

<http://edyourself.org/flexischoolbackground.pdf> available via
<http://edyourself.org/articles/flexischooling.php>

Background to Flexischooling Changes 2013

1. February 2013 Government Advice on School Attendance Codes
2. February 2013 Changes to Government Home Education Guidelines
3. February 2013 Government Explanation for Change to Flexischooling Guidance
4. February 2013 FOIs Related to Flexischooling Changes
5. Graham Stuart conversation with Minister Liz Truss
6. March 2013 Government Takes Different Position on Flexischooling
7. April 2013 onwards no further changes

Freedom of Information Requests

https://www.whatdotheyknow.com/request/correspondence_related_to_flexis Government correspondence related to flexischooling January and February 2013. I have put the emails into chronological order here <http://edyourself.org/flexifoichronological.pdf>

See also [Correspondence Related to Flexischooling 2](#) which covers the same ground as <http://edyourself.org/flexifoichronological.pdf> above, with the addition of a few emails in September/October 2012 around the time of the Education Committee Oral Evidence sessions.

Government correspondence related to flexischooling March and April 2013 (when the guidance changed for a second time) https://www.whatdotheyknow.com/request/flexischooling_correspondence_ma#followup I have put the emails into chronological order here <http://edyourself.org/flexischoolmarchapril.pdf>

https://www.whatdotheyknow.com/request/decision_to_reinterpret_whether#incoming-382274 **FOI Response April 23rd 2013: Impact Assessment Flexischooling Change + Reason for Changes:** "No assessment was conducted on the ability of schools to absorb the 'extra' work impressed on pupils who are currently in a flexi-school arrangement moving to full-time at school. This is because there would be no extra burden placed on schools... Schools receive a full unit of funding for pupils on their admission register including those in flexi-schooling arrangements...we have no estimates of pupils moving from flexi-schooling to full-time school or from flexi-schooling to elective home education. No specific consultation was carried out in regard to flexi-schooling and no consideration was given to such a consultation...the Department conducted a formal consultation on the 'Advice on school attendance'. In response to this consultation the Department was asked for clarification on the use of **Code B**, which is used to record pupils who attend educational activities outside schools' premises. Some respondents wanted the Department to make clear that educational activity outside the school premises did not include pupils doing school work at home. A small number of respondents wanted clarification on flexi-schooling..."

See <http://edyourself.org/flexischoolingattendanceconsultation.pdf> extracts from consultation responses released via FOI.

https://www.whatdotheyknow.com/request/flexischooling_policy_change **Response April 23rd 2013: Assessment Attendance and Funding Framework for Flexischooling:** "The assessment the Department made was about whether the school attendance framework and funding framework supports a flexi-schooling arrangement. The school attendance framework does not envisage this kind of arrangement. Parents with a child of compulsory school age have a legal duty to make sure that their child receives a full-time education suitable to their age, ability and aptitude, and any special educational needs that the child may have either by regular attendance at school or otherwise (such as full-time home education). If a parent registers their child of compulsory school age at a school but fails to ensure their regular attendance, the parent is guilty of a criminal offence under section 444 of the

Education Act 1996. The legislation provides for various defences to such a prosecution for example unavoidable cause, specific travel issues etc. but no specific statutory defences are made to provide for flexi-schooling. **The courts have interpreted regular attendance to mean that a child should generally attend school each day.** The way that schools are funded does not support this [flexi-schooling] arrangement. **The school finance legal framework does not provide specifically for part-time registration or part-time funding for pupils of compulsory school age.**

Recap Flexischooling Changes

DCSF Elective Home Education Guidelines were published on **November 29th 2007**. Between November 2007 and February 2013, **paragraph 5.6 V1** of the Government Home Education Guidelines read as follows "Flexi-schooling" or "flexible school attendance" is an arrangement between the parent and the school where the child is registered at school and attends the school only part time; the rest of the time the child is home educated (on authorised absence from school). This can be a long-term arrangement or a short-term measure for a particular reason. "Flexi-schooling" is a legal option provided that the head teacher at the school concerned agrees to the arrangement. The child will be required to follow the National Curriculum whilst at school but not whilst he or she is being educated at home. Local authorities should make sure that head teachers are made familiar with flexi-schooling and how it may work in practice. Further information is available in the DCSF's guidance Keeping Pupil Registers." **NB THIS IS NO LONGER CURRENT**

On **February 22nd 2013** following [a consultation on attendance](#) the Department for Education published **Advice on Attendance** which stated that a school could not agree to a flexi-schooling arrangement where a child is partly educated at school and partly educated at home. The Advice went on to say that "Schools are funded to provide full-time education for all pupils (age 5-16) on their register and therefore are accountable for the standard of education their pupils receive. A flexi-schooling arrangement means some schools would receive a full unit of funding for certain pupils for whom they do not provide fulltime education, and in some cases, may provide very little." **NB THIS IS NO LONGER CURRENT**

The following week DfE removed the Elective Home Education Guidelines from the website with the explanation that **paragraph 5.6 on flexischooling** was to be amended. The Guidelines were subsequently republished on **March 4th 2013** with **paragraph 5.6 V2** stating that Flexi-schooling is normally an arrangement whereby a child is registered at a school but attends only part-time and is home educated at other times. The Government has looked at this issue and takes a different stance from that of the previous Government. It does not believe that a hybrid arrangement between home education and mainstream school is adequately provided for in law, or in the school funding system, for children of compulsory school age. Where parents decide to educate their child at a school, parents have a legal duty to ensure their child attends regularly. If they fail to do this they may be committing an offence. Schools are funded to provide full-time education for all pupils (age 5-16) on their register and therefore are accountable for the standard of education their pupils receive. A flexi-schooling arrangement means some schools would receive a full unit of funding for certain pupils for whom they do not provide full-time education, and in some cases, may provide very little." **NB THIS IS NO LONGER CURRENT**

See <http://edyourself.org/flexischoolingattendanceconsultation.pdf> extracts from consultation responses released via FOI.

