

Email from DfE May 12th 2013 in response to my Flexischooling FAQ

The url for this email is <http://edyourself.org/dfeflexischoolingfaqcommentsmay2013.pdf>

Permission to share was obtained on May 13th 2013

FAQ can be found here.

<http://edyourself.org/articles/flexischooling.php>

NB In response to the email I removed reference to flexischooling's being banned on May 12th

You have a number of questions and answers which refer to flexi-schooling being 'banned' for a short while, by which you presumably mean the period between the issue of revised attendance guidance on 22 February and the clarification statement issued on 22 March. We would not agree that this amounted to the practice being 'banned'. The 22 February document pointed out that flexi-schooling did not fit easily within the current legal and financial framework. That remains the case, but the 22 March statement made it clear that there was no objection to schools and parents continuing with existing arrangements provided that the attendance codes used by schools properly reflected the respective responsibilities for the days in question. Only the courts have the power to provide a definitive interpretation of the law, and to say whether flexi-schooling is legal within the current legislation.

You have a question on public consultation. There is no announced public consultation on this issue. The Department is reviewing flexi-schooling policy and administrative issues as part of its commitment to review the 22 February attendance guidance by July 2013 (that date is contained in the document). If any changes are proposed as a result, there will be a public consultation. You refer to this later in your list of answers.

You have a question on independent ('private') schools. The overall position for them, in terms of the legal framework and registration requirements, is the same as for state-funded schools. The only difference is that the issue of schools being fully-funded for part-time attendance does not arise.

On SEN, we are looking further into the legal aspect of flexi-schooling for pupils with SEN as a result of enquiries from elsewhere.