



The Park
Academies
Trust

Flexi-Schooling Policy

TPAT Policy Management

Document history

| Review date | Version | Reviewer / owner (post holder) | Executive approval | Approving body | Meeting date of policy approval |
|--------------------|----------------|---|-------------------------------|---------------------------|--|
| 07/2024 | 1 | Director of Primary | 09/07/2024 | EPSC | email 25/10/2024 |
| | | | | | |

Material changes since last publication

| Section | Changes |
|----------------|----------------|
| | |

This policy is reviewed every three years. The next review is due by July 2027.

Contents

1. Introduction

1.1 Aims and Scope

2. Policy Terms

2.1 Purpose

2.2 Responsibilities

Parents / carers

Local Authority

Schools

2.3 Children in Care

2.4 School Admissions

2.5 Registration

2.6 Attendance

2.7 Children with an EHCP

2.8 Infant Class Size Legislation

2.9 Unsuitable Education at Home

2.10 Education Transport

2.11 Additional issues to be considered

2.12 Assessment

2.13 Right of Appeal

3. Appendices

1. Introduction

The Trust intends and expects that all decisions, policies and procedures will be underpinned at all times by its vision and values.

Our aim:

To create centres of educational excellence that inspire all pupils to turn their potential into performance.

To achieve this our schools will:

- Provide a broad and balanced curriculum that allows pupils to develop their talents and ambitions.
- Deliver the highest quality learning opportunities facilitated by excellent teachers.
- Inspire our pupils to become confident, motivated and respectful individuals ready to make a positive contribution to society.

The Trust will support our schools by:

- Maximising the resources and expertise available to individual schools.
- Providing a platform for the sharing of excellent practice.
- Challenging and developing staff to turn their potential into performance.

1.1 Aims and Scope

Flexi-Schooling describes an arrangement between the parent / guardian and the school, whereby children are registered at the school in the usual way but only attend for part of the week.

The rest of the time the child is home educated. It is a perfectly legal option but it is at the discretion of the Headteacher to approve it.

The Centre for Personalised Education

<https://www.personalisededucationnow.org.uk/about-personalised-education-now/centre-for-personalised-education/> has a wealth of information about flexi-schooling including downloadable information for parents and teachers. They make an important distinction between flexi-schooling and part-time schooling.

Part time education is only allowed in law as a temporary solution to a specific problem (usually for medical or mental health reasons or for integrating a pupil into a new situation).

Flexi-schooling is different as it provides children with a full-time education (even though only part of it occurs at school). Learners are registered as full-time with the school and as such are fully-funded. Schools therefore have the budgetary resource to ensure that it works effectively. The arrangement can be temporary or permanent and is requested for a wide variety of reasons e.g.

- Illness
- A desire to home educate while making use of school for some subjects
- School phobia / refusal
- Allowing time for a specialist ability e.g. music or sport
- A staged return to school after an absence for some reason

Whatever the reason, neither Local Authorities nor schools are likely to agree to such arrangements unless it is clear that it is in the child's best interests.

The purpose of this policy is to set out the roles and responsibilities of schools, parents / carers and the Local Authority. It should also help parents / carers and schools understand what flexi-schooling is for and how it can be managed in the best interests of the child.

2. Policy Terms

2.1 Purpose

The purpose of flexi-schooling is often to access education in specific subjects more easily than through home education. It may also be seen as a means to support a child who is not able to manage full-time education in a school setting or to enable a child to socialise with its peers. This is distinct from part-time education where a child cannot manage full time education whether in or out of a school.

There is no obligation on schools to agree to a request for flexi-schooling. It is vital that the family in question have been able to demonstrate commitment to the school before flexi-schooling is considered.

Flexi schooling arrangements may be long-term where all parties agree that this is in the child's best interest. It may be a short-term option for a particular reason and with the aim of supporting a child back towards full-time attendance in school. This may be

the case for a child returning to education following an illness.

2.2 Responsibilities

Parents / carers

The phrases 'statutory school age' and 'compulsory schooling' are widely used. Education is compulsory but attending school is not.

