

Education Committee

Oral evidence: [Home Education](#), HC 839

Tuesday 23 March 2021

Ordered by the House of Commons to be published on 23 March 2021.

[Watch the meeting](#)

Members present: Robert Halfon (Chair); Fleur Anderson; Apsana Begum; Jonathan Gullis; Tom Hunt; Dr Caroline Johnson; Kim Johnson; David Johnston; Ian Mearns; David Simmonds.

Questions 59 - 115

Witnesses

I: Victor Shafiee, Deputy Director, Unregistered and Independent Schools, Ofsted; Wendy Charles-Warner, Trustee, Education Otherwise; Dr Amber Fensham-Smith, Lecturer in Childhood and Youth Studies, Open University; and Ellen Collier, Service Manager, Education Welfare Service, Social Care and Education, Leicester City Council.

Written evidence from witnesses:

– [Add names of witnesses and hyperlink to submissions]



Examination of Witnesses

Witnesses: Victor Shafiee, Wendy Charles-Warner, Dr Amber Fensham-Smith and Ellen Collier.

Q59 **Chair:** Good morning. Before we start our questions specifically on the home education inquiry, I would like to address a couple of questions to Victor, if that is okay, in terms of independent schools and the ever-increasing scandal of reports of sexual abuse and safeguarding.

In the past week we have seen some pretty horrific allegations of sexual harassment, assault, abuse and refusal to deal with rape culture, it has been suggested, by former and current pupils at leading private schools. We do not know yet if this exists in state schools, although I think there was a report in the newspapers this morning that this has gone on in a state school.

Why is it only now that these allegations have come to our attention, and for certain schools to admit a failure to act responsibly or appropriately only when evidence of abuse came to light?

Victor Shafiee: I spend all my life making sure that the children we inspect are safe and are getting good education. All our inspection reports place a massive focus on safeguarding.

I want to be clear that the schools that have been in the press are not schools that Ofsted inspects. We do not inspect all the independent school sector; we inspect about half of it. The allegations that you have noted, which we all care about and we are all concerned about, do not, on the whole, involve independent schools that we inspect. I am not saying there are no safeguarding problems in the independent schools that we inspect; there are some. We report on it, and we report on it very firmly.

We stand ready to support the Government in any way we can to strengthen safeguarding across the independent school sector.

Q60 **Chair:** What needs to be done within the education system to eradicate what has been described as a rape culture that exists in certain schools? I note that you say Ofsted does not inspect all of these schools. Should this be changed? Should Ofsted inspect all of these private or public schools? What started off as one or two stories now seems to be widespread across the country in some of these independent schools. There has been one report after another. Should there not be some kind of inquiry either by Ofsted or by the Department for Education?

Victor Shafiee: The Independent Schools Inspectorate also inspects schools in the independent sector. We work with them closely, and with the Department, to make sure that the inspection of the independent school sector is firm and judgments on safeguarding are absolutely right.

I cannot speak for other inspectorates; I can only speak for Ofsted. I can assure you that in terms of training, in terms of the focus we place on



HOUSE OF COMMONS

safeguarding, in terms of how inspectors conduct themselves during the inspection, safeguarding is the key consideration for us. I cannot make Government policy here this morning by saying that all schools should be inspected in one way or another. However, I can assure you that these discussions do go on regularly with DfE officials on how best we can work together.

Q61 **Chair:** Ofsted must have a view on how this should be dealt with, surely.

Victor Shafiee: It should be dealt with firmly. There is no place for the kind of allegations that we have heard to take place in schools. Children need to be safe in school. Parents need to feel that their children are safe in school. As I said, we stand ready to support the Department to make sure that schools do a good job by their children.

Q62 **Chair:** Thank you. I am going to move back to our home education inquiry now.

I will ask Wendy and Ellen specifically this question. How consistently do councils carry out their duties with regard to home education, including support for families electing to home educate?

Wendy Charles-Warner: That is part of the main challenge facing all stakeholders, there is not consistency. That is not a fault on the part of the local authorities, per se, it is to do with lack of training and primarily lack of understanding. When you have no training as a local authority officer, and research has found this is the case, you cannot understand the different forms of home education and why children are home educated.

There is a culture of schooling at home in some local authority areas. In practice, local authority officers have different levels of understanding and those different levels of understanding translate into different levels of service. In general terms, a lot of local authority officers do a very good job but there are areas where that lack of understanding leads to a poor service. That poor service then extrapolates into home-educating parents not wanting to engage with the service, and we get lines of division being created because of that lack of understanding.

Ellen Collier: Local authorities need to interpret the regulations and the guidance available to us. That is clearly where we need to focus our energies in terms of making decisions about policy and procedure. Local authorities liaise with each other as well. There are forums so that local authorities can discuss the processes that they employ in their own areas to try to achieve some consistency. However, because it is a matter of interpretation, there will be differences in procedure and the support offered to parents. I think that is inevitable with something like this area of work.

Q63 **Chair:** Briefly, the DfE guidance says, "authorities should ordinarily contact home-educating parents on at least an annual basis so the authority may reasonably inform itself of the current suitability of the



education provided.” How often does this happen in practice?

Dr Fensham-Smith: I completely concur with Wendy. One of the biggest challenges is the lack of best practice and knowledge of what works in that soft engagement and what promotes engagement among families.

While the AEG and other bodies have their own forums, that transparency, mutual recognition and understanding is significantly lacking. How local authorities approach assessing suitable, efficient education is completely varied. There is a lack of clarity on that, and we need better evidence to inform policy in this area.

Ellen Collier: I can speak on behalf of my local authority, Leicester City Council. We have an annual cycle of revisiting the education that parents are providing to their home-educated children. That follows the process that I will, very briefly, describe.

When we first become aware that a child is home educated, the first point of contact is usually an education welfare officer, who seeks to have a conversation with the parent. It is quite an important early contact because sometimes parents think that somebody is going to come and provide something to the child, which does not happen a lot but it does still happen. Then that education welfare officer will pass on the child’s case, with some brief information, to our home education adviser for a process then to start, which is asking the parent for a plan. We give them a document to complete, to share information with us. They can choose to do it another way if they would like. Then after six months—from the point they start home educating—we ask them to give us a report of how it is going and then it is the annual cycle. That is what we seek to achieve.

Given the rise in home education there have been some delays, which are inevitable and unavoidable unfortunately because of the volume of children now. It is a bit of a challenge, but that is our process and we stick as closely to it as possible.

Q64 **Chair:** I have two more questions before I pass on to my colleagues. I know we are going to come on to the proposals for a register for home education. How can local authorities be confident they are contacting every family that has elected to home educate on an annual basis, as per the DfE’s guidance, without a complete and accurate database as to how many children are being home educated and who those children are? If children never enter a school setting, there will not necessarily be a record of their having left the school and, therefore, the local authorities will not be aware of who those children are.

Ellen Collier: Once we become aware of a child in education services, their details are captured and we use a database to prompt us to undertake the relevant checks. Therefore, once we know about a child, they are in the system and we assume the responsibilities around



HOUSE OF COMMONS

children missing from education, which obviously has a knock-on with checking that children are receiving suitable home education.

We do find out about children who have never been on a school roll, but that is not 100% reliable because we find out about children sometimes who have been home educated for an extended period. Therefore, clearly there is an issue. We all know there is a significant possibility there are lots of children out there who local authorities do not know about.

Talking about a register, we are in support of that. However, I would also mention that a register needs to have something at the end of it. If the parent moves on, the parent would have to advise the local authority. There would be some duty to share information about the fact they are leaving an area so we can safely hand the child on to another local authority or at least know they are no longer in the country. Sometimes families go abroad.

Q65 Chair: Finally for now, in 2019—please, Victor or Wendy, feel free to answer this as well—ADCS reported that a combined total of 1,400 school attendance orders had been issued across 61 local authorities relating to the suitability of home education. That is an increase of 171% since 2018. What are the reasons for this increase?

