

Respondent Information Questions

Please tick the box that best describes you as a respondent

Parent/Carer

Consultation Questions

1 Based on your experience of local authorities implementing this duty since it was introduced in 2007, does the guidance make clear the actions which local authorities are expected to take to help them comply with the duty?

No

Answer/Comments

It is clear from written feedback from our LEA to the DCSF (via the Welsh Assembly) in response to the current consultation that inappropriately increased powers of control over home-educating families are being sought under the excuse that home educated children are 'at risk' or 'vulnerable'. Therefore, the current guidance implies that LEAs should, and may now police home education. This is wholly inappropriate, not least of all because LEAs are unqualified to judge how 'suitable' a given education is for a particular child, and instead threatens to place happy, well-rounded home educated children at risk via draconian and invasive inspection regimes.

2 Does the guidance make clear the role that implementation of this duty has in the wider programme of work led by local authorities to improve outcomes for children and young people, including promoting their safety and well-being?

No

Answer/Comments

Home-educated children should not be classed as 'vulnerable' because they do not appear on a school roll; just because home education is not chosen by the majority of families in this country, legislation and official guidance should not seek to encourage local authorities to persecute the home-educating minority. Local authorities, instead, need to focus their attention on truly vulnerable children (for example those attending school where physical violence, knife crime, drug pushing, physical and emotional bullying are all rife and, as my son's ex-headteacher told us during a conversation on well-being and safety on school premises, "the authorities cannot be expected to guarantee a child's safety whilst in school"). Home educating families receive no financial support to educate their children (see in particular the Government response at <http://www.number10.gov.uk/Page16919>) and government targets and programmes are inapplicable. By placing home-educated children in a new 'vulnerable' category, the guidance forces local authorities to (a) waste valuable tax-payers resources in trying to 'fix' a problem that does not exist, (b) apply irrelevant and damaging strategies to children to whom they are not relevant (c) interfere with the very positive outcomes expected from home education. The most effective way to 'improve outcomes for children and young people' and 'promote' their 'safety and well-being' is to have guidance that state clearly that home educated children are explicitly excluded from the 'vulnerable' category.

3 Does the guidance accurately describe the range of circumstances that put children's safety at risk and puts them at risk of not receiving a suitable education?

No

Answer/Comments

Again, see above responses. By automatically placing all home-educated children into the 'vulnerable' category, the guidance most definitely does not describe accurately circumstances that put children's safety at risk or at risk of not receiving a suitable education. Instead, the guidance gives the impression that by choosing to home educate one's child, home-educating parents have actively chosen to deny their children an education and to place them in danger. We object in the strongest possible terms to this (indeed, there is much respected academic research published that demonstrates the efficiency of home education) and again urge that the guidance be re-worded to remove home education and instead target genuinely vulnerable children who depend on the state system for education and welfare but who are being denied that provision.

4 Does the guidance show effectively what steps local authorities should take when children are living in difficult circumstances that put them at more risk of not receiving a suitable education?

Answer/Comments

No. Home educated children are not 'living in difficult circumstances' and are not 'at risk of not receiving a suitable education'. On the contrary, many home educated children have been removed from the school system precisely to ensure that they can receive the high quality learning experience that is their right but that is not delivered in our country's schools. Both the guidance and this question is highly misleading in saying 'suitable education' instead of the more accurate phrasing from the Education Act which requires that every child receive an "efficient full- time education suitable to age aptitude and ability and any special educational needs the child may have." This is a clear example of the muddled thinking that underpins the current guidance, that has the potential to devastate the high quality education received by the nation's home educated children in the safety and sanctuary of their own homes.

5 What are the key challenges local authorities could face to implementing these guidelines effectively?

Answer/Comments

Since these guidelines are fundamentally flawed with respect to home education, implementation of the guidelines cannot be achieved 'effectively'. Local authorities will waste vast resources trying to 'clamp down' on home education, while genuinely vulnerable children will continue to suffer. The response from home educators to this blind application of flawed guidance will result in further waste of local authority time and money as home educating families vigorously challenge these guidelines at local and national level, in court, in the press and wherever else may be appropriate.

6 Does the guidance make clear the duties and powers that local authorities have in relation to home educated children when parents are not providing them with a suitable education?