Parents / carers must ensure that a child of statutory school age receives efficient, suitable full-time education unless it would not be in their best interests to do so because of a medical condition or other reason. Education may be in a state-funded school, independent school or otherwise than at school. This last form includes Elective Home Education.

Parents / carers must still ensure that the child receives a suitable full-time education, but the element received at school will be taken into account in considering whether that duty is met.

Parents / carers take on financial responsibility for the cost of the home education element of flexi-schooling, including the cost of any external assistance used such as tutors, parent groups or part-time alternative provision.

Parents / carers take on the responsibility for external examination costs if a child does not attend school full-time.

Parents / carers take on the responsibility for ensuring that any person involved in the child's education at home or otherwise than in school is safe to work with children, including the costs of any checks by the DBS (Disclosure and Barring Service).

A parent / carer may also end the arrangement at any time, either returning the child to full-time attendance or by writing to inform the school that the child will be Electively Home Educated (on a full-time basis) and taken off the school roll.

Local Authority

The LA recognises the view from the Department for Education that all state-funded places are offered as full-time places. Swindon does not recommend flexi-schooling as an option for education except as a means to help a child to move back towards full-time education but recognises the decision rests with schools in what they see as the best interests of the child.

Where it appears that a child is not receiving suitable education at home, the LA has a

duty to rectify the situation. For further information, please see Swindon's guidance on Elective Home Education. This applies as much to children who are flexi-schooled as it does to others who are entirely home educated.

https://www.swindon.gov.uk/info/20050/educational_support/131/educational_welfare_services/3

Working with schools, LAs should assist parents to make an informed decision about flexi-schooling or home education. Swindon encourages parents / carers to discuss this with schools as part of any request to agree to flexi-schooling. Advice will also be available from the LA – with Education Welfare Officers and Admissions Officers to give advice to parents / carers and schools. The intention will be to enable parents / carers to make an informed decision.

The LA should be informed of all flexi-schooling arrangements as it should with all arrangements for full-time Elective Home Education. This will assist the LA to consider trends across its area and identify dissatisfaction among parents / carers with local school provision.

It is not the LA's role to decide on requests by parents / carers for flex-schooling. This is a role for the school.

Schools

Headteachers in schools must consider all requests for flexi-schooling arrangements on a case by case basis. Decisions to approve or refuse requests must be made in the best interest of the child in that school's context. A school cannot control the delivery of education outside the school and should satisfy itself that the home and school elements combine to provide a suitable education in a safe environment.

The school LABs (Local Advisory Boards) will also have scrutiny over decisions, but it is expected that the Headteacher will be the decision-maker.

Where a request is to be turned down by the school, clear reasons should be given in writing. This will enable a parent / carer to consider whether the reasons given are fair and transparent. Parents / carers will have the right to complain using the school's complaints procedure if they wish.

Where the request is agreed, a written agreement should be drawn up and signed by the Headteacher and the parent/s / carers. Where appropriate, the child's agreement should also be included. Flexi-schooling agreements should clearly set out expectations about attendance in school with a timetable for periods in school and out of school. This will consider how the school delivers its curriculum across the school week/s so that the headteacher is satisfied that, for instance, there is suitable English

and Maths education for the child. The agreement should include regular review points and clear guidance about circumstances when the agreement could be revoked by the school. A flexi-schooling agreement can be ended at any time by the parent / carer with the child resuming full-time attendance immediately.

Schools must record the child's attendance as it does for all children on their roll. Flexi-schooling sessions will be recorded as authorised absence. They must not be recorded as the child being educated off-site as the school is not responsible for either education or safeguarding for those times.

Schools will not be responsible for providing work for the days when the child is not at school.

Schools should notify Children's Services and the Virtual School as appropriate where a child has an allocated social care officer.

The school may end the flexi-school arrangement at any time if the terms of the agreement are not being met and / or the arrangement is not considered to be working to the child's best interests. The child would then be expected to attend school on a full-time basis as would any other pupil on the school's roll.

