

## Consultation on Home Education Guidelines

**response edit**

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## System Tools

001	002	Ref: 592	003	004
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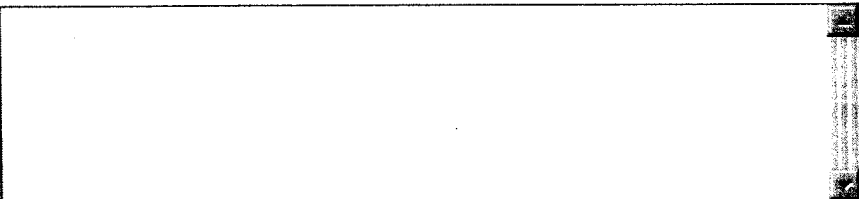

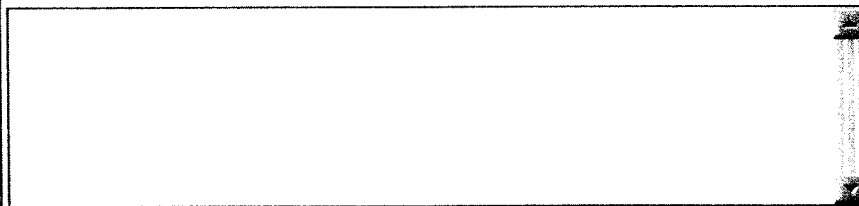
Entire Response

[REDACTED] [REDACTED] [REDACTED]

<b>Personal Details</b>	<b>Identifier: 592</b>
<b>Response Type</b>	Online
<b>Title:</b>	[REDACTED]
<b>First Name:</b>	[REDACTED]
<b>Last Name:</b>	[REDACTED]
<b>Email:</b>	[REDACTED]
<b>Organisation:</b>	[REDACTED]
<b>Address:</b>	[REDACTED] Suffolk County Council [REDACTED]
<b>Response on behalf of an organisation:</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>Campaign:</b>	

	Not Part of Campaign
Confidential Response:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Future Contact:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Acknowledge Response:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Acknowledgements:	Acknowledgement email
Inform when published:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Key Response:	
<b>Respondent Information Questions</b>	<b>Identifier: 592</b>
Which of the following best describes you:	
<input type="radio"/> Home educator <input type="radio"/> Organisation representing home educators <input checked="" type="radio"/> Local authority <input type="radio"/> Young person who is/was home educated <input type="radio"/> Other (please specify)	
Please specify:	
<b>Consultation Questions</b>	<b>Identifier: 592</b>
<b>1 Do you agree that it is helpful for the DfES to issue guidelines to local authorities?</b>	
<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response	
Key Indicators:	

New Key Indicator(s):	
Answer/Comments:	Yes if they clarify the LA legal role and responsibility with regard to Home Education
Text for Report:	
<b>2 Do you agree that the description of the law (paragraphs 2.1-2.3) relating to elective home education is accurate and clear?</b>	
	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	
New Key Indicator(s):	
Answer/Comments:	This is clear
Text for Report:	
<b>3 Do you agree that the description of local authorities' responsibilities (paragraphs 2.5-2.11) is accurate and helpful?</b>	
	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	

	
New Key Indicator(s):	<input type="text"/>
Answer/Comments:	This is ambiguous and unclear. If progress is to be judged there needs to be a clear benchmark. There is for children in school and although different this could be done for Home education. In respect of the guidance 'reasonable' needs to be defined. as does 'routine'
Text for Report:	
<b>4 Do you agree that the section on contact with the local authority (paragraphs 3.4-3.7) is accurate and helpful?</b>	
	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	
New Key Indicator(s):	<input type="text"/>
Answer/Comments:	Confused and unclear. How does the LA safeguard a childrens right to an education in the context of this element of the guidance. parents rights are ensured but not childrens.  In para 3.4 please define how an LA take a 'risk based approach' when limited information is available to assess risk?
Text for Report:	
<b>5 Do you agree that the section on providing a full-time education (paragraphs 3.11-3.14) – and in particular, the characteristics of provision (paragraph 3.13) – is accurate and helpful?</b>	
	<input type="radio"/> Yes