Victor Shafiee: Local authority officers who I speak with tell me that the DfE's 2019 guidance has been helpful to them in terms of knowing what they need to do and how they need to work with home-educating parents. There is still more work to be done in that area.

You mentioned school attendance orders. We know that they are effective. We know that in a lot of cases, when local authorities start proceedings, children return back to school without an order having to be issued. That is a really good outcome for the children. We also know from the same survey that about half of local authorities have not issued any school attendance orders at all. There may be some good reasons for that, but we simply do not know.

Q66 Chair: Why is there a 171% increase since 2018 in school attendance orders?

Victor Shafiee: My colleagues are better placed to answer that. However, I suspect it is because of the rise in the number of children who are being home educated, and the fact that the DfE guidance has been effective in bringing a level of clarity here.

Wendy Charles-Warner: I was just raising the data for that figure. I think you will find it is less for the last year. I am looking at my database. I am sorry I cannot get it up quickly enough to answer that question.

Chair: The figure I have is since 2018. Even if it is slightly different, it will still have gone up enormously.



Wendy Charles-Warner: What we are finding, and what I find rather concerning, is that some local authorities are issuing section 437 notices, and indeed school attendance orders, without having a proper basis for doing that. We have local authorities that are issuing them because the parent has not provided information in the format that they prefer. That is not a cause to issue a school attendance order, or indeed a section 437 notice. In fact, the level of grievance that we find in home-educating parents about local authorities doing that is causing a further and increasing breakdown in engagement in all local authority areas.

Where you have excellent practice, where home education officers are doing a really good job, they are finding lowering engagement because of the minority of local authorities that are not engaging in a way that is actually compliant. It is so concerning that court proceedings have been taken in one local authority area. We will not discuss that, only to say a parent should never have to come to the point where they feel that is necessary.

When I look at my data—I have collated this data, and the completion was only this week—I have one local authority that has issued notices in the last term alone to 40% of the parents. That cannot be realistic. Therefore, I wonder whether local authority officers are feeling pressured into, perhaps, getting children back into school or taking steps further than they need to. I think we need to take that pressure off those officers.

Ellen Collier: It would be really helpful if any revision of the regulations and guidance includes a very clear piece of information for parents about what they are required to do in terms of sharing information with the local authority. I completely agree with Wendy, the format in which a parent shares information should not be predetermined. There should not only be one acceptable way and we are very clear to say, “or in a way of your choosing.” However, where we ask for some specific information—for example, photographs of the child’s activities or what they are producing—it would be helpful if parents understand that the local authority is only asking for that because we need it to be able to make the judgment and that they should share it. I think because the guidance does not make that clear, does not include that as a responsibility for parents, it leads to mistrust and misunderstanding.

Q67 **Chair:** The reason for the increase, in a nutshell, of school attendance orders?

Ellen Collier: I do not believe we have had such an increase locally. I think we have always interpreted the guidance in the way it was intended to be interpreted. We have always used school attendance order procedures where we need to.

Chair: I am talking about nationwide, though.



HOUSE OF COMMONS

Ellen Collier: Nationwide, my view would be that it is highly likely to be linked to the increased transparency in the guidance that changed in April 2019. Local authorities were clear for the first time.

Dr Fensham-Smith: I think in this case it highlights the need for further evidence. We do not know much about the breakdown nationally, so we do not know if in some areas there is a disproportionate reflection and in others there is not. Again, most of the data and research obtained from freedom of information requests is limited in that it also necessitates that local authorities themselves have accurate data management practices. I am sure lots do, but others maybe do not. We do not have that overall knowledge and that consistency to determine what the causal factor is.

Victor Shafiee: It is worth saying that Ofsted does not have a role in inspecting home education and home-educating parents. I want to highlight that we need to move away from a situation where local authorities appear to be in conflict with parents. We need to move to a position where local authorities are seen by home-educating parents as being a service provider, to help them and support them, rather than to get into a situation where parents feel local authorities are not helping and are there to hinder them, and local authority staff, who are really hardworking, feeling that parents are frustrated by them doing their work. We need to move away from the debate of home education good/home education bad towards an accommodation that we can all agree on.

Q68 **Chair:** Wendy, have you still got your hand up or is it just that you have not taken it down?

Wendy Charles-Warner: Yes, I put my hand up to pick up a point that Ellen made, if that is all right.

Chair: Could you do it very briefly, because I want to bring in Fleur now?

Wendy Charles-Warner: Ellen, with the greatest respect, has just stated that her local authority does not specify how evidence will be given and has then gone on to say, "but if we ask for photographs we expect people to give them." This is an example of the misunderstanding. There is a two-stage process. The first stage is the local authority satisfies itself proportionally, looking at the evidence the parents provide. Only after that stage, if it appears that the education is not suitable, should the local authority be asking the parent to satisfy the local authority. We are getting a conflation of those two stages.

Chair: Thank you. Fleur is going to chair the next section.

Q69 **Fleur Anderson:** Good morning to all the panellists. I am going to ask questions about support for elective home education and local authorities' duty for that, then maybe some more on uncovering some of the inconsistencies that you have already been talking about and looking at how we could address them as well.



HOUSE OF COMMONS

Wendy, the Committee has received many submissions setting out the reasons why families might elect to home educate and the many benefits that children derive from this. However, what challenges do home educators face?

Wendy Charles-Warner: The challenges are on all sides. It is not just home educators, there are challenges for local authorities. The big challenge for me is the lack of mutual understanding. We need a needs assessment of what support people want, and we need a needs analysis: do they need support and, if so, what is that support? We have to bring all the stakeholders together in understanding.

The challenge for parents is often experiencing their local authority as not being benign, which is often not the fault of the local authority. That can reduce signposting to support, and it can reduce engagement. That then triggers a challenge for the local authority. The local authority then sees that lack of engagement and does not know how to respond to it. There is a huge lack of understanding on both sides. Of course, parents also have the problem of a media rhetoric of home education bad, school good. That simply is not correct. It is a choice. We have to recognise that parents choose in the best interest of their children, and that choice, in the best interest, can be school or it can be home education.

Q70 **Chair:** I should have asked you all to introduce yourselves to the public at the beginning, and I did not do so. I apologise for that.

Dr Fensham-Smith: My name is Dr Amber Fensham-Smith. I have been a researcher of elective home education for the last eight years and I am a member of the Open University.

Wendy Charles-Warner: My name is Wendy Charles-Warner. I am a trustee of Education Otherwise. I have been involved in home education for approaching 40 years, having home educated my children and grandchildren. I provide an advisory service for home-educating families.

Ellen Collier: Ellen Collier. I am the service manager at Leicester City Council's education welfare service.

Victor Shafiee: I am one of Her Majesty's inspectors. I am the deputy director of Ofsted responsible for independent and unregistered schools.

Chair: Thank you. I ask you all to be as concise as possible in your answers, all of you, because we have loads to get through.

Q71 **Ian Mearns:** A previous iteration of this Committee, when it published a report about home education in December 2012, heard evidence that somewhere between 20,000 and 25,000 young people, children, were being home educated at the time. The latest ADCS estimate that we have seen shows that there are something like 75,000 now. That figure may not be accurate but it might be of that nature, somewhere close to that, we do not know. That is a significant difference, between 20,000 to 25,000 back in 2012 and 75,000 now.



HOUSE OF COMMONS

Why do you think that is? I would like to ask the whole panel: why do we think that is? Why is that number so different? Why has it grown so exponentially, if it has grown at all? I see Wendy shaking her head somewhat.

Wendy Charles-Warner: I was shaking my head in agreement with you that the data is not accurate. I have just completed the most accurate data I can from freedom of information requests. We have to accept that part of the rise is to do with parents trying to protect their children's best interest. The Children's Society report highlighted the fact that British children are among the unhappiest in the world, certainly in Europe. A lot of that comes from school culture, bullying, exam stress and pressure.

