

Malmesbury Park Primary Academy School
Flexible Schooling Policy
(Adopted September 2020 - Review September 2023)

Applies to: All staff	Pages: 6	Ref: 001
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School aims and values which guide this policy:

- We work together to make learning purposeful and rewarding
- Learners will develop independence to achieve their full potential
- We are a caring community that promotes respect for self, others and our environment
- We create a supportive learning environment that develops confidence

Terms:

Statement of Intent:

Malmesbury Park Primary Academy School firmly believes that full time education within a school environment is the best option for all children and young people to enjoy, achieve and attain their full potential. Malmesbury Park recognises that parents/carers may choose other ways for their child or young person to engage in very effective, full-time, and suitable education. One way could be for them to request that our school considers entering into a Flexible-Schooling arrangement.

In order for Malmesbury Park to enter into and continue a flexible-schooling arrangement parents and carers must accept and maintain the rigorous framework of expectations reflected within this policy.

The initial request must emanate from the parent/carer. The school will not suggest or encourage a family to undertake flexible-schooling.

Background

The responsibility for a child receiving full-time education while he or she is at statutory school age lies with the parent or carer. Where a parent/carer educates a child partly at school and partly at home or elsewhere as an expression of parental preference, this is called flexible-schooling.

In November 2007 the DFE issues "Elective Home Education: Guidelines for Local Authorities" which contained the following paragraph (5.6)

"Flexible school" 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 of the time; the rest of the time the child is home educated. This can be a long-term arrangement or a short-term measure for a particular reason. Flexible 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 flexible schooling and how it may work in practice."

A parent/carer may request flexible-schooling on a long-term basis where he or she favours this form of education or they may request flexible-schooling for a short period, when, for example, the child is unable to attend school every day due to a long-term illness or injury.

How should an application for flexible-schooling at Malmesbury Park Primary Academy School be made?

Flexible schooling must not be confused with elective home education. Parents/carers have a legal right to choose to home educate their child but parents/carers do not have a legal right to insist on a flexible-schooling arrangement being agreed by our school.

Whilst a parent/carer may request that their child is flexible-schooled it is entirely at the discretion of the Headteacher, as to whether or not the school is prepared to agree to a flexible-schooling arrangement.

If a parent/carer is interested in making a request for a flexible-schooling arrangement, contact must be made directly with the Headteacher so that the proposal may be considered. This must be written correspondence either email or letter. The Headteacher will then arrange a meeting/phone call to discuss the proposal. Each proposal will be considered on its own merits and within its individual contact.

What should parents/carers consider?

The implications of making partial educational provision at home are significant both in terms of expertise and resources and in the commitment to make a shared provision work.

The education provided at home and at school must together constitute a full-time provision. Whilst there is no statutory curriculum for home education part of a flexible-schooling arrangement, parents/carers must be mindful of the impact on the child's access to the National Curriculum and the possible fragmentation of the child's learning experience.

Number of days per week:

It is a requirement of Malmesbury Park Primary Academy that flexible-schooling children attend on a minimum of four full days per week.

Flexible-schooling is unlikely to succeed if the reasons for choosing it are negative and the choice is motivated by a desire to 'cherry pick' certain activities only or aimed at avoiding difficulties around certain subjects, teachers, peers, aspects of school discipline or attendance itself.

Malmesbury Park Primary Academy has an inclusive approach to education and strives hard to work with the wishes and choices of all parents. The school expect parents of flexible-schooled children to uphold the school's ethos, values, policies and practice. Strong and reciprocal partnership between home and school is key to a successful and sustainable flexible-schooling arrangement.

Flexible-schooling does not give an alternative means of opting out of an element of the curriculum with which a child, for whatever reason, is uncomfortable.

The headteacher will consider:

- Each request will be considered on their own merits
- The Headteacher will consider the best interests of the child; their potential and ongoing educational progress and achievement; their safety, safeguarding and welfare.
- The Headteacher will also consider the likely impact on the discipline, morale and organisation of the school.

Consideration that the Headteacher will make when deciding whether to agree to a flexible-schooling arrangement:

- **Safeguarding and welfare of the child is of paramount importance.** Ultimately Malmesbury Park School is responsible for the safeguarding and welfare of pupils educated off site and an appropriate, quality assured risk assessment must be undertaken in advance of any agreement made.
- **No agreement will be reached or maintained where the Headteacher has concerns that it would put the child at risk of harm while not attending Malmesbury Park. Therefore, when agreeing to flexible-schooling arrangement we are certifying that the education is supervised and all reasonable and appropriate measures have been taken to safeguard pupils.**
- Current and anticipated level of educational attainment, achievement and progress of the individual pupil and the arrangements for monitoring the learning and progress of the individual pupil.
- The appropriateness of the education proposed and maintained by the parents/carers away from the school.
- Flexible-schooling education provided at home and that provided at school must together constitute a full-time education provision.
- The effect on school discipline and the morale and motivation of other children on roll at the school.
- The effect on the school organisation and funding.
- The effect on school resources.
- The impact on overall school attainment and progress data when using code B on the register is used for educational activity off-site, then the requirements prescribed in regulation 6 (4) of the Education (Pupil Registration) Regulations 2006 must be fully met, as should the code B and school attendance requirements in the statutory guidance and departmental advice (DFE August 2013).

The grounds for agreeing a flexible-schooling place will always be at the discretion of the Headteacher. On application for an initial admission the Headteacher reserves the right to decline a request for a flexible-schooling place. Grounds for declining a place could be that adding to the amount of children attending on a flexible-basis would create an imbalance and be detrimental to teaching and learning and the outcomes of other children already within the class in question. In such circumstances a full-time place will be offered on provision that a place is available within the class.