	<input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	<div style="background-color: black; width: 100%; height: 1.2em;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div>
New Key Indicator(s):	<div style="border: 1px solid black; height: 1.2em;"></div>
Answer/Comments:	<p>Please describe how an LA can fulfill its duties on the basis of the section? There is a need for some full and formal clarifying statement and characteristics to define provision. What is in the guidance would not be acceptable for children in other settings. Also some parents embarking on Home education would doubtless find the clarification useful.</p>
Text for Report:	<div style="border: 1px solid black; height: 100px;"></div>
<b>Identifier: 592</b>	
<b>6 Do you agree that the section on developing relationships (section 4) is useful?</b>	
	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	<div style="background-color: black; width: 100%; height: 1.2em;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div>
New Key Indicator(s):	<div style="border: 1px solid black; height: 1.2em;"></div>
Answer/Comments:	<p>Very helpful. Building relationships is crucial to the LA parent dialogue and ultimately the provision that children receive.</p>
Text for Report:	<div style="border: 1px solid black; height: 100px;"></div>

<b>7 a) Are the suggested resources in section 5 and appendix 2 useful?</b>	
	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	
New Key Indicator(s):	
Answer/Comments:	Useful but could be much more expansive.
Text for Report:	
<b>7 b) Should any other contacts be included?</b>	
	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	
New Key Indicator(s):	
Answer/Comments:	as above
Text for Report:	

<b>8 Please use this space for any other comments you wish to make about the guidelines</b>	
Key Indicators:	[REDACTED] [REDACTED]
New Key Indicator(s):	
Answer/Comments:	Home Education is a fundamental right for parents. However safeguarding the rights of children to receive a fulfilling education in this context needs much clearer responsibilities and accountability on the part of parents. Whilst many home educating parents provide a meaningful programme for their children this is not true of all. For this reason the state needs to set a clear expectation and empower LA's to ensure children receive an appropriate education. Exercised prudently this would be very light touch for those parents who really invest (in all senses of the word) in Home Educating their children and more challenging for those who provide poor education.
Text for Report:	
[REDACTED]	
[REDACTED]	Ref: 592 [REDACTED]
Entire Response [REDACTED]	
[REDACTED]	

**e-consultation**

Logged in as: [REDACTED]

Home / Consultation on Home Education Guidelines... / Analysis / Response Edit

**Consultation on Home Education Guidelines**department for  
**education and skills****Consultations**

Consultation Home

Manual Response Entry

Analysis

Campaigns

Acknowledgements

**System Tools****response edit**

This screen displays the contents of an individual response, including the respondent's personal details and their answers to the questionnaire. You can JUMP to another response by supplying an appropriate response number, or move to the NEXT or PREVIOUS response. The response number is the number automatically assigned to the response when it was submitted by the respondent. It is equivalent to the Consultation Unit's traditional Reference Number. It is assigned to each response and remains unique. Where a response has been deleted from the system, the reason is displayed in place of the response.

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<< first	< previous	Ref: 606	Jump	next >	last >>
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Entire Response	[REDACTED] London Borough of Enfield
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[REDACTED] [REDACTED] [REDACTED]
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This response has been submitted by a registered respondent.

[Change Details](#)

<b>Personal Details</b>	Identifier: 606
Response Type	Online
Title:	
First Name:	[REDACTED]
Last Name:	[REDACTED]
Email:	[REDACTED]
Organisation:	London Borough of Enfield
Address:	
Response on behalf of an organisation:	Yes
Campaign:	Not Part of Campaign
Confidential Response:	No
Future Contact:	Yes
Acknowledge Response:	Yes
Acknowledgements:	Acknowledgement email



Inform when published:	Yes
Key Response:	[REDACTED]
<b>Respondent Information Questions</b>	Identifier: 606
Which of the following best describes you:	
<input type="radio"/> Home educator <input type="radio"/> Organisation representing home educators <input checked="" type="radio"/> Local authority <input type="radio"/> Young person who is/was home educated <input type="radio"/> Other (please specify)	
Please specify:	[REDACTED]
<b>Consultation Questions</b>	Identifier: 606
1 Do you agree that it is helpful for the DfES to issue guidelines to local authorities?	
<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response	
Key Indicators:	[REDACTED] [REDACTED]
New Key Indicator(s):	[REDACTED]
Answer/Comments:	<p>We agree that clarification is helpful in relation to elective home education, but this should be written in the context of Every Child Matters. By focussing on legislation that relates only to education, the guidelines unintentionally take away attention from the best interests of the child and safeguarding issues.</p> <p>Where the legal framework is inadequate or in need of review in relation to balancing parents' rights to home educate their children and local authorities 'duty to safeguard children, this should be highlighted in the guidance.</p>