I have been researching the reasons why parents are home educating. It has been quite shocking to watch it, each tranche that I have asked the question. The parents who are responding, "to protect my child's health needs, including mental health needs," has risen from 11.4% last year to 17.8% in January to March. These are parents coming new to home education; therefore, concerns about their child's health, which is primarily mental health.

The other main reason given in the last year, which has surprised me, is that 17.8% of parents this quarter have said to me that Covid-19 gave them the opportunity to see how much their child thrived at home. These parents, who had not thought of home educating, had that experience during the lockdown, have realised how much happier their child is and have decided to take the plunge and home educate.

Ian Mearns: To be fair, Wendy, the ADCS figures are from last year so probably have not been impacted by the Covid statistics.

Wendy Charles-Warner: Going back before that, the main reasons that parents give, and have given over the years I have researched this, are that they believe home education is better than school, they are dissatisfied with the school system and, worryingly, the perception of parents that their child's special needs are not met in school.

Q72 **Ian Mearns:** The thrust of my question is whether the numbers are accurate. If they are not accurate, what are the numbers and what are the reasons underpinning the numbers? I am not sure we have covered that, Wendy.

Wendy Charles-Warner: That is fine. The numbers known to their local authorities, which from my research is roughly 97% of children, on 7 January this year were 82,132 children. That number has risen. It is primarily, from what I can ascertain from my research, a result of people becoming more aware that home education is a viable, legal and equal option. Part of that has been that negative reporting by the press has highlighted home education. People wanted to know more about it, investigated and thought, "Yes, this is for me."

Fleur Anderson: Thank you, Wendy. We have quite a few questions to



get through, so we will move on from there. However, it was very helpful to get the figures and to realise that the challenges are increasing with the increase in numbers of children being home educated.

Q73 Ian Mearns: What we did not get is whether there is an alternative answer to the question. I am not really sure if there is, but I think the other witnesses should have an opportunity to answer.

Victor Shafiee: It pains me to say we simply do not know. With all due respect to Wendy, we are guessing at this. What we need is a proper way of collecting the data so we can all know the reasons that parents tell us and the reasons that home educators tell us, rather than us just guessing why the numbers are increasing and why parents are taking children out of school.

There is not one type of home educator. That is a key aspect for us to be able to tease out the problem. We come across parents who take children out of school because they want to isolate them from mainstream education and the values of that education that they do not believe in. Then there are parents who are good at educating their children at home and who do it for the right reasons. They have the resources, have the time and want to do well by their children. The spectrum is far too wide for us to think about just one type of home educator and a couple of reasons why parents take their children out of school. We need proper data to make proper analyses and make proper policy as a result of that.

Dr Fensham-Smith: First, I would like to draw a distinction between advocacy-based scholarship, which has not been through peer review or any ethical approval, and the emerging academic research base that has surfaced over the last 20 years. That includes over 30 different doctorates. Parental motivations have been studied. There have been lots of efforts to classify home educators. I completely agree with Victor's point. It is a spectrum. Rather than understanding positives and negatives, right choices and wrong choices, we should be understanding the push and pull factors that push a family towards home education and pull it away from school. Those can have a range of different reasons across a highly heterogeneous group.

Secondly—and there is evidence and my research demonstrated this—reasons change across time depending on whether home education is a short-term, medium-term or long-term intervention. When identifying a direct causal factor, even within a family, the reasons might be different. It is a pointless exercise. We should be understanding those push and pull factors.

Q74 Fleur Anderson: Wendy, briefly, how consistently do councils carry out their duties with regards to home education? Ellen has outlined the duties that Leicester provides. Is that consistent across local authorities and the support they receive?

Wendy Charles-Warner: No, absolutely not. We have local authorities throughout the country, and by far the majority are doing a decent job



but there is no consistency. Some local authorities will insist on seeing parents three-monthly. Some local authorities will routinely refer to social services. Other local authorities offer support to parents. We have some excellent practice, but we also have some very poor practice. It is a very poor postcode lottery.

We need a needs assessment of the support required by parents and local authorities, and we need to analyse that. Unless we target support based on good quality research, we are wasting any resources we throw at support. We need to examine what is needed.

Q75 Jonathan Gullis: I was wondering what the witnesses thought when it came to the duty of local authorities. There was a Bill in the last Parliament from Lord Soley, which I supported, called the Home Education (Duty of Local Authorities) Bill. It said that anyone who home educates would have to be signed up with a local authority so we have an element of safeguarding that can be undertaken.

Do the witnesses believe this is an appropriate measure to ensure children are protected, particularly when families may move across county boundary lines and, therefore, unless children are registered with a GP, could be missing off the system?

Wendy Charles-Warner: I find it sad that a Bill should be supported that effectively treats every home-educated child as if they are a child going through assessment under the Children Act, section 47, which is an assessment of whether that child is suffering significant harm. The Bill broke down relationships between local authorities and home-educating parents even further than they were already broken. We cannot treat a cohort of families as if they are abusing their children. The assumption in that is offensive to those families. Families were aggrieved by that. We simply cannot treat families in that way unless there is a good evidence-based reason for doing so. Without research to find an evidence-based reason, to go ahead would simply be morally and legally indefensible.

Q76 Jonathan Gullis: Wendy, would that simply be putting home education on a par with what happens in schools? I worked as a teacher for over eight years. At the end of the day there is a duty of care. There is safeguarding. There is everything that goes into the system. All we are doing is asking that home education has that same level of safeguarding in place.

Wendy Charles-Warner: No, it is not on a par with schools. In fact, the research I have done found that home-educated children are referred to social services considerably more often than schoolchildren, yet they have a similar level of child protection plans. The majority of those assessments are for children who do not require support from social services. There is a misunderstanding about children who are home educated being invisible or unseen. They are not. They are just differently socialised. They are seen in different ways. When we judge how a child is visible by school norms, we are excluding the visibility of those home-



educated children. No, it would not put them on a par. It would put home-educated children in a stigma—

Chair: Sorry to interrupt, everybody. We have so much to get through. I do not just mean you, Wendy. There is a lot to say. Could all witnesses be really concise? Thank you.

Fleur Anderson: I have questions from Caroline, Tom and David. Could you each ask your questions and then we will put them to the panel, rather than taking them one by one, which is going to take a long time?

Q77

Dr Caroline Johnson: My question is in relation to what Amber said about evidence on parents' experiences, motivation and so on. What evidence is in the literature about students' experience and children's experience of home education, their views on it as children, their views on it as adults and their thoughts on educating their own children?

David Simmonds: I have two questions. Picking up the point about section 47 and child protection inquiries, it is used by local authorities because it is the only tool available when parents are unwilling to engage. I am interested in the perspective of the panel on what changes, whether in the form of amendments to the Children Act or alternative arrangements, could be made so there is a way for local authorities to discharge their legal duties in respect of ensuring children are getting sufficient education without having to go down the section 47 route.

The second question is about consistency. I am interested in the panel's views. Given how local authorities are hugely differently funded, how would home educators most effectively engage with schools forums to make decisions about how to fund support that would be provided to groups outside of the mainstream schools in that local area from the education budget so that the varying needs of home-educating communities in different local authority areas can most effectively be provided for?

Tom Hunt: I have a lot of sympathy for the point that Wendy made about special educational needs and parents not feeling as though they are adequately supported. That is a huge issue in society that we need to face.

The problem I can see—and I come at this as someone who does not have a significant background in this issue—is that it seems to be a very polarised debate. There seems to be a lack of acceptance from the proponents of home education that there may be some examples where it is not a great thing. Life is complex. Of course, there are going to be some examples where it is not a great thing and we have to be open about that. In the vast majority of cases, parents think long and hard about what is best for their children and they care passionately about their children, but I find it inconceivable that there will not be examples where, actually, parents are not making the right decisions for their children and parents might not have a full enough appreciation of the complexity and what it takes to lead home education.



HOUSE OF COMMONS

It would help the debate about home education if there was more acceptance from the proponents of home education that sometimes it might not be the best thing. That could help us move along. I know that is more of an opinion than a question, but do you think it would help the debate?

