

Suggestions for Response to Question 26 in the EHE Consultation

This document can be downloaded from The HE Byte - [English Consultations](#) page

Introduction (to our suggestions to the full consultation)

Most parents of home educated children in England are aware that the Department for Education [DfE] are currently consulting on revisions to the Guidance for EHE. The closing date for responses is 2nd July. The DfE published three documents in connection with the consultation, which are linked to below. They prefer responses to be made [on-line](#), but for those who cannot do this they offer (but do not provide a link to) a Word document as an alternative. What is not clear from the PDF documents is that there are a further seventeen questions in the on-line portal, making thirty-eight in all (excluding the seven at the start about respondents' identity and contact details).

The Call for Evidence and both sets of Draft Guidance combine to make responding to this consultation a daunting and time-consuming task, not only due to their length, but also because they involve complex issues on how existing laws may be reinterpreted. One has to wonder if civil servants considered how difficult a task they were asking parents to undertake when they devised such a long and complex consultation. It would be futile to speculate whether they did so on purpose or simply through incompetence.

Why this document?

The HE Byte team want to help the EHE community to respond to the consultation. We are not the only ones to have done this, but we hope you will find our efforts helpful. We provide below comments on key points to consider, but you don't have to follow our suggestions. Whatever you decide, we strongly encourage you **not to copy and paste** our or anyone else's comments into your answers. Use your own words, as "campaign answers" are easily spotted by civil servants and are often discounted when assessing responses. See our [Responding to Consultations](#) page for further comment and other pointers on how to contribute effectively. Other documents which you may find useful are also available on that page, such as a parallel arrangement of the two sets of guidance.

It is important to stress here that we have no legal experts on our team, so please do not assume our comments are authoritative on points of law. You may be aware that some families crowd-funded a legal opinion from David Wolfe QC, and notes on this have been circulating amongst the wider EHE community. **Where we quote from the QC's comments, we have identified them clearly.** Key people from within the group which commissioned this have recently published their own [Suggestions as to how to Complete the EHE Call for Evidence](#) which we encourage you to read if you have time. Whilst each has highlighted a few issues that the other hasn't mentioned, there is a significant amount of overlap between the two sets of suggestions, which is just what one would hope.

Practical pointers

- Don't think you have to comment on every point listed in this document - they are there to inspire and encourage you - select the ones you feel most concerned about;
- Don't leave it too late to start your response; begin to draft it as soon as possible;
- You can save your answers on the submission portal and return later, but we recommend you write them on a word processor then copy and paste each one into the relevant box;
- Don't leave it until the last few hours to respond on-line, the website may get overloaded.

Feeling overwhelmed!

You are not alone, we all feel the same. Whilst we'd encourage all members of the EHE community to respond to all the questions, we quite understand that for a variety of reasons many people will find this very difficult to do. If you are in that category, we suggest you respond to the questions you feel are most important, the ones where you feel you have something to say - but please don't simply write "No way!", do your best to explain why you feel as you do.

If you feel you can only respond to a limited number of questions and you are involved with other families in a HE group, another option would be to answer a few questions each. Submit *your* answers as *your* personal response, but perhaps someone in the group could then collate all members' answers and submit them as a united response, putting the name of the group in Q4.

Finally, for those who want to say something to the DfE, but don't have the time, energy or emotion to process much of the detail, we have a suggestion. Rather than signing an on-line petition - we explain on our [Responding to Consultations](#) page why we do not consider them to be an effective way of communicating with government - a better alternative would be **to respond to just one consultation question** which is so wide that it invites contributors to say anything they want in answering it. If you want to make the DfE aware of how you feel about this whole debate and the way the consultation has been conducted, we suggest you do so by answering this one question.

See this Byte for more information, [Question 26 - Are there any other comments you wish to make...](#)

*** **THIS FILE CONTAINS INFORMATION ON QUESTION 26 ONLY** ***

Original consultation documents are available from: [Home Education - Call for Evidence and revised DfE guidance](#)

<p>26 on-line [19 in PDF]</p>	<p>Are there any other comments you wish to make relating to the effectiveness of current arrangements for elective home education and potential changes?</p>
	<p>If you plan to answer only <u>one</u> question, this is the one we suggest you answer. It is an invitation to discuss anything you feel relevant, because the "potential changes" are wide ranging.</p> <p>Say what you dislike, or perhaps like*, in the Call for Evidence and both draft Guidance documents. You may also wish to explain how the hostile environment which has been generated towards EHE is affecting you and your family. You could highlight the misleading and negative media coverage, Lord Soley's Bill, and the drastic changes being aired in this consultation.</p> <p>Some people are concerned that the consultation process has been very difficult for ordinary families to engage with, given its size, complexity and nuances in reinterpreting existing laws. If that is how you feel, then say so.</p> <p>There has also been a call for the DfE to hold proper discussions with the EHE community before implementing any changes. If you think that would be helpful, say so. Ask that key ministers and leading civil servants involved with this review arrange a number of local meetings with EHE families in every region of the country. These should be at times when EHE families can attend, and in venues where children of all ages will be welcome.</p> <p>If you are answering this question only, there is no need to be quite so brief. If you have a lot on your mind, say it all. However, please express yourself in a constructive way, as this is more likely to influence people than letting off steam.</p> <p><i>If you answer only Q26, we suggest you put something like "Please refer to my answer to question 26" in all the other on-line response boxes.</i></p> <p>N.B. One HE mum, Caroline, who wrote the Home Education Freedom Charter, is encouraging those who don't feel they can answer the questions, to email the DfE via the consultation email address. This is a valid alternative, but as Caroline points out, you will need to ask them to acknowledge receipt of your email and confirm that it will be considered alongside the responses to the online survey. Answering Q26 overcomes that uncertainty. Whichever method you choose, you may find her suggestions helpful. They are available from: headhub.co.uk/government-ehe-guidelines-consultation-help</p>
	<p>* If you are struggling to find positive points in the consultation documents, here are four we noticed, though when read in context it appears the DfE haven't realised their significance!</p> <p>Call for Evidence. Section 2.3f states:</p> <p style="padding-left: 40px;">"Although it is sometimes said that home education has been a factor in serious injuries or deaths which have led to Serious Case Reviews, in fact the child concerned has normally been known to relevant agencies despite being home educated."</p> <p>Draft Guidance for LA's 7.2</p> <p style="padding-left: 40px;">"The department's view is that there is no proven correlation between home education and safeguarding risk. In some serious cases of neglect or abuse in recent years, the child concerned has been home educated but that has not usually been a causative factor and the child has normally been known anyway to the relevant local authority."</p> <p>Draft Guidance for LA's 10.2</p> <p style="padding-left: 40px;">"It does not, for example, place an obligation on local authorities to ascertain the child's wishes about elective home education, as that is not a service provided by the local authority." [emphasis added]</p> <p>Draft Guidelines for LA's 10.15</p> <p style="padding-left: 40px;">"It should be noted that parents from all educational, social, religious and ethnic backgrounds successfully educate children outside the school setting and these factors should not in themselves raise a concern about the suitability of the education being provided."</p>