	<p>In Enfield, we recently had a death of a young person who had been home educated. Although Enfield provided more than the minimum support and monitoring required by the current legislation, had the requirements detailed in the current legislation been stronger, we believe that the [REDACTED] issues surrounding the young person's younger sibling, who was also home educated, would have been identified far earlier.</p>
Text for Report:	[REDACTED]
<b>2 Do you agree that the description of the law (paragraphs 2.1-2.3) relating to elective home education is accurate and clear?</b>	
	<p><input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response</p>
Key Indicators:	[REDACTED]
New Key Indicator(s):	
Answer/Comments:	<p>The description of the law is clear and accurate, but it omits key legislation in relation to the duty to safeguard and promote the welfare of children and young people, namely s11 of the Children Act 2004 and s175 of the Education Act 2002 (Guidance s2.11. It also omits to refer to any legislation that relates to the rights of children, namely the UN Convention on the rights of the child.</p> <p>There should be a requirement for the child to be seen on a regular basis.</p>
Text for Report:	[REDACTED]
<b>3 Do you agree that the description of local authorities' responsibilities (paragraphs 2.5-2.11) is accurate and helpful?</b>	
	<p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>

	<input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	<div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div>
New Key Indicator(s):	<input type="text"/>
Answer/Comments:	<p>Whilst the description may be accurate, it is far from helpful. Paragraph 2.6 does not tie in with good practice in relation to safeguarding children who are not benefiting from school education. Paragraph 2.8 emphasises the parents' right not to comply with a request for information. This document should stress that a parents' refusal to provide information about the education being provided may well constitute a concern for local authorities in relation to safeguarding. It is difficult to imagine how a local authority will ever have good reason to believe that parents are not providing a suitable education if they have no statutory duty in relation to monitoring the quality of home education, no right of access to the home and no right to assess the resources/materials being provided or the environment in which the education is being delivered.</p>
Text for Report:	<div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div>
<b>4 Do you agree that the section on contact with the local authority (paragraphs 3.4-3.7) is accurate and helpful?</b>	
	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	<div style="background-color: black; height: 15px; width: 100%;"></div> <div style="background-color: black; height: 15px; width: 100%;"></div>
New Key Indicator(s):	<input type="text"/>
Answer/Comments:	<p>This part of the guidance is not helpful. An assumption is made that all parents will automatically engage with the local authority which is not always the case. Some parents refuse, others are actively encouraged to have minimum or no contact with their local authority.</p>

	<p>Paragraph 3.4 advises an authority to take a risk based approach in each case, rather than automatically assuming that there is a problem if the parents do not want to have any involvement with the local authority. This approach still renders the authority powerless under current legislation to insist on seeing a child who is being educated at home.</p> <p>Paragraph 3.5 states that a child should be given an opportunity to express their views, but under current legislation, this is dependent on the parent ensuring that the child has an opportunity for this to happen.</p> <p>Paragraph 3.8 These regulations need to be revised to ensure that children remain within the system. Deregistration should not happen until a child has been registered with their home authority as a home educator. The current system for deregistration has a perverse incentive for schools to deregister in relation to comparative tables for attainment and attendance.</p>
Text for Report:	<div style="background-color: black; height: 100px; width: 100%;"></div>
<p>5 Do you agree that the section on providing a full-time education (paragraphs 3.11-3.14) – and in particular, the characteristics of provision (paragraph 3.13) – is accurate and helpful?</p>	
	<p><input type="radio"/> Yes</p> <p><input checked="" type="radio"/> No</p> <p><input type="radio"/> Not Sure</p> <p><input type="radio"/> No Response</p>
Key Indicators:	<div style="background-color: black; height: 20px; width: 100%;"></div>
New Key Indicator(s):	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
Answer/Comments:	<p>Under the current legislation, there is no way of establishing whether the child's "needs, attitudes and aspirations are being recognised as there is no right to have contact with the child. The law does not give home educated child the same protection afforded to children educated at school.</p> <p>There is no reference in this guidance to situations where parents of children with attendance problems are encouraged by schools to deregister their children. The guidance also fails to address the issue of parents who deregister to avoid court action in relation to non attendance.</p>
Text for Report:	<div style="background-color: black; height: 100px; width: 100%;"></div>