Fleur Anderson: From me, before we go back to each of the panellists, we have heard about a lot of inconsistency, which is concerning. As Tom and others were saying, there is a lot of good practice, but we are concerned about those children who might fall between the cracks and about people who would try to game the system and then discredit the system altogether.

We have heard about the vital importance of peer support and expert evidence, but how can we be sure that all families are accessing these networks and this support, given the inconsistency of approach by local authorities that has been talked about? Maybe, Ellen, you could talk about your experience in Leicester and about how many children are falling between the cracks.

There are a lot of questions there. I will go to each of the panellists in turn to talk about which questions they would like to answer. Victor, can I come to you first?

Victor Shafiee: I will answer Jonathan's question about the registration of home education and how it should be answered, and then I will come to the questions that David and you have posed around what we can do to improve the system.

There should be a mandatory national register for home-educated children. It should be light touch. It should not place too much burden on parents. It should seek to get just the right level of information that we need, you need as parliamentarians and the Department need as policymakers to bring light to this area of the education system.

Moving on, in terms of what can be done to make sure children are caught, the guidance on working together to safeguard children does not cover how agencies should work together to safeguard home-educated children. This should be reviewed. It is an easy thing to do. It will not need primary legislation. It can be done quickly. It needs to be brought together with the guidance on home education that the Department published in 2019. The "Working Together" guidance is silent on home educating children and is predicated on children who are being educated in school. "Keeping Children Safe in Education" provides detailed guidance on what we should do to protect children when they are in school. We need something similar for children who are not in school.

Dr Fensham-Smith: I am going to be concise with three quick responses. On registration, it would be helpful to look at other models that have been adopted in Tasmania, Australia, and the relative success



they have had in achieving parental engagement, which is the real issue here.

On the question raised by Caroline, the literature on children's experiences and how they come to make sense of their experiences of being home educated is sparse. We need longitudinal research that looks over time at how those children and young people have experienced life in a variety of different ways. The little research that does exist suggests a stronger sense of self-motivation in terms of learning but also, as Tom pointed out, there are challenges. Those were visible in some of the areas in my research, but that is only one of four studies that prioritised the voices of children. That is limiting our understanding. Children's voices should be heard and they should be taken into account when we are talking about this area of policy.

Fleur Anderson: Amber, do you have anything to add about local authority support for home educators?

Dr Fensham-Smith: One important area raised in a previous oral session is around the extent to which home-educating parents who do not have pre-existing education, health and care plans are able to access assessment. That is not to say the outcome for home education in those cases is going to be negative, but local authorities have a responsibility under the Children and Families Act to identify children with special educational needs. That area needs to be looked at and is an area of concern to the Committee.

Ellen Collier: I feel it is important to confirm what has been said about the fact that there are children who come under the banner of home-educated but are actually missing from education. In my experience, we do identify those children. We have to exercise a proportionate response. I am well aware of that, and I try to bring it into our daily practice. In doing so, I suspect we have some false positives, children who are left with home education status but who would actually be classed as missing from education if more were known.

Q78 **Fleur Anderson:** How can you be confident about the number of children you can identify who are in that small number?

Ellen Collier: It comes back to the information we ask for from parents. Often it will be information describing the resources being used, the activities and so on.

Of course, that goes some way to reassuring us, but we cannot see what the child is actually doing. That is where the exercising of a proportionate response comes in. We do not want to ask for too much from parents. We would go the extra step and ask them to provide X, Y and Z and be more prescriptive only when we feel we have to. In not doing so, we would not be doing our jobs properly. It is difficult to get it right all of the time.

Q79 **Fleur Anderson:** Absolutely. How can you know what you do not know in terms of those parents who do not respond to you?



Ellen Collier: Exactly. If we do not get any response, we have to rely on the regulations about children missing from education. We would have to say, "It appears to us that your child is not receiving a suitable education," and start to move through the school attendance order procedure. That unlocks situations sometimes, and some children can quite happily be put back under the home education banner. In other cases, we go all the way through to court. Children do end up going on school rolls before we get to court sometimes.

It is a difficult task. We do our best with what we have in terms of the guidance and regulations.

Wendy Charles-Warner: Ellen has summed it up. If the local authority is using the existing powers and the existing system, an officer who is well trained will readily pick up where a child is not being properly educated. I agree with Tom. In any cohort of children, you will find some who are not receiving a proper education. That applies to schools just as it applies to home education. If a local authority officer has good quality training, if they ask for information and if the family provides that information, then that should be enough for a competent officer to take the next step should they need to. That competence, and the training to acquire that competence, will matter in those cases.

Q80 **Fleur Anderson:** If a family feels they are not getting peer support and expert advice from a local authority, would we be able to know? How many families do not feel they are getting the support they need? Is there that kind of information?

Wendy Charles-Warner: The number of families not involved in networks is very small. It is difficult to know exactly what it is, but I know from my own experience that those very few families who are not known to a local authority are certainly known to support networks.

However, I would like to see local authorities promoting local support groups and networks. All local authorities should be doing that. We cannot criticise parents for not socialising their children if we are not providing them with signposting to how they can meet other children. That would be a good step to take.

Fleur Anderson: That is another inconsistency.

Chair: Thank you. I am going to pass on to David Johnston to chair the next section. David Simmonds had a question that you might want to bring into this section.

Q81 **David Johnston:** Thank you, Chair. We have had a number of people submit to our inquiry that off-rolling and unregistered schools are not a problem of elective home education. Victor, do you have a rough idea of how many of those in unregistered schools are nominally receiving elective home education?



HOUSE OF COMMONS

Victor Shafiee: There is no data on unregistered schools. Because of the nature of unregistered schools, it is difficult to quantify how many unregistered schools are out there. I can tell you with certainty that we are looking at more and more unregistered schools. We started this work in around 2016. At the time I was told that there might be about 24 unregistered schools that we needed to investigate. So far, we have looked at about 700 potential unregistered schools, and referrals keep coming in. They have during the pandemic, too.

We cannot inspect all of those 700 because we need reasonable cause to believe that unregistered schools are operating before we can inspect them, and that is a very high bar. Of those we have inspected, about a quarter tell us that the children are being home educated. More worryingly, three of the four settings that we have successfully prosecuted told us that the children, who were attending full time and getting all their education in these settings, were being home educated.

I do not agree that there is no link between home education and unregistered schools, but I want to make the point that we are talking about sham home education here. We are not talking about well-intentioned parents who are doing a good job for their children. We are talking about situations where parents are duped by settings and told to sign letters saying their children are being home educated when, in fact, they are attending illegal schools on a full-time basis.

Q82 **David Johnston:** That is interesting. You say there is no data, but there is data in there saying that you have had reports of at least 700 of them. What is the typical description you are given of an unregistered setting? What is the rationale of the duped parents to sign letters? What is driving that?

Victor Shafiee: There is data that we have been collecting, but it is not comprehensive. It tells us only what we have found so far and the referrals we have received so far. We do not know the extent of it right across the country. The scale of the problem is not clear because of lack of comprehensive data.

In terms of the typical types of unregistered schools, they vary from alternative providers that start off with three or four children and are successful and, before long, local authorities place more children with them and soon find out that, in fact, they are operating illegally in that they have five or more children full time for most of their education, all the way down to schools that are really there to keep children away from mainstream education. Parents are duped because they are told that these schools will be able to provide the type of education that the parents wish to have for their children, and that is a type of education that accords with the parents' view of—

Chair: Okay, Victor, be as concise as you possibly can. Thank you.

Q83 **David Johnston:** Wendy, and then Ellen, should there be a statutory



HOUSE OF COMMONS

register of all children who receive an elective home education?

Wendy Charles-Warner: No, not until we have a needs assessment. We cannot base legislation on gut reaction, common sense or whatever you want to call it. We need to assess whether there is a need for a register, and we then need to analyse that need.

