

BBC 2, Newsnight 15 November 22

Transcript of the segment on CNiS registers & the Schools Bill

<https://www.bbc.co.uk/iplayer/episode/m001f7zl/newsnight-explosions-in-poland-what-now>

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Kirsty Wark: Now tens of thousands of home educated children in England may not be getting suitable schooling and could be at risk of harm. According to new analysis shared exclusively with Newsnight, a record number of children are learning at home in England fuelled by the pandemic. The government had previously announced plans for a national register of those being educated outside schools and campaigners are now calling for a bid for it to be introduced urgently, with the vast majority of councils currently unable to identify all homeschooled students, sparking safeguarding concerns. Here's **Anna Collinson's** report.

Anna: It was a symbol of the COVID lock downs, classrooms across the country standing empty. For most school is now back to normal, but some seats remain vacant.

Roberta (background conversation): And then what do I need in front of my ninety-two? How many pounds? Zero.

Anna: Roberta has swapped studying maths at university with teaching her 15 year old brother sums.

Roberta: There are a lot of things that you would think he would know that he doesn't know like, like times tables, I mean, even basic addition and subtraction strategies just went right over his head.

Anna: Last month, Roberta's brother was diagnosed with a learning disability, something she'd always suspected that says his teachers repeatedly missed when it was time to return to school in spring 2021. Roberta says his anxiety had reached a crisis point

Roberta: Nobody wants wants wants their child to make the miss out on education. But when you've got a child sort of sitting there, and you discuss, is there any way you could possibly see yourself going back to school, and he says I would rather jump out of a window than do that. You know, it just he just has your heart. You know, what can you do? I mean, we were both in, you know, quite quite in tears that day. It's difficult to even remember that time.

Anna: It must be a lot of pressure as his sister who isn't a teacher trying to teach her brother.

Roberta: Well, I have had informal and somewhat paid kind of tutoring experiences before. But no this is this is definitely in a different league to it's called "elective home education," but for a lot of people it's it's not a choice.

Anna: Roberta says help from the local authority has been minimal and worries about what happens to other children like her brother, who don't have a supportive family. Parents or carers have the right to decide what education their children receive is even enshrined in law. A new analysis by the Centre for Social Justice warns a growing number of families are being left with no other option but to educate at home. This new research shared exclusively with Newsnight suggests schools aren't always meeting pupils needs, ranging from offering specialist support to tackling bullying. Data in this area is limited, but voluntary surveys completed by the majority of local authorities in England over a four year period suggests there's been an increase in home educated children jumping from around 79,000 [visual 78,781] in the 2018 2019 school year to more than 116 thousand [visual 115,542] 2 years later. That's a 50% rise.

Alice Wilcock, Centre for Social Justice: While many children in home Education receive a great education, there are some kids who are receiving no education at all, and that goes completely undetected. And in a

small but important minority of cases, some children are experiencing abuse, and they're not being seen by professionals who can keep them safe.

Anna: The government says it's already introduced a range of measures to drive up attendance levels and encourages local authorities to share data on home educated children. It previously said it would legislate for a national register of children not in school. But the Schools Bill is currently on hold. Campaigners argue now is the time to implement the register.

Alice: We can't support these children if we don't know where they are. Now, there are voluntary registers and there are voluntary data collections. But that ad hoc and they're patchwork and after my children go missing one local authority we spoke to said that they thought 300 kids were in home education in their patch. And they later found out it was actually closer to 900. So there's massive gaps in what we actually do now.

Anna: The pandemic has played a role in the rising number of families turning their backs on schools. But the Association of Directors of Children's Services says a national register would provide further clarity

Steve Crocker, President, Association of Directors of Children's Services: We can then legitimately create data around those children and understand both the causes of the of their parents wanting to home educate those children. And if we understand those causes better, we may be able to work together to improve the education system so that it meets their needs in a better way. But it also means that we've got a better understanding of where their children are going to their outcomes and so on and what they are able to achieve

Anna: One of the most common reasons for parents selecting to home educate their children was health concerns relating directly to COVID. Like **Kieran**, who has heart arrhythmia. His family pulled them out of school after they were threatened with fines for absences. He's faced barriers with sitting his GCSEs and now his A levels, but feels fortunate to have the support of his mum.

Kieran: But it needs to be access to education outside of schools, but frankly, it is either too expensive or no one cares enough to be able to implement it. It is disgusting. And it makes me so angry when I think about it how I've been let down how many advocates have been let down,

Anna: With many more children like Kieran learning at home, not knowing who they are or why appears to be an increasingly urgent question in English education.

Kirsty: In a moment we'll hear from the **Ofsted Chief Inspector, Amanda Spielman** but first I am joined by the **Children's Commissioner for England, Dame Rachel de Souza**. Good evening, both of you, first of all, Rachel de Souza are thousands of children, essentially be let down and actually probably worse.

Rachel: Look, it's really concerning. I mean, I think those numbers absolutely tally with a survey I did of local authorities about how many children they had in their area, and how many children were not in school. I think two things concern me one. We don't even have an accurate number of how many children there are. We don't know how many children are been educated with

Kirsty: Why not? **(Talk over each other)** has there been such a problem getting registered?

Rachel: Yeah, I mean, I think there I think it's not just the register. I think actually the data on how many children are in each area is really blurry. I mean, census data is used. It's not accurate. I think we could do an awful lot better and I think it's about us working together nationally. To get that now. I absolutely support the call for a home register as well. So that we can get a firm number on a you know, and how many children there are,

Kirsty: And particularly post COVID parents with their own frailties, medical health frailties, mental health frailties. They don't want children to bring home germs as if there has not been some kind of proper census and whose needs are better, or most of the children's needs are the parents needs.