2.3 Children in Care

Our expectation is that Children in Care have access to the full educational entitlement, and therefore there should not be an occasion for a corporate parental request for flexi-schooling for a Child in Care unless this is based on the advice of health professionals involved with the child. This would then be regarded as a reduced timetable. If a child is on a reduced timetable, we expect this would be a short-term intervention to enable support to be put into place to enable a return to full-time education.

2.4 School Admissions

Flexi-schooling is not an admissions issue.

There must be a formal application for any child who requires a place at a TPAT school. This will be completed by a parent or carer.

There is no distinction between children who attend full-time, part-time or with a flexi-schooling arrangement. All offers of admission are for full-time attendance even where the child is eligible for part-time attendance or deferred admission. There is no lesser or greater admissions priority where there is also a request for flexi-schooling.

TPAT admissions must not take a request for flexi-schooling into account in a decision whether a place can be offered.

If a full-time place is offered at a school, there is no right of appeal to an admissions panel independent of the school or admission authority where a request for flexi-schooling is turned down. It is for the parent / carer (or young person) to follow the school's complaints procedure.

For pupils who are already on roll at the school and for whom a request to begin a flexi-schooling arrangement is turned down, the recourse is to follow the Trust complaints procedure.

2.5 Registration

All pupils at school must be registered on its admissions register. There is no distinction between children who attend full-time, part-time or with a flexi-schooling arrangement.

2.6 Attendance

If a parent / carer wishes all of the education to be delivered at home, they must inform the school in writing that they will home educate the child in order for the school to take the child off-roll. This will either to be registered at another school, or where the parent / carer gives a written notice, as electively Home Educated or otherwise as Educated Other than at School.

Pupils are expected to attend school sessions according to the agreement. For other sessions, there is no requirement for home education to cover set hours. It must however, amount to education that is suitable for the child.

Schools entering a flexi-schooling arrangement are require to put the child on roll. Sessions when the pupil is not expected in must be recorded as 'C' – Other authorised absence. Sessions when the pupil is due in will be marked as per any other pupil.

The school will review the flexi-schooling agreement should a child's attendance for sessions when they are expected to be in school give cause for concern.

Parents / carers may be liable to lawful sanctions for non-attendance if the pupil fails to attend the expected school sessions.

Schools may make arrangements for part or all of the education it provides to be outside its premises. This may include alternative provision intervention. For sessions covered by these activities, the child will be recorded as present at an approved

educational activity. As the school retains responsibility for this part of the child's education, it is distinct from the home education element of flexi-schooling.

2.7 Children with an EHCP

The school's SEND Advisor at Swindon Borough Council will be able to advise with regard to children with an Education Health and Care Plan.

To secure compliance in process, a review of the EHCP must be undertaken so that clear information on needs, proposed adjustments to provision and the anticipated benefits of flexi-schooling arrangements can be set out and considered by the Local Authority. When flexi-schooling is agreed, it will be the responsibility of the Local Authority to amend the EHCP. The duty to review a child's EHCP on an annual basis, or sooner if appropriate, still applies.

Whilst a parent / carer may request that their child is flexi-schooled it is entirely at the Headteacher's discretion, acting with the authority of the Trustees, as to whether or not the school is prepared to agree to a flexi-schooling arrangement. Parents / carers do not have a legal right to insist on a flexi-schooling arrangement being agreed by any school. The Headteacher will consider each request individually and on its own merits satisfying Trustees that they have fully considered all points raised by parents / carers in their request. School data relating to the number of pupils in flexi-schooling arrangements will be relayed to the Executive Board and Trustees.

2.8 Infant Class Size Legislation

All pupils present in a Key Stage 1 class counts towards the class size limit of 30 with each teacher. Being a flexi-schooled child is not a permitted exception to this requirement.

2.9 Unsuitable Education at Home

While neither the school nor the LA have a duty to monitor the suitability of education provided at home, if it appears to the school that it is unsuitable, it should ask the parent / carer to take immediate remedial action. It should also notify the LA's Elective Home Education Team of its concerns.

