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The **new draft home education guidance**, England implies that local authorities might start assessing literacy and numeracy levels for home educated children to check they are receiving “sufficient secular education”. (Secular means non-religious) The page title refers to safeguarding because the consultation on new draft home education guidance asked about safeguarding in **out-of-school settings** and **suspected illegal schools**.

The proposed new guidance is not ready to be used. It is still at the draft stage. The consultation closed 18.1.24. The current guidance remains in force until such time as a final new version is published. The current guidance can be found here <https://www.gov.uk/government/publications/elective-home-education>

Out of School Settings

“**Out of school settings**” normally refers to **part-time** provision. If the setting is **part-time it does not have to register** as a school because it is viewed as **supplementary** to the child’s main education and the requirement for registering as a school is that the education provided is **full-time**.

However, even if a setting is full-time it will not have to register as a school if the curriculum is too narrow for a school, which occurs most commonly if the setting only delivers **religious instruction**. The government has attempted unsuccessfully to bring these full-time settings within scope of regulation and inspection as independent schools, but these settings remain legally unregistered.

Suspected Illegal Schools

Illegal schools are institutions which should register themselves as independent schools but where the proprietors choose not to register. These schools are **operating outside the law** but the difficulty arises in **obtaining proof that the education is full-time** because the number of hours attended is the determining factor. Several establishments prosecuted as illegal schools have called themselves “tuition centres” or “learning centres” thereby seeking to imply that the provision is only part-time rather than full-time.

Unregistered Schools

Independent Schools Regulation Schools only have to register if they provide full time education for children of compulsory school age to 5 or more pupils or 1 or more with an EHCP. Read more here. There is no legal definition of full time in the independent sector although the government has given 18 hours a ... [Continue reading](#)



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Guidance

The current version of home education guidance for local authorities in England was published in April 2019. The emphasis is on ensuring LAs are fully aware of existing powers and duties. The Home Education Guidance does not introduce any new powers or duties for local authorities to monitor the suitability of home education nor any ...

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Suitable Education in New Guidance 2

The government wants to change the home education guidance and has published a draft showing the proposed new version. The new draft guidance provides a checklist for “suitable education”. “Assessment of suitability” is new as is measurement of literacy and numeracy which would have the effect of narrowing the definition of education, which by law ...

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