Rachel: So I made it my business when I became Children's Commissioner to go out and talk to those children who have who have not come back after COVID. And actually, we only found a very small number who were worried about actually an illness, what we found were children, who felt the special educational needs weren't being met. Those who felt they were told us that they were happy. They were actually happier than the rest of the cohort, we found children with mental health anxiety issues, and we found children who just hadn't come back. And that's what's concerning me. It's not those who are home educated, getting a good quality of education, it's these groups of children who want to be in school, who should be fine.

Kirsty: So why are they so voiceless? Where's the problem lie that they are so voiceless?

Rachel: Well, we've been I mean, certainly Children's Commissioner's office has been trying to give them a voice. So we've used the Big Ask survey to do that. And we've taken that we've taken children's voices to government. I think a lot we have been working together with people like Amanda to try to ensure that those children to their children's needs are understood and to get back into school, because school is where most of those children should be. If then, you know, some parents home educate well, but most children are far better off in school.

Kirsty: And we heard the example there of absence, you're gonna fine for absence, what you do is you pull your kid out of school, because actually, that is part of many less invasive financially. I mean, is that system of fining a good system?

Rachel: So sometimes fines are really well used, for example, when there's sort of flagrant abuse of like, you know, we're going on a holiday, it's flippant, and there are systems that we know works quite well. But that can't be all we do. And I think what we need to do is, and the best schools are doing this, is identi., really talking to children, talking to their parents, understanding why they're not in school, and getting doing whatever it is, sometimes it's, you know, that great teacher that will actually get them back or something that they love.

Kirsty: But that's too random.

Rachel: Well, I think what cohort you're talking about, which are those that are completely out of school, not on school rolls. We need to know who they are where they are so unsafe and to educate.

Kirsty: So Amanda Spielman, England is an outlier internationally. The highest proportion of pupils have education at home and the lowest amount of regulation in Europe. The [indistinct] just doesn't work?

Amanda: We are exceptionally permissive. It's one of the positive characteristic of British society as well that we are so open and create leaves so much space for the individual, but here it really obviously has some very worrying consequences. Because parents do have the obligation to have their child educated, but they don't have an obligation to make sure that school and we have a great deal of supervision and oversight. sight of schools, both in terms of the education quality, there's a wider safeguarding, but none of that extends to children who are home educated.

Kirsty: So we have a situation where a lot of local councils and NGOs have absolutely no idea where these children are. The Department of Education has no idea where these children are. I mean, you've been at Ofsted for five years. Is this not a priority? Again, this register going to we know exactly where children are?

Amanda: It absolutely is, which is why I've been talking about it ever since I started and I'm delighted to have others...

Kirsty: Where was the blockage to it?

Amanda: I need to take a step back and explain that there are a number of things in the term home education. The first is traditional classic home educator who's been around for a long time, who, in the main do an excellent job of educating their children and don't need any help doing it? That's a very powerful lobby, then there are the children.

Kirsty: Why is there resistance to letting people know they're educating the children at home?

Amanda: There's a, there's a very sort of deep sense of independence, no scrutiny, no oversight levers to get on with it. But when you've got these other categories of children, the ones who've fallen out of school, perhaps because they were being bullied, anxious, they've got some with some kind of extra needs. Parents who feel the school isn't meeting the needs can't find the right school for them. Children, as Rachel has talked about, who are abused or neglected, and then there are some who are in illegal schools. So for all of those children, actually, it really matters.

Kirsty: And Ofsted's roll, your remit is to safeguard children,

Amanda: Absolutely, but the children, the children who are out of sight. And it was something I started talking about from very early in the pandemic actually was the children who were falling out of the line of sight. And we need a way of joining up the pieces, children for whom life is going, whose lives are going wrong. And often you need to put together the the education, the health, the social care, sometimes the police story to make sure you get the right things in place. So having this basic register who the children are, where they live, who's taking responsibility for educating them feels like a really important first step.

Kirsty: But first step after all these years, the question about the register is why it is why is it so hard to deliver a register?

Amanda: It is surprising, but many MPs have told me that there is nothing like a proposal about home education for bringing angry people out saying this must never happen. It really is something that rouses the most astonishing emotion. And I understand. Nobody wants to feel feel they're being criticised for what they're doing. No, but no, but nobody wants to do it alone.

Kirsty: But it allows parents to slip under the radar. [talking over each other] And unfortunately, children end up typing under the radar.

Amanda: And so many of these 115,000 You've shown us the latest estimates, are children who aren't in that lucky category who are getting a great education at home. And it couldn't be more important. So, so I really, really hope that that those home educators get to an understanding that not every child is like theirs, and that it is important that we join the dots.

Kirsty: You're all meant to be getting together to deliver this. I mean, if you had some kind of target as to when you would deliver this register realistically, would it be.

Amanda: The draft legislation is in the Schools Bill? I don't think any of us knows quite when and how the schools bill is going to come to fruition. It's one of the things that's been caught up in, in this summer's turbulence, but it's very important that those provisions get taken forward into legislation as soon as possible.

Rachel: We need this we need the elective home education register at the first legislative opportunity. We shouldn't be holding back waiting for bills, that this was a previous commitment from improved sectors. I want to see it done.

Kirsty: Thank you both very much indeed.