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Sent By Email

To: Dr Nina Maxwell (MaxwellN2@cardiff.ac.uk)

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EDUCATION OTHERWISE ASSOCIATION LIMITED (EO), response to the CASCADE (Cardiff University) review for service improvement for Elective Home Education in Wales titled 'An evidence based review into safeguarding children who are educated at home'.

Dear Dr Maxwell

The survey is preceded with the following statement:

'Most children educated at home are safe and well educated. However, findings from recent serious case reviews into child deaths have included examples of children schooled at home where questions have been raised about the ability of professionals to assess the safety of these children. As a result the National Independent Safeguarding Board have commissioned a review of existing evidence and research on the views of key groups on how children educated at home can best be protected. To do this, we aim to gain the views of home education organisations, support groups and parents who are currently home educating their children, about the complex considerations in this area.'

This immediately raises a number of concerns:

1. 'findings from recent case reviews'. EO's analysis of all serious case reviews and related materials published since 2008 which mention the terms 'home education', 'home schooling' or 'education otherwise' identified that in all cases there were no impediments to professionals accessing home educated children where genuine concerns were expressed for the welfare of the children and these were referred to the relevant professionals (i.e. the Police, Local Authority Children's Services Social Work professionals).
2. 'how children can best be protected'. Education Otherwise require a clear definition of what is meant by 'protected'. Protected from what and from whom? We would note that home educated children are entitled to the same respect and protection in law as a child who attends school. We fail to see how making a distinction between a home educated child and a schooled child is anything other than an arbitrary one.
3. Please explain the 'complex considerations' statement. It is so vague as to be meaningless.

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EO's view is that current education legislation effectively safeguards the right of each individual child to an education. It does so by placing the duty for education on parents / carers to provide a suitable education by either taking direct responsibility for the education or by delegating their responsibility to school.

EO consider the current legislation for child welfare and protection as embodied in the Children Acts is not impeded by the Education Acts or by the fact of home education itself.

EO are firmly of the view that the institutional prejudice against home education is the most pressing issue from which children and their families need to be protected. Local Authority policy and procedures for Elective Home Education frequently misrepresent their duties and powers as regards both education and 'safeguarding'. This results in a great deal of tension, primarily arising from Local Authorities making demands of home educating families which are not supported in law and which are not similarly applied to schooled children. This institutional prejudice against home education needs to be eradicated.

EO will not be responding to the specific questions in the survey as we consider the wrong approach to home education from both an education and safeguarding perspective is being taken by Local Authorities.

The survey itself presupposes a safeguarding deficit for home educated children which EO fundamentally disagree with. Parents are primarily responsible for safeguarding their children's interests with the state permitted to interfere in family life if it is established that children are suffering or are likely to suffer significant harm attributable to unreasonable parenting. Taking direct responsibility for children's education is not unreasonable parenting.

EO's view is that a new atmosphere of confidence and trust in Local Authorities must be created. The onus to begin the process which will create that atmosphere lies firmly and clearly with the Local Authority itself. Local Authority leaders must examine every aspect of their policies and practices to assess whether the outcome of their actions creates or sustains patterns of prejudice against home education. The provision of services by Local Authorities to a diverse public must be appropriate and professional in every case with every family and individual treated with respect by Local Authority officers in compliance with the law as it currently stands. The Local Authority must offer service which recognises the different experiences, perceptions and needs of a diverse society.

Furthermore, the recently published guidance from the Welsh Assembly for Elective Home Education needs to be rewritten to emphasise the following key points:

- The fact that a family are home educating one or more children is not a safeguarding concern.
- Parents and Carers who are home educating shall be presumed to be fulfilling their duty to provide an efficient and suitable education.

- Parents and Carers who are home educating shall be presumed to be fulfilling their duty to safeguard their children's well-being and promote their interests.
- Local Authority officers requiring some information from a parent / carer shall do so in a respectful manner without threats of referral to CME or Children's Social Care.
- Local Authority Officers may offer a home visit or to meet with parents / carers at another location and parents may freely choose to accept or decline the offer with no inference drawn from either.
- The manner in which a parent chooses to present information about their education provision is the parent's choice. Parents might prefer to provide a written report, samples of work, or have their educational provision endorsed by a third party for example.
- Local Authority leaders must actively work to ensure each of the authority's relevant partners; and such other persons or bodies as the authority consider appropriate are suitably informed of the legality of home education and that it is not a safeguarding concern in and of itself.

Yours sincerely

Graeme Evans

On behalf of Trustees, EDUCATION OTHERWISE ASSOCIATION LIMITED