I would like to make a comment about Victor's comment. This is a problem for home education, not of home education. It would be good if Ofsted could create a register of all registered education providers. That would allow parents to check and not be duped.

Q84 **David Johnston:** To push you on that, Wendy, you want a register of education providers but you do not want a register of children who are home educated. What would be the problem with having such a register?

Wendy Charles-Warner: Parents perceive the problems in several ways. The main grievance or the main worry is that it is the thin end of the wedge. Currently, we have at least a dozen local authorities that are not complying with the legislation and guidance. If we then provide that additional legislative requirement, we enable those local authorities to act even more unlawfully.

I am repeating concerns that parents give to me. Some local authorities are already acting in anticipation of a register and telling parents that they need permission to home educate their children. They are rephrasing the dialogue to, "Consent is required," rather than, "You need to notify us." We need to assess whether we need a register and, if so, how it would work and how it would prevent what parents call "mission creep." That is the term I hear.

Q85 **David Johnston:** You are not necessarily opposed. You want to understand what it is going to do.

Wendy Charles-Warner: I want good quality research and a needs assessment. Do we need a register, and what is the analysis of that need? I am sure Amber would answer this better than I will. Without good quality research underpinning the need for a register, we should not be introducing one. If that research tells us we need one, of course I would agree with it. If that research tells us we do not need one, I would expect you to agree with that.

Ellen Collier: I have a brief on-the-ground observation from going back over various conversations. When a parent writes to a school to say that they are deregistering their child for the reason of home education and they talk about sending them to another school that no one has heard of and then you check whether it is registered, it is a significant red flag for all local authorities and one that we will pursue in the right way.

In terms of the question about a register, based on my own experience, I can only say that my experience tells me that it would have significantly helped a small number of children.



Q86 **David Johnston:** I can see that. A lot of the conversation this morning has been about the need for more data. Everybody thinks we need more data, yet there seems to be this resistance to a register.

Dr Fensham-Smith: I wonder if a register of elective home education on its own will solve the challenges that Victor outlined and whether it might need to be broader. As a precursor to that, I am not going to reiterate the points Wendy said. We need to understand the ways different models, connected to monitoring, might hinder the freedoms parents have to pursue a forms of education and a pedagogic approach that suits the interests of their family. The real sticking point is the monitoring element of it. Like I said, there are lots of different examples of how it has been developed elsewhere that would be helpful to look at.

Q87 **David Simmonds:** This may be a Victor question. In my local authority experience we had to use planning law to close down unregistered schools, where large numbers of children who notionally were electively home educated were, in fact, in a very high-risk industrial unit, not receiving an education that British or international law would, by any means, recognise as an education. That suggests to me that a register is the absolutely critical minimum for ensuring that children's legal rights are properly respected.

Secondly, I raised this question earlier, but nobody addressed it. Schools forums are the bodies that decide how to distribute resources locally. On the support side, how do you think schools forums could more effectively consider how the resources they already have could address some of the educational issues around elective home education more effectively?

Victor Shafiee: I agree with you about the school that you mentioned in a dilapidated office building. We have come across this too many times. It is not fair for children to be languishing in these miserable places most of the day. It is truly shocking. We have come across many examples of dilapidated buildings, industrial buildings with shutters closed and children who can't see outside. It just goes on.

In terms of whether we need a register, to take Amber's point, I agree that it needs to be wider than just children who are electively home educated. It should capture children who are receiving section 19 support from local authorities, for example, because we find that some children are placed by local authorities in unregulated schools. Sometimes they are quality assured and it is all done with good intentions, but it doesn't work out. Children need to be in good schools or be electively home educated by caring parents who know what they are doing. We need a system that catches all of that.

Q88 **Tom Hunt:** This is probably to Wendy the most. I can completely understand that, as far as possible, parents want to have an education that is centred around the very individual needs of their child. Also, as somebody who has learning disabilities myself and was an unconventional learner, I have a lot of sympathy. I was fortunate enough to be at a



school where they were able to cater to that, but many parents aren't in a position to do it. I am coming from that perspective. As a parent, if you have a particular approach that works for your child, which may from the outside look a bit strange but it works for your child—you know your child better than anybody—I am sympathetic.

You said earlier that inevitably in any cohort there are going to be examples where, for whatever reason, it is not working. The parent may have made the wrong decision and, frankly, it is not working and they can't see it. At what point, if ever, do you think the local authority should be able to intervene and say, "This isn't working. This cannot continue"?

Wendy Charles-Warner: The local authority already has the power to do that. The local authority can, under section 436A of the Education Act, make an informal inquiry of the parent. If that inquiry raises alarm bells, the local authority is obliged to ask for further information. If the local authority then thinks there is a basis to consider that it appears the education may not be suitable, and advice and support prior to that stage has not helped, then the local authority should step in with formal proceedings. That is absolutely right and proper in that minority of cases.

Q89 **Apsana Begum:** I have a few questions. First, what do you think are the differences between unregistered settings and illegal schools? I appreciate that some of the discussion we have had today is about how one may use the other to cover for what is happening. David used the example of how trying to get a school on a statutory footing, if you like, was done through planning law. It would be good to understand that.

Secondly, my understanding of elective home education is that the crux of it is self-directed learning, project-based learning and having autonomy to do that, and that having more intervention in some ways may take away from the definition of what home education should be. Particularly around registers, members of the Committee are talking about the benefits and positives of that. Is there a risk that it may also target some communities, and even tarnish some communities, in terms of home education, where home education is seen as something that is self-directed and allows the autonomy to practise education alternatively and differently?

A lot has been said about local authorities and the lack of support from local authorities. Is the question then that local authorities need to provide support to make home education flourish as a system of education, as opposed to putting in formal structures, school-like structures, around age-assessed learning and things like that? That would be helpful to understand what we are getting at in terms of local authorities.

Victor Shafiee: The definition of an independent school is where there are five or more children receiving most of their education, where there is a child with an education, health and care plan or where there is at least one looked-after child. There is a very tight legal definition of what is an independent school. Of course, an unregistered school is one that meets



HOUSE OF COMMONS

all those requirements but doesn't register with the Department for Education, which is the regulator in this space.

There are lots of unregulated, part-time, alternative provision settings that operate within the law, in that they have fewer than five children or they are part time, which means they are unregulated but are not illegal.

Dr Fensham-Smith: In response to Apsana's question, there is an undercurrent in some of the discussions around who is a proper home educator and the ways in which that might inadvertently exclude Gypsy and Traveller communities, who are legitimate home educators. They are entitled to pursue a form of education that is suitable to their different cultures. Different groups, following the decision to electively home educate, might experience inequalities of opportunity in terms of the ways in which local authorities engage with them.

There have been a few studies by Kalwant Bhopal and others on Muslim home educators and the ways in which they are sometimes associated with increased risk and anxiety. We need to be very mindful of different groups and the inequalities in the system that we don't want to exacerbate.

Wendy Charles-Warner: Amber has just covered one of the two points I was going to make in response to Apsana. The other one is that the Education Act, section 7, requires parents to provide an education that is suitable to their individual child's age, aptitude and ability. If you try to restrict and register—and the ways that local authorities are responding to the prospect of a register is showing that they are looking for school at home—you are restricting the parents' ability to provide an individualised education that is in the best interests of their child. It could be iatrogenic. It could create a problem that you are trying to solve.

Q90 **David Johnston:** Ellen, it seems to me you have a pretty difficult job, because local authorities have to balance their regulatory duties, which society rightly expects. Yes, children are the direct responsibility of parents, but it is in society's interests that all children have their welfare, their education and so on protected and at a certain standard, against the rights of families to home education. You have to try to balance these two things. How do you do that? What do you think the line is? Perhaps the line is in the right place; maybe it needs to be moved one way or the other.

Chair: David, can I suggest Fleur asks her question as well, then the witnesses can answer? Then I have a question, so if the three of us do it.

