

## **Problems with the LGA report on Children Missing Education**

### **“Formal full-time education”**

The biggest problem with the Children Missing Education report is that it keeps trying to make a point that education needs to be “formal” when there is no requirement for this in law. Section 7 of the Education Act 1996 states:

The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—

- (1) to his age, ability and aptitude, and
  - (2) to any special educational needs he may have,
- either by regular attendance at school or otherwise.

The report repeatedly states that children are entitled to a “formal full-time education”. It is attempting to make a case for this being used within law, without giving any evidence as to why the LGA believes it is necessary for education to be “formal”. It appears that the LGA are trying to use “formal” as a catch all phrase that will incorporate elective home education into children missing education data.

There is clear bias towards a school type environment being best for children by the use of the word “formal”. This is discriminatory to those children that are home educated, when home education is equal in law to a school education. This bias can be clearly seen on Page 26 of the document where it states children are “missing out on formal, mainstream education” as though the formal and mainstream option is the only option and is accepted as the best option. In the same paragraph it says this is “around 2% of England’s pupil population”. This shows a lack of understanding around home education (which has been included in the figures) as children that are home educated are not pupils.

However, what the report does show, seemingly without the LGA realising it, is that “formal” education does not work for a percentage of children. Instead of continuing to force these children to fit into a “formal, mainstream” school based education, and attempt to push for legislation to state education should be “formal”, there should be a focus on other options that benefit the children (which includes their mental health and well-being) and enable them to receive a suitable education.

### **Small data sets and lack of input by elective home education experts**

The Executive Summary says the report draws “on evidence provided by local authorities, school leaders and parents”. A closer look at this shows that the LGA collected very little data to draw its estimates of children missing education, and some of its conclusions:

Only 35 of the now 151 local authorities in England were represented at the workshops the LGA hosted as part of the research for this report. From these 35, a mere 17 provided data around children missing education (and these 17 didn’t provide data for all “destinations” mentioned in the report). This low number of responses means that the data only accurately represents 11% of local authorities. This data has then been extrapolated to attempt to represent all local authorities in

England. The original 35 local authorities at the workshops were said to be a “good mix”, but it is unclear if this is true of those that provided data.

The LGA “conducted individual interviews with a range of professionals and experts able to offer a particular insight into the issues surrounding children missing education. These included headteacher representatives from the executive committees of ASCL and NAHT, Ofsted, a Regional Schools Commissioner and PRUsAP (the National Association for PRUs and Alternative Provision)”. Unfortunately, the number of people who were interviewed is unknown, but it is notable that no one with expert or in depth knowledge around home education was involved, which is a glaring omission considering that elective home education is featured within this report. This shows the bias towards school based education, even though home education is equal in law. Representatives from Education Otherwise, Home Education UK and the Centre for Personalised Education are notable in their absence from this list, and so ensuring the views expressed are unbalanced.

The LGA surveyed parents and carers “whose children were currently or had previously been missing education”. They received 183 responses. It’s hard to know which of the figures to use for the estimated total of children missing education in England as there are conflicting numbers within the report, however, the number of 282,000 is the one quoted in the accompanying press release, so perhaps that is the one thought to be most accurate. Using this figure of 282,000 helps to show how little the LGA looked at the experiences of parents and carers, as the 183 responses makes up a minuscule 0.06% of parents/carers whose children are estimated to be missing education. These are the parents who have a duty to provide their child with a suitable education, and they appear to be the least represented group within the report.

### **Irregularities in the data**

There are several discrepancies relating to the data within the LGA Children Missing Education report.

I have focused on those relating to the estimated number of children missing education and some of them can be clearly demonstrated by looking at the following table. It shows that Figure 4 on page 24, the Table on page 26 and the Methodology outlined in Appendix A have totals that are not what you get when you sum the data contained within them. I have highlighted these errors in blue. The actual totals of those pieces of data are written underneath. I have also highlighted in blue other numbers that appear to have been erroneously entered. The Table on page 26 shows 124,000 children on the school roll but not attending all day or every day, when it appears this should be 194,000, and Figure 4 of page 24 lists 7,000 children on a waiting list, whereas everywhere else within the report this is documented as 15,000.