No

Answer/Comments

The guidelines are based on the false assumption that home educated children cannot receive a 'suitable education' by virtue of them being home educated in the first place. Local authorities, and this guidance, are confused about 'duty', 'power, and RESPONSIBILITY; parents are legally responsible for ensuring their children receive an "efficient full time

education suitable to age, ability, aptitude and special educational needs." Whether parents choose to use the school system or otherwise to fulfil that responsibility remains the jurisdiction of the parents; local authorities, acting on the basis of the deeply insulting and flawed argument that 'home is not best', should not be given the 'duties' and 'powers' to persecute families who choose home education. We have chosen to educate our child at home because the school system does not provide the necessary "efficient full time education suitable to age, ability and aptitude"; in addition, we do not consider the local authority as "suitable" for making any judgement on this. I am happy to provide more detail on any aspect of this; please do not hesitate to contact me.

7 Does the guidance contain all the 'signposts' to other relevant guidance; sources of support and advice for local authorities that will enable them to implement this duty effectively?

No

Answer/Comments

Categorically, no. It is not clear how revised CME guidance will fit with Home Education Guidelines DCSF November 2007. As stated earlier, it is not made clear that education has to be "efficient full time and suitable to age aptitude ability and SEN (section 7 1996 Education Act)" and that "suitable" is only shorthand term for this longer definition. There are no signposts to home education support organisations such as Education Otherwise. Data Protection is of serious concern and this guidance fails to clarify the growing confusion (and technical protection) minefield of children's databases. Ironically, in allegedly attempting to protect vulnerable children, this guidance and associated databases are likely to result in turning safe, happy children into vulnerable targets of ID crime, financial fraud etc long into their adult lives (see for example HMRC loss of child benefit details).

8 Beyond the publication of the guidance, what would be the most effective means of communicating the importance of implementing the new duty, and the processes that will help its implementation, to professionals working with children?

Answer/Comments

The guidance in its present form is a dangerous license for local authorities to abuse power, home educated children and their parents or carers; it must not be published. Genuine training in the nature of home education and a working relationship with the home educating community and organisations is critical. Failing to do so wastes everyone's time.

9 Have you any details of good practice that would be useful to include in the final version of the 'guidance'?

Yes

Answer/Comments

In addition to the above responses on corrections and changes required and removal of home educated children from the 'vulnerable' category, follow the advice of Education Otherwise: "Examples of good practice would involve local authority complying with current 2007 statutory guidance on CME and current non statutory 2007 guidelines on Elective Home Education. Can anyone think of a council which does this? It is NOT good practice to make up some different guidance in-house or to adhere to outdated policies (eg the draft guidelines on CME produced in 2004-5)."

10 Did you find the draft guidance clear, unambiguous and easy to follow?

No

Answer/Comments

The guidance appears to have been written under the direction of local authorities (and/or others with no understanding or relevant competence) determined to inappropriately police home educating families with laws intended for protection of vulnerable children. At best, the guidance allows local authorities to lump together all children that do not fit a traditional 'at school' profile into one 'problem' bin (here the use of 'problem' does not indicate whether a child is safe or vulnerable but merely one that causes paperwork problems for the local authority); at worst it provides carte blanche for local authorities to kill home education.

11 a) We have developed standard data definitions at Appendix 1 of the guidance. These were developed in consultation with several local authorities. Do you agree with these definitions?

Disagree

Answer/Comments

No references are provided to indicate which local authorities were involved in developing these definitions. The bias given to local authorities in developing data definitions has resulted in definitions that are for the convenience and protection of the authorities. Children in schools may be at risk of not receiving "efficient full time education suitable to age, aptitude and SEN"; these are excluded and not covered by the same rules that this guidance proposes for home educated children.

11 b) If not, what amendments would you suggest and why?

Answer/Comments

Full consultation with home education organisations, such as Education Otherwise, comparable to that given to local authorities is required if fair, practicable and useful guidelines are to be developed. Home educated children should not be placed in a vulnerable category by default and, indeed, have no place in these guidelines at all (other than to state explicitly that the guidelines do not apply to home education). As the guidelines stand, they are a travesty and should not be published. If the DCSF is serious in its desire to protect children and ensure a 'suitable' education (guideline wording - legally incorrect as described in response to earlier questions), maybe they would like to introduce powers to inspect every child in the country, whether attending school or otherwise, in their homes. I suggest that no local authority (not to mention the government) would care to implement such a measure; selecting the home educating community for this kind of persecution is therefore morally reprehensible.