Fleur Anderson: My question is to Victor. If there was to be a register, and I understand the need for a lot more research into what the problem is that it is trying to solve and to make sure it does that, would your advice be for this to be national or local? As Ellen was saying, local authorities have that knowledge, they have that information about children, but there is also the problem of parents moving between local



HOUSE OF COMMONS

authorities. It could become quite cumbersome and a way in which children could fall between the cracks. There is also enabling and allowing an understanding of the Traveller community, who move between local authorities, and parents and others who move anyway. Would national or local be the best option?

Chair: I will direct my question at Ellen and possibly Ofsted. My local family hub is run by Virgin Care and Essex Child and Family Wellbeing Service, and it obviously says that the vast majority of children and young people who are home educated are being home schooled appropriately and safely, but there is no official information-sharing process in place between the agencies and those who are not home schooled, who may be experiencing harm, abuse and neglect that is going unseen. They think local authority education departments should be notified of all children and young people who are home schooled, so they can offer the same support and service to them as their school-going peers.

Ellen Collier: I would like to provide some reassurance that we don't have any expectation on what home education looks like. We are well aware that it is not about replicating what would be received if a child was in school. We are very careful to factor that into our decision making. It is something that surprises the wider community, the other colleagues who aren't familiar with home education and how it all works, and something that we are constantly clarifying to others, so just to provide that reassurance.

In terms of how we work through what is quite a difficult decision-making process, we try to consider each child individually and look at what we know about them, other than what the parent has been able to share with us. What else do we know? Has anyone else expressed concern? We put all of that together in our decision-making process. It isn't easy, because you sometimes feel you are scrabbling around for information and trying to make a safe decision. I think we are safe in the knowledge that the vast majority of parents do a very good job. What we are trying our best to do is to spot the ones where the children's voice is silent, where they are a child missing from education and where we need to do something for them. It is not easy. We do our best with what we have, and the majority of the time we probably get it right, but not always.

David Johnston: Victor, national versus local register, and then maybe Rob's question.

Victor Shafiee: We believe it should be national, but administered locally. It can't be that we have local registers and each local authority does its own. There has to be a consistent system designed by the Department and administered locally by local authorities.

David Johnston: Do you have any views on Rob's question?

Victor Shafiee: I agree. It seems bizarre that children who are on a protection plan can be home educated. The Department needs to ensure



HOUSE OF COMMONS

that legislation and guidance places a clear limit on parents' rights to home educate. I respect parents' rights to home education, parents who do a great job and want to do the best for their children, but when a child is on a protection plan, surely we can't have a situation where they can be home educated. That is the point.

Chair: Thank you. David, if you have finished, I am going to pass to Kim Johnson to chair the next session on assessment quality and outcomes.

Q91 **Kim Johnson:** Good morning, panellists. We touched on some of the questions earlier in the session but, Victor, you mentioned that there is a right and a wrong reason to home educate. Can you say how elective home education should be monitored, whose responsibility it should be and when it should be implemented?

Victor Shafiee: I think local authorities are best placed to do this. They know their local patch. Once there is a comprehensive register in place, they will be able to find out the needs of the parents. In the way I described right at the beginning, we need to look to local authorities to become hubs of support rather than means of forcing parents to do something they don't want to do. It should be left to the local authorities, with clear guidance, with clear resources and with the right legislative framework.

Q92 **Kim Johnson:** So you believe that Ofsted does not have a role at all in any of that assessment process?

Victor Shafiee: I think it would be disproportionate for us to consider inspection of parents who are home educating. As we said, the vast majority of parents do a good job and do it for the right reasons. It is a political decision.

Q93 **Kim Johnson:** Do any of the other panellists want to come in on that question? I know time is short. No.

Moving on to my second question, which is to Amber. What data do we have on outcomes for home-educated children? Is this broken down by ethnic groups? You mentioned looking at and recognising the needs of different groups. Do we know how many go on to further study and higher education, and what jobs or careers they end up doing?

Dr Fensham-Smith: It is quite a difficult one to answer, particularly because when children and young people grow up and become adults, there isn't necessarily a way of tracking that they were originally home educated. When you have graduate outcome surveys in the higher education context, that is where they get grouped under other colleagues.

I wanted to say that we don't have comprehensive research on the range of outcomes. I am not just talking about academic attainment, but different pathways. We have quite a ladder tertiary education system in England and, particularly for home-educated learners, it is important they have flexibility and access to a range of different opportunities.



Another area where further work is needed is how they access tertiary education using alternative pathways, so micro-credentials, some of the courses at OpenLearn, how they are using that to seek employment, but also around both hard and soft skills in terms of how they use that to negotiate living an independent life post-home education.

Q94 Kim Johnson: I think what we have discovered throughout the session this morning is that collection and collation of information is not good and needs to be improved. Victor, you wanted to come in, and then I will pass over to Caroline. Again, if you can keep it as succinct as possible, that would be great.

Victor Shafiee: In terms of outcomes for children, as other colleagues have said, there isn't a comprehensive database. I can tell you from the experience of inspectors who go to illegal settings and suspected illegal settings that they diminish the children's chances to become successful in their future lives. They do not provide children with good education, they don't give them the skills they need to be able to compete in the labour market. In fact, they are very bad for children.

Q95 Dr Caroline Johnson: I want to ask a question related to the outcomes for children. We know that, for children in schools, we monitor their ability to read and write, which is a reasonable expectation, and the vast majority of our children are able to do that. We also know it is crucial to participate in life and work as people are older. We measure children in schools at the end of year 6 to see how they are getting on, and we know that not all meet the required standard, but most do. What information do we have about the levels of literacy among children of that sort of age who are home educated? If we don't have good data, how do you think such good data can be obtained so that no child gets left behind on this vital skill?

Ellen Collier: We have some difficulty in knowing what levels children are at. What we try to factor in is that, when you have some information about the education a child is receiving and you can see the resources that a parent is using and sometimes examples of what the child is producing, a home education adviser, who then revisits the child's case in the future, usually on a 12-monthly cycle, is looking for progression. It is about progression for that child. I couldn't tell you what the assessment of the level of ability would be from that, but that is the individual approach.

Wendy Charles-Warner: We need to step away from judging children who are home educated by school-based standards. A lot of home-educated children are perhaps very advanced in one area and not so advanced in another. I can think of one example of a family of children and the one who read earliest didn't start to read until they were 10, and all those children as adults have postgraduate degrees. We cannot necessarily judge by the age at which they attain literacy skills. We have to judge by the child's own aptitude and ability.



Q96 Dr Caroline Johnson: I am just curious. The ability to read, write and do basic mathematics is clearly very important if children are going to be able to function as adults, managing their household finances, being able to work and such things, whether that is as an employee or self-employed. You are saying that it doesn't matter when the children attain these skills but clearly they need to attain them at some point. It is important for children's opportunities, which we all want to be good, that all children are able to achieve that if they have the capacity to do so. How can we ensure that it is happening for all children—it is a question particularly for Wendy—if you don't want any form of measuring? If you don't believe that 10 is the right age, what would be the right age to say that children in home education must at least achieve this standard?

Wendy Charles-Warner: There isn't a right age. This is the whole point. Each child has an individual aptitude and an individual ability. If you take a severely dyslexic child who perhaps also has dysgraphia, they are not going to be able to attain literacy very early on. You cannot set an age. We have to refer to the child's ability, the child's aptitude, and a lot of home-educated children don't write in the traditional way that you think of it at school. They might be using a keyboard, for example. A lot of children develop very good keyboard skills, and they can write well on a keyboard even if they are not able to handwrite. This is becoming increasingly common in schoolchildren as well. Schools, particularly for children with special needs, are encouraging keyboards. You can't set a set age. You absolutely have to look at the individual child. I think a good education officer, looking at a report from a parent, can see the child is progressing. That is the issue, the progress.

Q97 Dr Caroline Johnson: How do you know that the progress the child is making is the best progress they could make? Surely even if a child isn't able to read at 10, they need to be able to read by the time they are graded. I am not talking about children with a cognitive disability that means they are not able to do that, but for the vast majority of children with the cognitive ability to read, surely it is vital for us as a society that we ensure all children who have the capacity to read can read in order to live a full adult life and make a full range of adult choices.