Attendance codes for when pupils are present at approved off-site educational activity are as follows:

Code B: Off-site educational activity

This code should be used when pupils are present at an off-site educational Activity that has been approved by the school. Ultimately schools are responsible for the safeguarding and welfare of pupils educated off-site. Therefore, by using Code B, schools are certifying that the education is supervised and measures have been taken to safeguard pupils. This code should not be used for any unsupervised educational activity of where a pupil is at home doing school work. Schools should ensure that they have in place arrangements whereby the provider of the alternative activity notifies the

school of any absences by individual pupils. The school should record the pupil's absence using the relevant absence code.

Present at an Approved Off-Site Educational Activity

An approved educational activity is where a pupil is taking part in supervised educational activity such as field trips, educational visits, work experience or alternative provision. Pupils can only be recorded as receiving off-site educational activity if the activity meets the requirements prescribed in regulation 6(4) of the Education (Pupil Registration) (England) Regulations 2006. The activity must be of an educational nature approved by the school and supervised by someone authorised by the school. The activity must take place during the session for which the mark is recorded. (DFE August 2013)

Appeals

There is no appeal against the decision of the Headteacher not to agree to a flexible-school request or if the Headteacher decides to cease an individual child's flexible-schooling arrangement.

The agreement with parents/carers

A written agreement is formulated between the school and the parent/carer, in order to make expectations clear for all concerned. The agreement is formalised in line with the schools flexible-schooling policy and will include:

- The expected pattern of attendance at school.
- The length of time the agreement is to run before being reviewed. Typically, this will be half termly.
- Flexibility regarding attendance for special events which fall outside of the normal arrangements such as, but not limited to, assemblies, school trips, school productions or performances, sport events, visitors to the school.
- Registration - how the register will be marked and the code being used.
- That parents/carers must contact the school if the child is absent from a session that they would normally be present at school or at approved educational activity.
- That the school will follow up any unexpected or unexplained absence as it would for other children.
- On days when he or she does not attend school, the child need not follow the National Curriculum. However, the school will require parents to provide the school with an overview of the expected learning provision.
- Parents are expected to keep records of learning coverage and the progress of their child.
- It is the expectation that flexible-schooled children will be assessed at key points. For example, at the end of the Early Years Foundation Stage, Key Stage 1 and Key Stage 2.
- Parents/carers choosing to employ at their own expense another person to educate the child at home and that the parents/carer will be responsible for ensuring that person is suitable to have access to the child.

The Headteacher will also consider the points previously outlined in the section 'The Headteacher will consider':

- Any perceived special educational needs and associated provision
- Recommend regular discussions between home and school to ensure the child achieves his or her potential and to promote good home-school relationships.

- Under what circumstances and with what notice either party can withdraw from the arrangement.
- How any disputes will be resolved.

Procedures for when a child is flexible-schooled.

- The Education Social Worker (ESW) will be informed that a parent has approached the school to consider flexible schooling.
- If agreed the child will be registered at Malmesbury Park Primary Academy School
- When attending school, the National Curriculum will be followed as if the child were attending full-time.

The requirements to follow the National Curriculum will apply to all children except:

- Temporarily, due to exceptional circumstances such as prolonged absence from school on health grounds or family crisis.
- As part of an Educational Health Care Plan (EHCP)

On days when the child does not attend school, the child need not follow the National Curriculum.

Marking the attendance register

The DfE (March and August 2013) states that pupils should be marked absent from school during periods when they are receiving home education.

The school will mark a pupil as attending school, using the attendance Code B for off-site education activity where the school is satisfied that the following criteria are met:

- The school is responsible for supervising the off-site education. The school must be satisfied that it can ensure the safety, safeguarding and the welfare of the pupil off-site. In partnership with parents the school will undertake a risk assessment of the location(s) for the provision of off-site education.
- If flexible-schooling provision is coded on the school register as a "B" the activity must take place during the session for which the mark is recorded. Any absence or non-provision must be notified to the school and coded accordingly.
- If the school is not satisfied that the criteria for using Code B are met an appropriate absence code will be used.
- When an absence occurs on days when the child is due to attend the school will follow up the absence in the usual way in line with the school's attendance policy.

These sessions will be included in the number of possible sessions and the absence and attendance figures in the Attainment and Achievement Tables.

Children with an EHCP

There is no distinction between children who are to be flexible-schooled and those who are not. The duty to review an EHCP on an annual basis or sooner if appropriate, still applies.

Funding

The child will be recorded by the school as attending full-time with sessions not in school being recorded as per agreement. Therefore, the school will receive the full-time funding. Flexible-

schooled children are included in census count returns as for other children and are required to be in school on those days.

Admissions

There is no distinction between children who are flexible-schooled and those who are not. Whatever the degree of attendance, the child will count towards admissions numbers on roll as full-time.

Infant class size legislation

Our school makes no distinction between children who are to be flexibly-schooled and those who are not. Whatever the degree of attendance, a child will not be an exception to the infant class size legislation solely by being flexibly-schooled.

Insurance

There is no distinction between children who are flexibly-schooled and those who are not.

Children outside of their chronological age-group

There is no distinction between children who are to be flexibly-schooled and those who are not.

When the education being provided at home is not suitable

If it appears to our school that parents/carers are not providing a suitable education or not working with the school to uphold its values, policies and practices, as agreed between the school and the parent/carer; the school may ask the parent/carer to take remedial action.

If the parent/carer declines to do so or the school is still concerned about the provision of the education at home or adherence to the Flexible-Schooling agreement, the school may withdraw its agreement. The child would then be required to attend at school on a full-time basis.

If a child fails to return to full-time attendance at Malmesbury Park the absence will be recorded as unauthorised and referred to the school's Education Social Worker in line with our attendance policy.