

Written evidence from Camilla Jones (CWS 01)

Education Committee Children's Wellbeing and Schools Bill

Introduction- our experience of home education

We are one of the thousands of families who started home educating following the pandemic. Covid has been cited as a major cause of the rise of anxiety and mental health issues in children and the subsequent withdrawal of children from the school system. This is a gross oversimplification.

The reality is that the pandemic exposed the reality of a highly outdated school system, and showed us another way. By another way, I do not mean 'school at home' with the worksheets and misery that brought to families. It was very quickly clear that both the environment and the tedium of the work were the reason we had struggled through the first couple of years at school with our son, and that a) he was much happier at home and b) we could facilitate his education in a much more effective way than the school could.

Attempting to get through endless boring worksheets to try and teach a miserable seven year old about fronted adverbials had only one outcome- which was that he refused to read fiction for at least a year.

Like many home educators, we are extremely concerned about this bill. I have outlined the specific points below and explained why I feel they need amendments, but further to this, the tone and implication is that home educating parents are not safe to, or capable of, teaching and caring for their children without heavy supervision. If this bill goes through in its current form, we feel we will be guilty until proven innocent.

There has never been a better time for children to be home educated. There is unlimited information available to them- they can learn anything at all at any time from the greatest minds in the world, in a way that suits them. As parents, we do not necessarily teach, we facilitate learning, we learn alongside our children, we explore and investigate with them.

There has also never been a greater need for home education. Schools are increasingly becoming a hostile environment for a lot of children. 92.1% of children who experience school distress are neurodivergent according to a study from 2023 titled 'School distress and the school attendance crisis: a story dominated by neurodivergence and unmet need' (<https://pubmed.ncbi.nlm.nih.gov/37810599/>). This is echoed by our experience - every home education group we go to is full of wonderful, interesting children who have so much to offer, but who cannot tolerate the ever more draconian school system. These children need autonomy over what they learn, they need to move while they learn, they need to be able to go off on tangents and deep dive into rabbit holes of information.

Much of a school education is based on the temporary memorisation and regurgitation of information. The information itself is not necessarily of interest to the child, and therefore is very likely not to be retained for long after the exam is over. As an employer, I see a

worrying trend of young people who appear to be unable to think for themselves, solve problems, manage their own time or work without endless instruction.

My final point before moving on to the specifics of the bill is that the greatest risk to children's wellbeing is the current school system. Demanding unquestioning compliance, denying bodily autonomy and expecting obedience to those in authority are all precursors for abuse, and the statistics for teacher to pupil and peer to peer abuse in schools are horrifying.

In the teacher misconduct panel outcome reports published on the gov.uk website there are reports that have been published in just the **last three days** of:

- A teacher convicted of:
 - a) Four counts of assault of a child under 13 by penetration
 - b) One count of sexual assault of a child under 13
 - c) One count of sexual assault of a child
 - d) Eight counts of rape of a child under 13
 - e) Three counts of taking indecent photographs of a child
 - f) One count of indecent assault on a male person
 - g) Two counts of rape
 - h) Three counts of making indecent photographs of a child
- A teacher who was convicted of assault for beating a child
- A teacher who was convicted of
 - a) Attempting to engage in sexual communication with a child contrary to section 15A of the Sexual Offences Act 2003
 - b) 3 counts of making indecent photographs or pseudo photographs of children
- A teacher convicted of:
 - a) Sexual assault of female child under 13 between 01 September 2015 – 18 July 2017
 - b) Sexual assault of female child under 13 between 01 September 2015 – 18 July 2017
 - c) Sexual assault of female child under 13 between 01 September 2015 – 18 July 2017
 - d) Sexual assault of female child under 13 on 14 June 2018
 - e) Engage in sexual communication with a child on 14 June 2018

In order for children to be safe, they must be able to say no, to feel safe to challenge adults if they are behaving inappropriately, and to have their voices heard.

The specific areas of concern in the bill are as follows:

Section 24- This expects LAs to refuse consent to deregister if there is a child protection case, or assessment in process. This would be problematic for families who are on CP for issues not relating to their parenting or the home. It also expects LAs to refuse deregistration from special school if the LA determines it not to be in the best interests of

the child. This could be misused by schools providing the LA with incorrect information. The LA does not know the child best, so this section needs rewording to protect all children and address each situation individually.

