

Flexi School

What is Flexi Schooling?

Flexi Schooling describes an arrangement between the parent and school where children are registered at the school in the usual way but attend school only part time. The rest of the time the child is home educated. The numbers of children educated under flexi-schooling arrangements are growing and there are now several schools around the UK which could be said to be specialising as flexi schooling, schools.

There may be any of a number of reasons why parents may want to arrange flexi schooling for their children, for example:

- Illness
- A desire to home educate while making use of school for some subjects
- school Phobia/refusal
- 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 Legal Position

It is an offence for a parent to fail to ensure that a child of compulsory school age regularly attends the school at which s/he is registered. However Flexi schooling is legal providing the parent are able to obtain the agreement of the head teacher of the school at which their child is registered. The Education Act 1996 states:

"The child shall not be taken to have failed to attend regularly at the school by reason of his absence from the school (a) with leave" Section 444 (3)

The term 'leave' is defined as:

"In this section 'leave', in relation to a school, means leave granted by any person authorised to do so by the governing body or proprietor of the school." Section 444(9)

In practice this refers to the Head teacher. To arrange flexi schooling therefore you should prepare a proposal and set up a meeting with the head teacher. Whether or not it is allowed is entirely up to the head teachers discretion. The head teacher will probably want to discuss the proposal with his/her senior staff, form teacher and possibly the school governors. The Head will probably contact the LA for their opinion as the head teacher may not have previously encountered flexi-schooling and will want to discuss the legal implications.

Also s175 of the Education Act 2002 states:

(1)A local education authority shall make arrangements for ensuring that the functions conferred on them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children.

(2)The governing body of a maintained school shall make arrangements for ensuring that their functions relating to the conduct of the school are exercised with a view to safeguarding and promoting the welfare of children who are pupils at the school.

This section has wide implications and, basically means that the school and LA must look at the wider picture than just the child's education. If there is a case for allowing flexi schooling, in the best interests of the child's welfare, then both the LA and school must consider it.

Your proposal should include a paragraph stating that as the child will be in your care and absent from school there are no insurance implications for the school, how flexi schooling is in the best interests of the child and how you see the arrangement working in practice and specifically how you intend to ensure that your child will not miss out both educationally and socially.

The responsibility to ensure that the child is receiving a full time education remains, as always, with the parent. Though the LA may want to ensure itself that the child's education is suitable to the child's age ability and aptitude and any special needs s/he may have (as per section 7 of the education Act 1996).

Advantages

If it can be made to work, flexi schooling can allow all kinds of advantages for parent and child. It can mean that a child has access to resources either difficult or impossible to access from home and allow participation in sports activities as well as accessing specialist tuition that the family may not be able to offer. It can also enable the parent responsible for education to take part time work outside the home.

Problems

There are a number of problems commonly encountered by parents attempting to arrange Flexi schooling for their child:

- SAT's - Regardless of any flexi schooling arrangements if a child is registered at a school the child's SAT's results will be counted. Should the child not take the SAT's test then the school scores zero in all the tests the child fails to take. This is a disincentive for the school (particularly a small school) to make such arrangements. If you agree to the child attending the SAT's tests then the school may be fearful that the child will score poorly again effecting the schools league table position.
- The same as above applies to GCSE's. If the child is not intending to take a number of GCSE's the school may decide that this will damage their league table position.
- Discipline - schools sometimes anticipate there being discipline problems should one child be seen by other pupils failing to attend lessons s/he doesn't want to attend. The school may anticipate further requests or demands for this arrangement.
- The LA often will not approve of the idea. While formally the school is charged with the responsibility for deciding on whether to allow a flexi schooling arrangement the head teacher will often consult the LA. Ultimately the head teacher may decide that s/he does not want to antagonise the LA - who is after all their employer.
- Many school Head Teachers see Flexi schooling as part of a process of a staged return to school following some difficulty like school refusal (school phobia), they seem to fail to understand, even when explicitly discussed that some families

really do prefer home education to school and will continue to do so into the future.

- A number of schools resist agreeing to flexi schooling arrangements by claiming that there are insurance problems particularly public liability insurance. This is a totally invalid claim, if the child is on authorised leave the child is the responsibility of the parent and not the school and is therefore not in the care of the school and thus not subject to the school insurance liability.
- Some head teachers see these arrangements as temporary, expecting the child to return to full time education after a term or two, even where the parents have specifically stated that they are looking for a long term arrangement