If the parent / carer declines to take remedial action or the school is still concerned about the provision of education at home, the school should withdraw its agreement to flexi-schooling with immediate effect.

If it appears to the LA that a child of compulsory school age in their area is not receiving suitable education, it may lead to the issuing of a School Attendance Order on the

parents / carers.

2.10 Education Transport

Where there is an entitlement to education transport provided by the LA, that is for the travel at the beginning and end of the school day, there is no additional entitlement to travel during the day, either to or from school to accommodate different patterns of attendance.

The LA may withdraw transport for those journeys that are not required due to a flexi-schooling arrangement. This does not affect entitlement, but it is advisable to give notice wherever possible if journeys are to resume following a change to the flexi-schooling agreement. It will be the responsibility of the parent / carer to request that full-time transport commences if the child returns to full-time schooling.

For all queries regarding school transport, please contact:

- Travel North – E-mail: TravelNorth@swindon.gov.uk or telephone 01793 464165.
- Travel South – E-mail: TravelSouth@swindon.gov.uk or telephone 01793 464166.

2.11 Additional issues to be considered

- Continuity of teaching and learning between home and school
- The effect on school organisation
- The effect on school resources
- The effect on school discipline and the morale and motivation of other children
- Peer relationships / friendships
- Flexi-schooling should not be agreed where it becomes evident that the arrangements being sought can be made outside of normal school hours or are more to do with accommodating the needs of the parents / carers (e.g. where there are unusual working patterns) rather than those of the child.

2.12 Assessment

The pupil will be entered by the school for examinations / statutory assessments providing attendance at lessons has been sufficient to enable the pupil to sit the tests / exams with some success.

2.13 Right of Appeal

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

3. Appendices

Appendix A – Flexi-schooling process / flow chart

Appendix B – Flexi-schooling request: Checklist and agreement

Appendix C – Flexi-schooling agreement

Appendix A – Flexi-Schooling process / flow chart

Flexi-schooling process

Parents / carers to contact the Headteacher to discuss / make a request for flexi-schooling; Headteacher to meet with parent / carer following this request.

Parents / carers to place flexi-schooling request formally in writing to the Headteacher.
Meet with Headteacher.

Headteacher / parent / carer meeting to consider key questions outlined in the flexi-schooling request (Appendix B) to make an informed decision / begin / cease the process.
Identify monitoring and review arrangements if flexi-schooling request is agreed.

| Yes | No |
|---|--|
| Using information obtained (flexi-schooling request) Headteacher agrees. | Using information obtained (flexi-schooling request) Headteacher disagrees . Headteacher to formally notify parents / carers in writing. Copy to be retained by the school. |
| Headteacher to contact the SEND team about potential flexi-schooling arrangement discussing request outcomes with a SEND case worker (if child has EHCP). | End of process. No right of appeal by parents / carers. |
| Head teacher to arrange / hold a review of the EHCP to inform proposed adjustments to provision; review to note the anticipated benefits of flexi-schooling arrangements which can be considered by the LA. Also attach a copy of the flexi-schooling request (checklist / agreement) to paperwork. | Ending the flexi-schooling agreement – parent / carer is able to terminate agreement during the academic year; the date must be agreed with the Headteacher. |

| | | |
|---|--|--|
| <p>With parents / carers, Headteacher to draw up / sign the flexi-schooling agreement.</p> <p>Copy to be signed by Headteacher and parents / carers.</p> <p>Copy held by the school / provided for parents / carers.</p> <p>Agreement to identify:</p> <ul style="list-style-type: none"> • Timetable / school and home days • Length of agreement • Date of first review | | <p>Ending the Flexi-schooling agreement -</p> <p>Headteacher may stop the arrangement and will notify the parents / carers in writing if such a decision is reached.</p> <p>Copy to be retained by the school.</p> |
|---|--|--|