An example of the harm that this could cause was highlighted in one of our local groups. A social, energetic child with Down Syndrome was placed in a specialist school who felt they could meet his needs because they had had children with Down Syndrome before. He spent his days in a small classroom, very occasionally allowed to go outside into a small space that resembled a prison yard. He was scared and isolated, and spent much of his time in a corridor, repeatedly asking for his mum. When he started to protest going in to this environment, the staff pressured his mother to 'dump and run' so that he could be locked in to the building. There were numerous incidents, which the school admitted could have been prevented if they weren't understaffed, and yet their opinion was that this was preferable to home education. The staff treated dysregulated behaviour as normal, and were desensitised to the needs of the child. Luckily, they were not able to override the parent in this case, and this child is now thriving with home education. This section of the bill has the potential to inflict lifelong trauma on countless vulnerable children.

s24 8(b) could cause harm where the parents are separated due to abuse etc.

s24 12 automatically denies new deregistration requests within 6 months of previously being denied. This is dangerous due to children's needs always changing and family circumstances changing. Imagine a child on the CAHMS waiting list who, in that period of time, progresses from having mental health issues to becoming suicidal.

Section 25 Registration – this is wholly unnecessary as LAs already keep lists of home educated children. This register does nothing to identify children missing education.

436C part 1

The details required from home educators is excessive. No other group of people in the UK is expected to provide this level of information on their lives.

a) and b) is information the school already passes on to the LA on deregistration.

d) is not quantifiable in hours as home education is flexible- education happens at weekends, in the evenings, during conversations in the car, while travelling, at bedtime, while cooking- to home educators education is happening during all of the child's waking hours.

e) is absolutely not possible for the majority of home educators and will mean many styles of home education will not be possible as they cannot provide this level of detail. Part (iv) or e) will affect home educating individuals who arrange drop off sessions for children at an activity/event, they would probably stop organising valuable events.

Part 2

k) any other information should be written into the bill, not be added at a later stage in secondary legislation.

Part 3

LAs should absolutely not be allowed to add in their own criteria. They already misuse their duty, this would cause mass overstepping. If a register must be in place then the criteria should be uniform across all LAs.

436D

- 1 b) does this mean both parents need to provide the info?
- 2 a) the LA should not be allowed the freedom to ask for the information whenever they want, this needs limiting or some LA's will do it far too often.
- b) they cannot realistically expect home educators to update the LA every time they use a new group, website, tutor, etc. this is unrealistic information.

436E

- 1 a) and b)
- plus 3 a) and b)

The required information from unspecified groups will lead to groups refusing to accept home educators, will swimming lessons, language group lessons organised by a parent, scouts, home ed group outings to museums etc be included? This is too vague and open to an unattainable amount of information. Not all groups know a child is home educated as it is not a criteria to be known in afterschool and weekend groups. School children are able to attend many of the same groups, if safeguarding is in question then surely the information would have to be provided for every child attending.

436 F

- 3 open to misuse
- 5 is open to misuse and harm to families leaving certain LA areas. The register allows bias and opinion which could then follow the family to the new LA.

436 G

- 1 allows the LA to provide inaccurate information as this currently happens. Some LAs have behaved in an aggrieved manner if you do not follow their advice regardless of the parent knowing it not being suitable for their child.
What measures will ensure the advice is accurate and suitable to the child? Will it include links to multiple home education support services?
- 2 This will mean most LAs will offer nothing, and also raises the same concerns as for 1 above

Schedule 31A

This whole section is reliant on the parent providing extensive information that many will not be able to provide. This could mean fines and prison (7) for wanting to educate their child in a way that suits the child but means being unable to provide the lengthy information this bill expects.

436H

- A replacement for 437(1) notice to satisfy.
- 5 c) why are the LA to decide what is in the best interests of the child?

6 If the parent is unable to provide the extensive amount of information on the register, despite no concerns being raised about the education, is not appropriate.

436 I

2 a) and c) will be misused and misquoted to force home visits before SAO is even considered, this happens already.

What happens if a home visit could be harmful to the child, eg if the child is autistic or has school trauma? The home should be the child's safe space and should not be harmful to their wellbeing.

What training will the visiting person have?

Can this be legal? Only a person with a warrant has right of entry to the home.

3 choosing to protect your child and their safe space could be used against families, too much trust is being placed in the LA to make the right decision- often for children who they have already failed.

436k

An unnecessary addition to the existing 437(1) and SAO process, the complicated proposed processes will confuse LAs and home educators alike, the existing processes are more than adequate.

436P

8 As things stand many LAs serve SAOs for nefarious reasons. Currently if you are providing a suitable education but the LA refuses to accept it as suitable you can go to court, and show a court the education is suitable. The risk is minimal, with the SAO being enforced and the parent fined as the worst case scenario.

This proposed section increases the penalty meaning fewer families will risk going to court even if the education is suitable. What is to stop LAs misusing this further?

January 2025