<https://twitter.com/grahamstuart/status/311531240278867968> Graham Stuart MP March 13th 2013: Good discussion with Liz Truss today about flexischooling. She has taken concerns on board and will issue a clarification in the next week.

On **March 22nd 2013** DfE removed **paragraph 5.6 V2** from the Guidelines altogether and [published the following statement](#):

"Schools should **not** mark a pupil as attending school, using the **attendance code B** for off-site education activity, unless the school is responsible for supervising the off-site education, and can ensure the safety and the welfare of the pupil off-site. Schools are ultimately responsible for the attainment of every child registered on their roll. Whilst being home educated, parents and carers are responsible for pupils, not schools. **Where parents have entered in to flexi-schooling arrangements, schools may continue to offer those arrangements. Pupils should be marked absent from school during periods when they are receiving home education. The reference in the Government's revised advice on school attendance, that was categorical that a school could not agree to a flexi-schooling arrangement, has been removed.**"

[EHE Guidelines March 22nd 2013 Paragraph 5.6 V3](#) now says "This paragraph has been removed (March 2013). See main web page on Elective Home Education guidelines." See [Guidance on Attendance Codes March 22nd 2013](#)

References

[DfE's Advice on School Attendance](#)

<http://www.education.gov.uk/schools/pupilsupport/behaviour/attendance/a00223239/clarification-on-flexi-schooling>

[Elective Home Education Guidelines web page](#)

For school-level data on absence,

see <http://media.education.gov.uk/assets/files/zip/u/sfr04-2012ud.zip> via this

page <http://www.education.gov.uk/researchandstatistics/statistics/allstatistics/a00206150/pupil-absence-schools-2010-2011>

<http://edyourself.org/flexischoolingattendanceconsultation.pdf> summary of responses to recent DfE attendance codes consultation

<http://www.usethekey.org.uk/pupils-and-parents/absence-and-attendance/managing-attendance/flexi-schooling> updated October 3rd 2013

NB THIS IS NO LONGER CURRENT

Flexischooling Conference 2011

Introduction to Hollinsclough Pilot

The flexischooling conference 2011 profiled the innovative work being undertaken by Hollinsclough School in Staffordshire. As a small rural primary school, Hollinsclough faced closure due to falling rolls which made the school unsustainable. At the same time, the headteacher Janette Mountford-Lees received an enquiry from a home educating parent asking whether children could attend the school on a part-time basis while receiving the remainder of their education at home. What happened next is set out in [New models for organising education: Flexi-schooling - how one school does it well](#) Guidance Report Paul Gutherson and Janette Mountford-Lees published June 2011. The audience included local authority home education advisors, council academics, home educating parents wanting to find out more about the flexischooling option together with heads and governors of schools who are in the early stages of devising their own flexi-school options. The Hollinsclough head talked through the issues with Staffordshire Council and subsequently an Advisory Group was set up which included representatives from the school, the local authority, school governors and home educating parents. Conference delegates felt it was important to have some form of contract between the school and the family to clarify roles and responsibilities for all parties. Speakers felt there was great potential for flexischooling options at secondary level either in school or at college as a way for

young people to take exams pre-16 and to aid the transition to Further Education. Non-coerced voluntary flexischooling arrangements for children and young people with special educational needs would also help those who are not able to cope with full-time school. (NB Some parents whose children have SEN or behavioural problems are pushed into keeping children at home part of the time, which is not flexischooling.) In addition, some parents - such as single parents for example - who would not be able or willing to home educate on a full-time basis have expressed a great interest in flexischooling.

Links

[Regulations on flexischooling in England](#)
[Hollinsclough School Website](#)
[Home Educating Children with Special Needs](#)
[2011 Report on Home Education Funding Special Needs Support and College Places 14-16](#)
[Home Education and Exams](#)
[New Flexischooling Option at Erpingham Primary, Norfolk](#)
[Flexischooling at new West Sussex Free School](#)
[Private Flexischool in Berkshire](#)
[Private School in Hertfordshire with Flexi Option](#)
[Private Muslim Montessori Flexischool Option in Leicester](#)
[Flexischooling Pioneer Philip Toogood, Personalised Education Now](#)
[Small Schools Newsletter May 2011](#)
[Paul Bennett, National College: The Future of Small Primary Schools](#)
[Human Scale Education Publications](#)
[Flexischooling article, The Guardian 2009](#)
[Flexischooling at its best: blog post by mother of boy with Aspergers](#) [Article on Flexischooling and Hollinsclough School in the Independent June 17th](#)
[Slides from Hollinsclough School Presentation](#)
[Peter Humphries of Personalised Education Now](#)
[Ian Cunningham of the South Downs Learning Centre](#)
[Sir John Daniel, Commonwealth of Learning](#)
[Sir Jim Rose](#)