

Written evidence submitted by {a member of the public}

[Note: This evidence has been redacted by the Committee. Text in square brackets has been inserted where text has been redacted.]

My name is Zena Hodgson. I am an experienced home educator who has facilitated all our children's learning throughout their 'school' years, before they each moved on to college and work as young adults. Since 2008 I have, and continue, to support other home educating families in the South West of England; through my website Home Education SW, online forums, in workshops and a within home education groups. I also act as a liaison between EHE families and Local Authority. I work to build constructive, working relationships with the local authorities, other outside agencies and professional bodies, so that they may better understand and support the home education community.

I have given oral evidence to Government Committees, as a witness on two previous occasions:

- The Review of Elective Home Education - Children, Schools and Families Committee (2009) <https://publications.parliament.uk/pa/cm200910/cmselect/cmchilsch/39/3916.htm>
- Education Committee - Support for Home Education (2012). The report from which is referred to in this new call for evidence. <https://publications.parliament.uk/pa/cm201213/cmselect/cmeduc/559/120905.htm>

I have also previously submitted written evidence, as part of the Home Education Centre submission, for both the 2009 and 2012 enquiries.

I welcome this committee's question regarding how COVID-19 has impacted home educated children and young people, as this is a new and unprecedented situation for us all. However, it is incredibly frustrating to be having to take the time yet again to answer the same questions, around duties of local authorities, a home education register, regulatory framework, lack of support and the efficacy of home education.

My responses addressing the current Education Committee's points, continue to be much the same as my previous submissions of 2009 and 2012, with the notable exception that the relationship between Somerset local authority and the EHE community has seen a major decline over the years, due to several department re-organisations, change of staff with little experience or understanding of home education and ever reducing allocated funds.

1. **The duties of local authorities with regards to home education, including safeguarding and assuring the quality of home education;**

Home education and safeguarding should not be conflated, they are two separate issues, so I will address those points separately.

With regards education, the law is clear on this point. Under Section 7 of the Education Act 1996, it clearly states that it is the "duty of parents to secure education of children of compulsory school age", not the state or local authority. The April 2019 EHE Guidelines for Parents (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791528/EHE_guidance_for_parentsafterconsultationv2.2.pdf) also makes it clear that; "5.1 Your local authority has no formal powers or duty to monitor the provision of education at home."

It is therefore, not the duty of the local authority to assure the quality of home education, but the parents. Indeed, if a parent chooses to send their child to school, it is the school that is accountable to parents. Schools are required to demonstrate to parents that they are providing a suitable and efficient education, for each individual child. Parents, as experts with regards to their own children, can then make the judgement as to whether the education meets the requirements of Section 7 of the Education Act 1996. If it does not, parents may discuss with the school any issues they may have or if they feel the school is unable to provide an education that meet the needs of their child, may legally choose to deregister their child and take full responsibility for the education themselves. Local authorities may only intervene if it appears that a child of CSA is not receiving a suitable education as per Section 7 of Education Act, starting the process with informal enquiries.

The local authority duty under s.436A of the Education Act 1996 is to; “make arrangements to enable them to establish (so far as it is possible to do so) the identities of children in their area who are of compulsory school age but—

(a) are not registered pupils at a school, and

(b) are not receiving suitable education otherwise than at a school.”

How they go about this is stated in 5.2 of the April 2019 EHE Guidelines for Parents, and should be done by way of “informal enquiries”. Parents are under no legal obligation to respond, but if they choose to do so, they are also legally entitled to respond in a manner that best suits them.

There is still inconsistency within how local authorities’ approach and deal with home education families.

- Unfortunately, in the region, we have had cases of new home educating families, being ‘door-stepped’ by local authority staff, confronting them at their homes, with families left feeling intimidated and turning to the local home education community for support and clarification of their legal position. Other families have simply received an initial letter, giving families time to choose how to respond.
- Families are assessed or inspected by staff who have generally had a background in school education, ex-teachers who ask parents to show lesson or curriculum plans, samples of children’s work and other school type evidence. Some of the families I have supported have reported a good inspection, with a staff member who was open-minded and understood the various different styles and forms education can take, including unschooling and child-led discovery type learning. Unfortunately, other families report ‘school’ like demands being placed on them.

This is illustrative that despite many years of work by local home educators willing to engage with local authority, many staff are still poorly trained and have little experience of home education. It is still a postcode lottery as to the particular local authorities’ policies and also a lottery with what experience or lack of experience, the individual ‘inspectors’ have.

With regards safeguarding, the April 2019 EHE guidance for local authority states: “7.3 There is no proven correlation between home education and safeguarding risk.”

There are adequate laws and powers that can be used, if there is a safeguarding concern for a child, that can be used irrespective of where that child receives their education.

2. whether a statutory register of home-educated children is required;

No, it is not required

What purpose does a proposed register set out to achieve?