Wendy Charles-Warner: Of course. Children who can read need to be able to read but, again, if a parent is educating their child, the parent knows whether or not that child is progressing. When they report to the education department, one of the important things that we stress to a parent is to give a very clear report on the child's literacy and numeracy, and to ensure they explain what progress that child has made. To turn the question around, how do we know that a child in school is attaining their individual potential in literacy? We simply don't. You don't know whether a child at any point has—

Q98 Chair: You do know, because you have SATs and other assessments. You do know how children are progressing in schools. That is not the case. That is completely misleading.



HOUSE OF COMMONS

Wendy Charles-Warner: No, no, no, I am not saying you don't know that they are progressing. What Caroline asked is how we know they are attaining their potential. You know from the SATs that they are progressing, but the SATs say how much progress they have made. It may be that you have a child who is gifted in literacy and it is not picked up by a SATs; it will not be necessarily. You know they are progressing. You will never know—

Q99 **Chair:** But you know whether or not they have met the standards they need to get on in life by doing these tests. That is very different from their potential. There is a minimum standard that they have to reach.

Wendy Charles-Warner: Exactly, yes.

Q100 **Chair:** If it happens in schools, why is it wrong to have some kind of assessment once a year for those children who are educated at home?

Wendy Charles-Warner: SATs are not designed to test the skills of the child individually. They are designed in part to understand how well schools are providing an education to the children. You need to have those tests in schools to ensure that the schools are providing the education because they are public services, which are funded by the public.

Q101 **Chair:** They are not just for the schools, they are for the children.

Wendy Charles-Warner: They are for the children to a degree, but they are—

Chair: They are absolutely for the children. It is nothing to do with the schools. It is for the children. Of course, the schools have to pass Ofsted and so on, but these assessments are for the children.

Wendy Charles-Warner: I think a lot of parents view them differently. I am not arguing the point, I am simply saying parents don't view them like that. SATs are used in school, at least in part, to ascertain whether the school is providing—

Q102 **Chair:** You said that the parent will know about the child's potential, and that will absolutely be the case in the majority of cases, but what about in those cases where the parent may have significant challenges and may not know the potential of the child?

Wendy Charles-Warner: In those cases, it will be picked up by a competent education officer following the existing process. I check education reports on a regular basis for parents. They ask me if I will look at their report to see whether they have covered what they need to. I have been doing this for years, just as Ellen has, and I know that Ellen can look at a report and she can think, "Mm, yes—"

Q103 **Chair:** But we already know there is inconsistency across councils, there is no register and we don't necessarily know which children are being educated at home. In the world we live in, that does not happen. It may



happen in some councils and some cases, but not across the board.

Wendy Charles-Warner: That is a problem of requiring better training for education officers. The recent research brought to light the fact that a lot of education officers in a lot of local authorities have no training whatsoever in education law or education guidance. They have no training. If they have no training, they cannot do their job well. What we need to address is the competence and training of the education officers. A competent education officer will always identify where there is a problem.

Q104 **Chair:** Victor, you go to schools and check on the progress of children and so on, yet you are saying you are reluctant to do this for home-educated children. I am not saying Ofsted should inspect, but you are reluctant for children who are being home educated to have any kind of standardised assessment, is that correct?

Victor Shafiee: I just want to be accurate here. I said that Ofsted is reluctant, or we think it is disproportionate for Ofsted to inspect.

Q105 **Chair:** That is fine, but I am asking whether a child who is home educated should have some kind of assessment to look at their progress perhaps once or twice a year.

Victor Shafiee: We agree that children who are home educated should have some kind of assessment, absolutely. The frequency of that, how it is done and whether it looks at progress, these are issues for the Department.

Q106 **Dr Caroline Johnson:** Wendy, you said that if they are not trained, they can't do their job. If you have a child of 10 who has normal cognitive development and normal cognitive ability, but is not yet able to read or write in the way we would expect children in schools to be able to read and write by the end of primary school, how does the education officer know whether this child is receiving a substandard education, whether this child is making very slow progress due to well-meaning but inadequate education or whether it is a choice by a parent not to educate their child to read until after the age of 10 because that is what they feel is the right thing for that child? Indeed, how does the welfare officer know that is the right thing for that child?

Wendy Charles-Warner: The education officer has the right to make an informal inquiry of the parent in respect of the home education. That informal inquiry includes asking about literacy and numeracy. When the education officer asks the parent about the child, the parent will provide information about the child's literacy. The parent will report back, "My child is reading X book, my child is writing X, Y, Z," and unless there is some good cause to suggest that the parent is being deceitful in their report, then that report can be taken. If you look at the report in light of any special needs the child has, the education officer should be able to assess whether or not that child is progressing. It is not the stage they are at; it is whether or not they are progressing that is very important.



HOUSE OF COMMONS

Q107 **Dr Caroline Johnson:** With respect, Wendy, that wasn't my question. My question was for a child of normal cognitive ability, no special learning needs at all. If we take such a child and they are not able to read at 10 because the report that comes back in response to the local authority is, "This child is not able to read *Biff, Chip and Kipper* yet," or whatever Oxford reading tree they are doing, do you not think at that point—

Wendy Charles-Warner: I would expect—sorry.

Dr Caroline Johnson: You have talked about children at 10 not reading. How does the education authority know whether that child is receiving inadequate education and, therefore, making slow progress or receiving a neglectful education and making no progress, or whether they are a child whose parents have made a choice not to teach them to read before 10? If they have made such a choice, what thoughts do you have about that?

Wendy Charles-Warner: The children I referred to, who were of an older age before they were reading, were severely dyslexic children. I was not talking about children of a normal cognitive ability. Where an education officer comes across a child who has no special needs, of a normal cognitive ability, and is not able to read at 10 years old, I would expect that education officer to question the parent as to why and to make further investigations. I think that our—

Q108 **Dr Caroline Johnson:** Sorry to interrupt you. On that basis, would you therefore support assessment of children at, say, 11 in the same way so that all children across the country get that equal level of opportunity, regardless of their form of education?

Wendy Charles-Warner: No, because what you are asking for is assessment of all children, where you are referring to the case of an individual child. Where an individual child may have a problem or their education may not be suitable, the education officer should be making further inquiries. They should, if necessary, go to a formal inquiry.

Q109 **Chair:** Children should be assessed at school but not have that opportunity if they are at home. Is that what you are saying?

Wendy Charles-Warner: You are describing it as an opportunity, and for a lot of children it isn't an opportunity. Coming back to the Children's Society report, we have some of the unhappiest children in Europe. One of the reasons for that is exam stress—

Q110 **Chair:** People can argue about the statistics. The correlation between that and education will be very interesting to see. I have not seen that report, but I suspect it has very different perspectives.

Wendy Charles-Warner: The report attributes a significant amount of that stress to their education settings, to school settings. But the point I am trying to make is that a lot of parents do not want their children to have assessments because of the level of anxiety those assessments cause to the child. To say, "I am giving my child a more nurturing, more one-to-one education because school does not suit them," and then to



HOUSE OF COMMONS

tell that parent, “We need you to test that child in order to match school-based standards,” is somewhat incongruous. I can see that Amber has been waiting to speak, and I know she has information on this.

Chair: I will bring in Amber. We needed to ask those questions to you. Caroline, did you want to come back at all?

Q111 **Dr Caroline Johnson:** I was just wondering about proportionality, that balance between the state having a responsibility to ensure that children are well nurtured and well educated and the responsibility of parents to do the same. When a child is taken out of such a school environment because it is more nurturing and beneficial for the child to be at home, do you think that requiring a test once at year 6—presumably most children will sit formal exams and GCSEs as a passport to further education and so on—just to make sure things are going okay is a disproportionately huge burden to set? It is an hour or so in a child’s life, a couple of hours I suppose, that a parent wouldn’t be able to provide a nurturing setting.