	Figure 4 on page 24	Table on page 26 (medium assumption level)	Methodology in Appendix A
On school roll but not attending all day or every day	194,000	<u>124,000</u>	194,000
DfE definition of CME	39,000	39,000 (assumed as not in table and is described elsewhere)	39,000
On waiting list	<u>7,000</u>	15,000 (assumed as this number is also written on page 25)	15,000
Illegal school	6,000	6,000 (assumed as not in table and is described elsewhere)	6,000
Long-term unsuitable AP	4,000	4,000	4,000
Elective home education	24,000	24,000	24,000
<b><u>TOTAL Estimate of Children Missing Education (as recorded within LGA report)</u></b>	<b><u>244,000</u></b>	<b><u>282,000</u></b>	<b><u>289,000</u></b>
<b><u>ACTUAL TOTAL Estimate of Children Missing Education (from adding up the data)</u></b>	<b>274,000</b>	<b>212,000</b>	<b>282,000</b>

The Table on Page 26 has many issues, especially with the last column, but it is hard to tell what went wrong as the data relating to alternative provision, waiting lists and illegal schools has not been included, so it's not possible to see how these have been scaled up and down for the minimum and maximum assumptions. However, it is clear that, according to the figures in the table already, the maximum number in the "children in AP" column should be 10,000 – it is meant to represent 25%, and 10% is given as 4,000 children, so it cannot be the 11,000 that has been input.

What is startling is that immediately following this Table (on page 27) the report states:

"We cannot be certain of the overall scale of this problem. We have arrived at a figure of 289,000 which is our best-informed estimate of the number of children missing out on formal full-time education in 2018-19. However, depending on how 'full-time' and 'formal' are defined it could be as high as 1,140,000. It is unlikely to be lower than 210,000". The Table itself shows the medium figure as 282,000, so it is unclear where the 289,000 quoted here has appeared from. Also, the Table shows the minimum is 208,000 and the maximum is 1,138,000 which also do not match up with the text.

The data for illegal schools covers more than 3.5 years of Ofsted data and doesn't appear to have been scaled back to account for just looking at 2018/19, and page 26 mentions that 10% of young people in long-term unsuitable AP "equates to 11,000 children and young

people in 2018/19", but in other areas of this report this 10% is said to equate to 4,000 children.

There are a plethora of data errors around the estimated number of children missing education within the report, plus lots of mismatched information. There is a lack of clarity within the Table on page 26 (as well as errors) and all this is alarming for a document of this type. When considering this together with the fact that small data sets have been used and then extrapolated, there is a concern that the extrapolations could be filled with errors too, rendering all the estimations wrong.

**Claims that local authorities do not have the necessary powers to exercise their statutory duties and the proposal to "strengthen the legislative framework around electively home educated children"**

This report seems to suggest elective home education needs more oversight and that local authorities dealing with home educators require more power.

All home educated children that have been deregistered from a school will be known to their local authority as the school has responsibilities under The Education (Pupil Registration) (England) Regulations 2006 to inform the local authority of the deregistration. This makes up the vast majority of electively home educated children. Once these children are deregistered, it has become standard practice that local authorities make informal enquiries about their education provision. Most local authorities then follow up on an annual basis. Therefore, local authorities are aware of the home educators in their area and their provision. If the education is deemed to be unsuitable they can use Section 437 of the Education Act 1996 to deal with that. Also, if there is ever an issue with safeguarding, Section 47 of the Children Act 1989 can be used. Local authorities already have the necessary powers through existing legislation and it is up to them ensure staff are properly trained in how to use these powers appropriately.