- Is it to identify children missing education or ‘hidden’ children? – children are not hidden, simply because they have never been to school. From birth certificates, registrations with GP practices, Child benefit etc., databases already exist, and children and families can be and are contacted if there is deemed to be a good cause. I know from my own experience, with having a child who never attended school and never having had any contact with my local authority about our home education; we still received letters, referencing our children by name, informing us of recommended immunisation programmes available and how to access them, updates to child benefit and child tax credits etc. If ever there was any concerns about our home education provision or safeguarding concerns, enquiries could have been made if it was felt necessary.
If under the extremely rare circumstances that someone tried to deliberately ‘hide’ a child for nefarious reasons, then the threat of punitive measures for not registering a child as home educated, would have no effect. Therefore, the statutory register would fail in what it sets out to achieve, and would simply be a catalogue of law abiding ‘good’ home educators.
- Is it to protect children from harm? – the sad fact is, that simply having a list, does not protect children. Children in school are not only registered for administrative purposes, but they are also ‘seen’ 5 days a week. Sadly, this does not ensure that they are always safe. Large numbers of children continue to be neglected and abused, unnoticed, whilst still attending school.
- Is it to ensure a good education? – The register, would then have to lead to monitoring by a standard assessment measures to ensure ‘fairness’ to all home educated children. Monitoring the quality of home education is outside of the duty of local authorities. Also, there can be no ‘standard’ measure if the flexibility and educational freedoms are to be maintained within home education. It is worth noting than even within ‘standard’ national curriculums in schools, a good standard of education is not guaranteed for all pupils. The 2019 report by the Children’s Commissioner (<https://www.childrenscommissioner.gov.uk/wp-content/uploads/2019/09/cco-briefing-children-leaving-school-with-nothing.pdf>) highlights how almost 1 in 5 pupils leave schooling at 18 years without “basic benchmark qualifications”, after 15 years of CSA at a cost to the public purse of around £100,000. Home educators would rightly object to being subject to standards and monitoring that have no place in many alternative home educating settings. In my experience, the majority of families turning to home education are as a result of the failure of the state’s provision for their children, that has led them to explore alternative, more flexible options within home education.

The register would be a waste of public funds and resources, that could be allocated instead to genuine support, as requested by families. If decent support was offered, families would be more inclined to engage with their local authority, without the need for a statutory register.

3. the benefits children gain from home education, and the potential disadvantages they may face;

Benefits:

- Contextual learning

- Personalised education, better tailored to their age, ability, any needs/SEN and preferred learning style. The “One-size-fits-all” model in school, by definition, fits no-one.
- Opportunity to explore passions and aspirations, not waste time on subjects of no interest or of no personal value
- Opportunity to dive into deeper learning on subjects of interest.
- Opportunity to move quickly through learning that child find easy and conversely to take more time of those more challenging areas.
- More opportunity to learn life skills in a more real and immersive way.
- Able to learn at times that best suit the child and where they are currently at in their development
- The flexibility to change the style, type, content of the education in line with the child’s development, whether that be linear or as is often more the case in that irregular stepped way.
- To be able to spend more time living, growing and developing within the wider community, rather than being limited by institutional boundaries of spending large amounts of time in away from the community in school.
- Not being limited to narrow age group of peers, but having more opportunity to learn with a wider age-group and develop inter-generational relationships.
- More varied social opportunities
- As a practical and compassionate solution to school refusal on a short-term basis or permanently
- Delay school starting age until child feels ready
- Allow more freedom to learn through play
- Not have stress of SATs and exams and ‘teaching to the test’
- Strengthen family bonds and relationships
- Cultivate a love of life long learning.

Potential disadvantages

- Difficulty in accessing exam centres and some qualifications
- Cost of exams
- Difficulty accessing some SEND support

4. the quality and accessibility of support (including financial support) available for home educators and their children, including those with special educational needs, disabilities, mental health issues, or caring responsibilities, and those making the transition to further and higher education;

As local authorities have no duty to provide support for home education, very little budget is allocated to the respective EHE departments. I am not aware of any support available in our region for home educators. Local authorities simply endeavour to fulfil their duty to identify home educators and that the provision is suitable. Any verbal advice from ‘inspectors’ is limited. The best expert advice and support comes from the home education community itself. There is no financial support that I am aware of and very little help or advice in how or where to access exams and exam centres.

The SEND provision and access to mental health support is very inadequate in the region, regardless of whether the child is in school or home educated. Access is generally harder for home educating

families, as they frequently come up against professionals who do not have any experience or training in home education, often do not know the law or guidelines surrounding home education and often bring their personal misconceptions and prejudice into the proceedings.

- 5. whether the current regulatory framework is sufficient to ensure that the wellbeing and academic achievement of home educated children is safeguarded, including where they may attend unregistered schools, have been formally excluded from school, or have been subject to 'off-rolling';**

Yes – the current laws and guideline are sufficient, there just needs to be better training in the implementation of these. There needs to be more action taken against schools who off-roll and illegally exclude and existing powers need to be better used to tackle illegal schools. The current education laws and home education guidelines are sufficient, if used correctly.

- 6. the role that inspection should play in future regulation of home education;**

There should be no requirement for inspection of home education as a general policy; this infringes on families' right to privacy. Families do not need to be inspected, rather families need to be offered support services that they can choose to access, perhaps similar in the way families can access GP advice when required.

- 7. what improvements have been made to support home educators since the 2010-15 Education Committee published their report on ['Support for Home Education'](#) in 2012; and**

None

- 8. the impact COVID-19 has had on home educated children, and what additional measures might need to be taken in order to mitigate any negative impacts.'**

Many home educated teens missed out on obtaining their GCSEs and A levels etc. Considerations need to be made as to how home educated young people may obtain their exam/grades

Home education groups have found it very difficult to navigate the new COVID legislation around running their educational groups and cooperatives. More specific advice on how home education groups may operate, such as in the ways school advice and information was issued.

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