Appendix B – Flexi-schooling request: Checklist and agreement

Flexi-schooling request: Checklist and agreement

| | |
|--|--|
| Name of pupil: | |
| DoB: | |
| UPN: | |
| Academic Year: | |
| Parent / carer name: | |
| Date when request was first made by parents / carers: | |
| Have the parents / carers fully explained the exact details of the flexi-schooling arrangements they have in mind and the reasons behind their request. Are these reasons appropriate? | Record details: Yes / No |
| Is the school able to accommodate any concerns expressed by the parents / carers within the parameters of full-time schooling? | Record details: Yes / No |
| Has the parents / carers request been referred to the SEND team? | Yes / No Date: |
| Does it appear likely that the request, if approved, would impose an additional workload on members of staff? What is the nature of this additional workload? | Yes/ No Record details: |
| Is the programme / activity proposed by the parents / carers educational and appropriate? Have the parents / carers produced any documentary evidence to support this? E.g. letters from other educational institutions, sporting academies etc. | Yes / No Record details: Yes / No Record details: |
| Have the parents / carers been made fully aware of their child's current and anticipated level of educational attainment and the potential impact which their request for flexi-schooling might have on this? | Yes / No Record any issues specifically discussed: |
| Have the parents / carers been made fully aware of any critical aspects of the curriculum / assessment / teaching in | Yes / No Record details: |

| | |
|--|---|
| school which their child will miss if their child is flexi-schooled? | |
| Should the school agree to the parents / carers request, have arrangements for monitoring nad review been discussed and agreed? What timescales have been set? Has an initial review been agreed? | Yes / No Record date of initial review and proposed days of attendance |
| Have parents / carers been made aware that the school has the right to withdraw any agreement it might make to flexi-schooling arrangements if it considers that the original intentions and expectations are not being met? | Yes / No |
| Should the school be unable to agree to the parents / carers request, have the reasons for this been fully explained and confirmed in writing and saved on the pupil's file? | Yes / No Record details: |
| Have parents / carers been informed that their child will accrue absences (authorised for the periods of time they are flexi-schooled)? | Yes / No |
| DECISION: | |
| Approved / Not approved (delete as appropriate) | |
| Reason / comment | |
| Signed (Headteacher): | |
| Date: | |
| <i>This document will be used / retained by the school, a copy will be provided for parents / carers</i> | |

Appendix C – Flexi-schooling agreement

IF the agreement is approved:

- This attendance pattern identified via the flexi-schooling agreement will only be changed with both the parents / carers and the Headteacher
- The school will allow the pupils to special events which take place on the agreed non-school days / times in consultation with the class teacher and other relevant people
- Parents / carers will have the same access to records, reports and opportunities to meet with teachers as the other young people who attend school on a full-time basis e.g. parents' evenings, school reports
- This arrangement may be terminated by the parent / carer during the academic year. However, the date must be agreed with the Headteacher in advance
- The Headteacher retains the right to inform parents / carers if they believe that the arrangement is detrimental to the progress of the child and, if necessary, stop the flexi-schooling arrangement
- The parent / carer will apply to the Pupil Transport Team via the normal transport application form, indicating that a flexi-schooling arrangement is in place, the days on which transport is required and the duration of the agreement, if known
- Where the flexi-schooling agreement ends earlier than planned and a child returns to full-time schooling, it will be the responsibility of the parent / carer to request that full-time transport provision recommences

DECLARATION – FLEXI-SCHOOLING AGREEMENT

| | |
|---|--|
| Name of child: | |
| Date of birth: | |
| UPN: | |
| Parent / carer name: | |
| The days chosen for my / our child to attend school are: | |
| The agreement will commence: | Date: |
| And will run (term-time only): | From: To: |
| The date for the first formal review will be: | Date: Time: Venue: Review Lead: |
| <ul style="list-style-type: none"> • I / we fully understand the contract which I / we have entered into with the school and agree to uphold the criteria which are outlined | |

- I / we wish my / our child named above to attend the school named in accordance with the flexi-schooling agreement

Headteacher signature:

Date:

Parent / carer signature / s:

Date:

This document will be retained by the school, a copy will be provided for parents / carers