to their child, whether by regular attendance at school or otherwise – which can include elective home education - is suited to the child's age, ability, aptitude and to any special educational needs the child may have.

Schedule 13 of the Education and Libraries (NI) Order 1986, which makes provision for the enforcement of Article 45 (1), places a duty on the Boards to ensure that children in their area are receiving a suitable education and that parents fulfil their duty in this regard. Where it appears to a Board that a parent of a child of compulsory school age in its area is failing to perform the duty imposed by Article 45(1), the Board can serve on the parent a notice requiring him/her, within a set period, to satisfy the Board that the child is, by regular attendance at school or otherwise, receiving efficient and appropriate full-time education.

In cases where a parent fails to demonstrate that the education provided meets the child's specific needs the Board may, in accordance with Schedule 13 of the Education and Libraries (NI) Order 1986, serve a School Attendance Order (SAO) on the parent to require that the child becomes a registered pupil at the school named in the order. Where a parent applies for the order to be revoked the Board may do so if the parent has demonstrated that suitable arrangements have been made for the education of the child. If considered necessary, a Board may make application for an Education Supervision Order (ESO) to the Family Proceedings Court. Legal provisions for ESOs and Care Orders are contained in the Children (NI) Order 1995. The effect of an ESO is that the responsibility for securing the child's education is removed from the parents and transferred to the Board named in the order.

The Boards may also provide support to parents who chose to home educate including advice and guidance on suitable learning materials, on training or examination options. The level of training and advisory support will relate to the age and developmental profile of the child.

Home Education 2014

Mr Kinahan asked the Minister of Education whether primary legislation will result from the current public consultation process being carried out by Education and Library Boards on home education. [[Ulster Unionist Party, South Antrim, Deputy Chair Education Committee](#)]

(AQW 33475/11-15)

Mr O'Dowd: The Education and Library Boards are seeking to engage in consultation with key stakeholders who have an interest in elective home education for children and young people.

The Boards commenced an open consultation process on the draft elective home education **policy** on 27th April 2014 which will end on 27th June 2014.

The response to the consultation process will be given due and careful consideration and will help inform future consideration as to the adequacy and appropriateness of existing legislation as it applies to elective home education. It is too early in the process at the present time to determine if legislative changes may be required.

Regulation of Home Education 2014

Mr Kinahan asked the Minister of Education whether the Assembly and the Education Committee will be given the opportunity to engage in the debate about future regulation of home education, currently subject of a consultation process carried out by the Education and Library Boards. [[Ulster Unionist Party, South Antrim, Deputy Chair Education Committee](#)]

(AQW 33476/11-15)

Mr O'Dowd: It is important that all of us have an opportunity to engage in this debate, and to do so from the perspective of ensuring that children and their educational needs are at the forefront of our approach to facilitating home education.

I am aware that the Education and Library Boards have begun a consultation on **draft guidance** to inform how they give effect to the responsibilities that legislation places upon them in this area. That consultation process provides an opportunity for views and ideas to be provided to the Boards on how they best strike the balance between facilitating parental preference for home education and ensuring that the rights and needs of children themselves are appropriately protected.

I consider the views of the Education Committee to be particularly important in that regard and will be asking the Boards to ensure that they make themselves available to provide briefings to, and answer questions from, the Committee during this process. Assembly Members are of course also free to propose this issue as a topic for debate in the Chamber should they wish to do so.

The Boards will clearly have to refine their **guidance** informed by this consultation process and I have also made clear that they must submit their **revised guidance** to the Department for approval before it is finalised.

Elective Home Schooling 2014

Mrs Dobson asked the Minister of Education what powers Education and Library Boards have in relation to pupils who are receiving elective home schooling.

(AQW 33226/11-15)

Mr O'Dowd: The legislation which applies to the education of pupils of compulsory school age, including pupils who are receiving elective home education, confers specific powers on both the Education and Library Boards (the Boards) and on parents.

Article 44 of the Education and Libraries (NI) Order 1986 requires that the Boards have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils shall be educated in accordance with the wishes of their parents.

Article 45 (1) of the Education and Libraries (NI) Order 1986 places a duty on parents of children of compulsory school age to ensure that the education provided to their child, whether by regular attendance at school or otherwise – which can include elective home education - is suited to the child's age, ability, aptitude and to any special educational needs the child may have.

Schedule 13 of the Education and Libraries (NI) Order 1986, which makes provision for the enforcement of Article 45 (1), places a duty on the Boards to ensure that children in their area are receiving a suitable education and that parents fulfil their duty in this regard.

