

SELECT COMMITTEE DISAGREES WITH PROPOSED LEGISLATION ON HOME EDUCATION

After due scrutiny, members of the Children Schools and Families Committee were clearly not satisfied either with the methodology of the Badman Review or with the evidence base.

The Committee Report is critical of the Government's conflation of education with safeguarding. Significantly, the Committee does not find sufficient grounds for changing the law on home education.

The Select Committee does not endorse the Government's proposals for compulsory registration of home educated children; does not agree that that visits to the home are necessary; does not believe it would be appropriate for home education officers to interview children without a parent present; is greatly concerned that home educated children with special needs are not well served by the present system; and strongly recommends that safeguarding concerns should not be addressed by the home education officer but should be passed to the appropriate agencies.

In addition the Committee is not convinced by Government's estimate of the cost of the proposals, particularly with respect to increased contact time with home educators. Nor do members of the Committee believe that the Government has adequately estimated the cost of delivering a comprehensive training programme to local authorities.

Ann Newstead, Spokesperson for Education Otherwise (EO) Government said "My first impression of the Report was that they are suggesting a very different tack to the Government and object to nearly all of the Government's proposed legislative changes. Whilst we may disagree with some of the alternative suggestions that the Committee has made, I think this is a far sounder basis for discussion and debate."

Fiona Nicholson of EO's Government Policy Group, who gave Oral Evidence to the Select Committee said: "Given the time constraints on the Report, it is a very thoughtful and considered piece of work and when you go through the Report you don't find many items on the Government's wish list."

Annette Taberner, member of EO's Government Policy Group who travelled from Sheffield to London to watch the Select Committee Oral Evidence Session and who has spoken to several members of the Select Committee said there had clearly been a wide range of opinions from across the political spectrum represented in the Committee and that the Report reflected and incorporated those different viewpoints, while at the same time remaining broadly critical of the Government's key decisions.

Ms Taberner commented; "The Report echoes what we've been saying to MPs about how the whole process of the Badman Inquiry has seriously damaged trust between home educators and Government. I know of home educators who used to think there was some point talking to their local authority but who now don't want anything to do with Government officials."

Ms Nicholson commented: “The Government wanted home education dealt with and out of the way quickly; the Select Committee thinks proper studies and research need to be done. The Government said that Graham Badman's statistics were robust; the Select Committee begs to differ. The Government jumped to the conclusion that compulsory registration was the only way to go; the Select Committee has suggested an alternative. The Government threw a clause into the new Children's Bill before releasing any feedback from the recent 18 week public consultation; the Select Committee clearly states that this is unacceptable.”

Notes for Editors

The Select Committee:

- fundamentally disagrees with the proposition put forward by Graham Badman that home educated children are more at risk than children in schools
- disagrees with the Government's proposals for compulsory registration
- proposes instead a system of voluntary registration backed up with benefits to registration such as increased access to resources and improved information sharing between partner agencies as set out in the Children Act 2004
- is critical of the Government's estimate of how much it would cost to monitor home educators, how much it would cost to train local authorities and how much it would cost to fund support to home educating families
- finds that that visits to the home are not necessary
- finds that it is not necessary for education officers to interview children without the parent being present
- judges that it is not acceptable for the Government to introduce a Bill to parliament before publishing a response to the recent consultation on matters pertaining to the Bill
- recommends that safeguarding concerns should not be addressed by the home education officer but that the home education officer should be trained to recognise signs of abuse and should be aware of when and how to refer to other agencies
- believes that a family could be refused permission to home educate only if the child was already subject to child protection arrangements (rather than more nebulous “safeguarding concerns” raised at the point of deregistration) but that the existence of a child protection arrangements should not necessarily preclude home education
- believes it is necessary for the Government to give a great deal more information about any appeals procedure and the grounds for appeal if a family is refused permission to home educate on safeguarding grounds
- recommends that home educating families should meet with the local authority once a year for the purposes of support and also to review what has happened during the year
- recommends that the home educating family should meet the local authority within three months of beginning home education
- believes that a home educating family should provide a statement of approach but stipulates that the requirements must not be onerous or restrictive
- believes that the Government should use the Children Schools and Families Bill to provide a succinct statement of how the Children Act 2004 and the outcomes of Every Child Matters apply to home educated children

- believes that the Government should look to define suitable education and that such a definition should include basic literacy and numeracy skills
- notes that the Government's current non-statutory guidelines on home education already include elements of education likely to be found suitable
- further notes that there are additional considerations with regard to suitable education for children with a variety of special educational needs
- is concerned that any Government intervention should not jeopardise flexibility and freedom in home education
- recommends more research into home education theory practice and outcomes across a representative range of home educating families including families who are using an autonomous approach to home education
- believes that local authority personnel must receive training in special needs, learning difficulties, child development, learning theories and a range of educational philosophies
- recommends that the Government should investigate the practice of coerced deregistration or offrolling
- recommends that in cases where a parent believes school has failed (for example where a child has been bullied or where special educational needs have not been met) that there should be an independent assessment of the situation
- believes it is urgent for the Department to clarify local authority responsibilities with regard to home educated children with special needs and says that practice on the ground needs to improve.
- looks to the Lamb Inquiry to address some of the concerns of home educating families with special needs children
- looks to the Ofsted review of special needs provision
- gives qualified agreement to the proposal that a child should remain “nominally” on the school roll after deregistration but wishes to address concerns raised by home educators that the family would come under pressure during this time
- supports the Badman Report recommendation that a consultative forum for home educating parents be established in each local authority

Select Committee Report - <http://www.publications.parliament.uk/pa/cm/cmchilsch.htm>

Memoranda submitted to the Select Committee -

<http://www.publications.parliament.uk/pa/cm200809/cmselect/cmchilsch/memo/elehomed/contents.htm>

Memorandum submitted by Education Otherwise -

<http://www.publications.parliament.uk/pa/cm200809/cmselect/cmchilsch/memo/elehomed/me17502.htm>

Background and further links: <http://www.freedomforchildrentogrow.org/csfbill.htm>

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