Wendy Charles-Warner: A couple of hours in a child’s life may not seem disproportionate to you, but to some children it does. I am aware of children who have been hospitalised due to anxiety because they are facing an exam or a test. These tests are to test the efficacy of school education quite often. Also children take tests to gain certain qualifications. Children who are home educated are aiming for different types of qualifications and a wide range of future employment. Again, you are looking at judging home-educated children by what is a school standard. The whole point of home education is it is home education; it is not school. While it may not appear disproportionate to you, it is putting a school-based requirement on children who are not being educated in a school-based manner.

Dr Caroline Johnson: I am aware others need to have a turn, Chair. I would just contend that reading and writing is a life-based skill rather than a school-based skill, but I will leave it at that.

Chair: I will bring in Amber.

Dr Fensham-Smith: That is a very good question, Caroline. Although we might have discussions about the frequency and when and how, I do think it is reasonable to say that, at the end of a child’s home education, they should have literacy and numeracy skills, because they have to compete in the labour market with children who have had a school education. Although we might disagree about when that is and how frequently it is, at the end of the journey I think that is reasonable.

At the very least, children should have the opportunity to take GCSEs. That is not to say they have to, but they should have that opportunity. It should not be left down to a postcode lottery, based on whether families can afford the GCSEs. It is highly unfair that local authorities like Hampshire provide subsidy towards the cost of GCSEs but others do not. It really disadvantages single-parent children and children from families from lower socioeconomic backgrounds.



HOUSE OF COMMONS

Q112 David Simmonds: I just wanted to probe a little further on this point about exams. I think what Caroline was saying is clearly spot on. We set standards that we expect children to be able to reach as a national thing. If we are saying there is a group of children where we do not give them the opportunity to meet those standards, we clearly have no opportunity to help them out.

A particular question perhaps for Ellen. In my experience of local authorities, educational welfare officers, who tend to be at the forefront of working with home educators, are usually among the most qualified and experienced people in any local authority. They do a difficult job, and it is not something that tends to be done by people who are not extremely highly trained and experienced. Are you aware of any specific additional training, above and beyond what is already built into the nature of those roles, that those officers could or should undertake that would enable them to address the concerns that have been raised?

Chair: Just before you answer, we have to do a minute's silence at 12 o'clock to remember all those who lost their lives to coronavirus. We will have to pause the Committee, but we will all stay online if that is okay. David Johnston, do you want to ask your question?

David Johnston: I feel there is a real defensiveness about this topic. Even when we have Government Ministers in front of us, it is not quite as defensive as it is when we want to talk about home education. Even if we accept that the vast majority of parents do a really great job home educating, we surely have to think about life beyond those years of education and give them some of the skills, from socialising to doing assessments, that they might have to do in all sorts of things in their future lives. Surely we have to make sure we have them do that for them to be able to rub along and compete with the world they are going into.

Victor Shafiee: The points that Caroline, David—and David just now—and Amber have made are very valid. If we look at it from an international perspective, what has been suggested here is very much at the lighter end of what other liberal democracies do. It is not in any way draconian.

Ellen Collier: In response to the question of training, the process that we follow in my local authority is very much on-the-job training and making sure that new members of staff fully understand their remit.

Chair: Ellen, I am going to have to stop you. We are going to pause now because it is almost midday. I do apologise. Thank you.

Sitting suspended.

On resuming—

Chair: Ellen, I do apologise. You were in the middle.

Ellen Collier: No problem. There is no learning module, there is no specific course to send a member of staff on. Our position is informed by our colleagues in our legal department, so we know that we are



interpreting the guidelines correctly. The 2019 clarification confirmed that to us. It is very much a case of making sure that colleagues understand the rights, responsibilities and powers that relate to children missing from education, the school attendance order procedure and learning to engage with parents to encourage them to work with us, just generally all those skills. There is no simple, "This is what we do with a member of staff. We stick them on that course." It is an ongoing process. I regularly talk to colleagues in my service about home education and remind them of various aspects of it.

Chair: Thank you. Tom Hunt is chairing the next section on exams.

Q113 **Tom Hunt:** This is to Wendy and Ellen primarily. What has been the impact of last year's exam arrangements on home-educated children and their families? How fair do you think this year's arrangements are for private examination candidates?

Wendy Charles-Warner: I think the impact last year was horrific. I operate the helpline for Education Otherwise, and I had young people ringing me in tears because they had lost college opportunities and job opportunities. One young man had deferred for a year due to being hospitalised and was told by his college that they could not hold his place any longer. It was horrendous.

A positive impact—if we can find a positive impact on exam arrangements—is that we have developed much stronger relationships with Ofqual, with the exam boards and with members of the DfE dealing with exams. Those relationships have developed and we have been able to discuss the problems. They have talked to us, and talking to each other builds relationships and helps to achieve greater engagement and greater understanding. At Education Otherwise we were absolutely thrilled when the DfE announced the exam funding for this year. We thought that was a very good, innovative and positive step forward.

Q114 **Tom Hunt:** My understanding is that Education Otherwise recommended that, taking all factors into account, private candidates should wait to sit external exams in autumn 2021. Has that advice changed in light of recent developments?

Wendy Charles-Warner: Absolutely, 100%. The announcement of the DfE funding allowed us to change that advice, because it enabled more children to access the exams. It hasn't completely overcome the difficulties, but it has made a good contribution, which enables a lot more children to take their GCSEs this summer. We very much welcomed that.

Q115 **Chair:** Amber and Wendy, I know you have your hands up. Don't worry, I will definitely bring both of you in. Just going back to the data, it seems to me from what you have said particularly, Amber, that there isn't enough data done by the Department on children who are home educated. We do not know about their outcomes, we do not know how many there are for sure across the United Kingdom, and we do not know about not just their educational outcomes but their educational progress.



HOUSE OF COMMONS

How could this be done? What would you do, Amber, to resolve the lack of knowledge and data that there seems to be?

Dr Fensham-Smith: It is extremely challenging to speak confidently and make generalisations across different divides. It might be helpful if this was obtained by the Department for Education, but also potentially by an external party. I think it needs to be impartial and rigorous. That might help. On the elements that were mentioned earlier around outcomes, just to return to that point, we need to take into account the UN Convention on the Rights of the Child and make sure that our existing policy reflects that when we are talking about outcomes. That is very important.

The points on training are equally important. I wonder about a good engagement project with local authorities, key organisations, parents, children and young people to produce training via the Open University. I think that would be a very good move.

Chair: I am a big fan of the Open University, so anything that it does I am absolutely supportive of.

Wendy Charles-Warner: Picking up Amber's point on training, I do apologise, I can't remember who said that all local authority officers are well educated and well qualified. That is not the case. We have seen advertisements—

Chair: It was David Simmonds who said that.

Wendy Charles-Warner: Sorry, David, I do apologise. We have seen advertisements for education officer posts where the only qualification required is three A-levels. I have been aware of home education officers who have no education qualifications whatsoever. Although it is most common, it is not universal.

On training and research, I don't think the Government are the right venue for doing the research. You do not have the access to individual home-educating stakeholders that we have or that people like Amber have. What you need is research that is undertaken by independent organisations who can access all stakeholders. Government research will not access all stakeholders.

Victor Shafiee: I think colleagues have made the point on inconsistency very well already. The ADCS survey does a very good job of giving us an idea of the scale of the problem. If there was a more consistent way of doing this nationally, that would be a lot more helpful, a kind of census.

Ellen Collier: When we talk about data and, particularly, the numbers of home-educated children, we come back to the question of registration every time because I strongly suspect, based on knowledge, that there are children who are unknown to support organisations and local authorities.

Chair: Thank you. Do any other members have any final questions they



HOUSE OF COMMONS

would like to raise? No. Then we have concluded our session today. I want to thank all of you very much for a long session and for answering our questions as fully as possible. I wish you all well in your respective bodies and organisations. Thank you.