Where it appears to a Board that a parent of a child of compulsory school age in its area is failing to perform the duty imposed by Article 45(1), the Board can serve on the parent a notice requiring him/her, within a set period, to satisfy the Board that the child is, by regular attendance at school or otherwise, receiving efficient and appropriate full-time education.

In cases where a parent fails to demonstrate that the education provided meets the child's specific needs the Board may, in accordance with Schedule 13 of the Education and Libraries (NI) Order 1986, serve a School Attendance Order (SAO) on the parent to require that the child becomes a registered pupil at the school named in the order. Where a parent applies for the order to be revoked the Board may do so if the parent has demonstrated that suitable arrangements have been made for the education of the child. If considered necessary, a Board may make application for an Education Supervision Order (ESO) to the Family Proceedings Court. Legal provisions for ESOs and Care Orders are contained in the Children (NI) Order 1995. The effect of an ESO is that the responsibility for securing the child's education is removed from the parents and transferred to the Board named in the order.

The Boards may also provide support to parents who chose to home educate including advice and guidance on suitable learning materials, on training or examination options. The level of training and advisory support will relate to the age and developmental profile of the child.

Elective Home Education 2014

Mr Clarke asked the Minister of Education to outline his Department's policy on Elective Home Education. [[Democratic Unionist Party, South Antrim](#)]

(AQW 33320/11-15)

Mr O'Dowd: The Education and Libraries (NI) Order 1986 sets out the statutory duty which applies to parents and to the Education and Library Boards in relation to the education of children of compulsory school age including those who are educated at home.

This permits pupils to be educated in accordance with their parents wishes (Article 44), with the requirement that parents ensure that the education provided to their child, whether by regular attendance at school or otherwise – which can include elective home education - is suited to the child's age, ability, aptitude and to any special educational needs the child may have (Article 45 (1)). In addition, Schedule 13 of the Education and Libraries (NI) Order 1986, places a duty on the Boards to ensure that children in their area are receiving a suitable education and that parents fulfil their duty in this regard.

Where it appears to a Board that a parent of a child of compulsory school age in its area is failing to perform the duty imposed by Article 45(1), the Board can serve on the parent a notice requiring him/her, within a set period, to satisfy the Board that the child is, by regular attendance at school or otherwise, receiving efficient and appropriate full-time education.

In cases where a parent fails to demonstrate that the education provided meets the child's specific needs the Board may, in accordance with Schedule 13 of the Education and Libraries (NI) Order 1986, serve a School Attendance Order (SAO) on the parent to require that the child becomes a registered pupil at the school named in the order.

The Boards may also provide support to parents who chose to home educate including advice and guidance on suitable learning materials, on training or examination options. The level of training and advisory support will relate to the age and developmental profile of the child.

Link Reference

This article is <http://edyourself.org/articles/answersni.php>. The following links to other websites are contained in the article, displayed as citations to aid you in printing the document.

1. <http://www.hedni.org/2015/12/education-authority-publishes-summary-consultation-responses>
2. New Single Education Authority <http://www.eani.org.uk/latest-news/welcome-from-the-chief-executive/>

3. HERE <http://edyourself.org/answersni.pdf>
4. Northern Ireland Home Education Information <http://edyourself.org/articles/NI2014.php>
5. Clickable Political Map Northern Ireland <http://www.ark.ac.uk/elections/>
6. Oral Answers to Questions June 23rd 2014 <http://www.theworkforyou.com/ni/?id=2014-06-23.6.82&m=90388>
7. Social Democratic and Labour Party, South Down <http://www.niassembly.gov.uk/Your-MLAs/List-of-MLAs/Rogers-Sean/>
8. Traditional Unionist Voice, North Antrim <http://www.niassembly.gov.uk/Your-MLAs/List-of-MLAs/Allister-Jim/>
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10. NI Assembly Transcript June 2nd 2014 <http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-13-14/02-June-2014/>
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12. Social Democratic and Labour Party, West Belfast <http://aims.niassembly.gov.uk/mlas/details.aspx?&aff=2428&per=7&c=2>
13. Democratic Unionist Party, North Antrim, Chair Education Committee <http://aims.niassembly.gov.uk/mlas/details.aspx?&aff=2288&per=154&sel=1&ind=17&prv=0>
14. Ulster Unionist Party, Upper Bann, Member Education Committee <http://aims.niassembly.gov.uk/mlas/details.aspx?&aff=2412&per=292&sel=1&ind=3&prv=0>
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17. Ulster Unionist Party, Upper Bann, Member Education Committee <http://aims.niassembly.gov.uk/mlas/details.aspx?&aff=2412&per=292&sel=1&ind=3&prv=0>
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