<div style="border: 1px solid black; height: 40px; width: 100%;"></div>	
Identifier: 606	
6 Do you agree that the section on developing relationships (section 4) is useful?	
	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
New Key Indicator(s):	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
Answer/Comments:	<p>Relationships can only be developed when both parties wish them to be so. The guidelines place the responsibility to develop a relationship with one party, the local authority. Our local authority puts great emphasis on building positive relationships with home educating families, but in spite of this, some families remain very hostile to the local authority and refuse any interaction. The guidelines need to be strengthened to ensure that parents are also given responsibility to engage with relevant services.</p> <p>The current guidelines do not take account of the difficulties that may occur when parents have mental health issues or have ulterior motives for keeping their children at home.</p>
Text for Report:	<div style="border: 1px solid black; height: 100px; width: 100%;"></div>
7 a) Are the suggested resources in section 5 and appendix 2 useful?	
	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure

	<input type="radio"/> No Response
Key Indicators:	[REDACTED]
New Key Indicator(s):	
Answer/Comments:	Referring to flexi schooling is not helpful as this is not home education. Flexi schooling can only take place when a child is on roll at a school. Home education can only occur when a child is deregistered.
Text for Report:	[REDACTED]
<b>7 b) Should any other contacts be included?</b>	
	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	
New Key Indicator(s):	
Text for Report:	
<b>8 Please use this space for any other comments you wish to make about the guidelines</b>	
Key Indicators:	[REDACTED]
New Key Indicator(s):	
Answer/Comments:	Please refer to the comments in Section 1. Enfield has serious concerns about the content of the draft guideleines and believes that there should be changes in the legal framework to ensure that

	<p>the best interests are served and that safeguarding issues are addresses. As stated earlier, the death of young person in Enfield who had been home educated highlights the serious child protection issues that can exist for children and young people whose parents have elected to home educate.</p> <p>The guidelines need to balance the rights of the parents to home educate and the local authorities' duty to safeguard children.</p> <p>We believe that local authorities should have a greater role in protecting the rights home education and that some funds should be made available for LA's to fulfill this role.</p>
Text for Report:	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
<div>Save Reset Delete Back Print</div>	
<div>&lt;&lt; first previous</div>	Ref: 606 <div>Jump</div>
<div>next&gt;&gt; last&gt;&gt;</div>	
Entire Response	[REDACTED] London Borough of Enfield
<p>[REDACTED] [REDACTED] [REDACTED]</p>	

608 →

**e-consultation**

Logged in as: [REDACTED]

Home / Consultation on Home Education Guidelines... / Analysis / Response Edit

**Consultation on Home Education Guidelines**

department for

**education and skills****Consultations**

Consultation Home

Manual Response Entry

Analysis

Campaigns

Acknowledgements

**System Tools****response edit**

This screen displays the contents of an individual response, including the respondent's personal details and their answers to the questionnaire. You can JUMP to another response by supplying an appropriate response number, or move to the NEXT or PREVIOUS response. The response number is the number automatically assigned to the response when it was submitted by the respondent. It is equivalent to the Consultation Unit's traditional Reference Number. It is assigned to each response and remains unique. Where a response has been deleted from the system, the reason is displayed in place of the response.

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<< first	< previous	Ref: 608	Jump	next >	last >>
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Entire Response	[REDACTED] - Enfield Local Authority
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[REDACTED]
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<b>Personal Details</b>	Identifier: 608
Response Type	Online
Title:	[REDACTED]
First Name:	[REDACTED]
Last Name:	[REDACTED]
Email:	[REDACTED]
Organisation:	Enfield Local Authority
Address:	[REDACTED]
Response on behalf of an organisation:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Campaign:	



	Not Part of Campaign
Confidential Response:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Future Contact:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Acknowledge Response:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Acknowledgements:	Acknowledgement email
Inform when published:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Key Response:	
<b>Respondent Information Questions</b>	Identifier: 608
Which of the following best describes you:	
<input type="radio"/> Home educator <input type="radio"/> Organisation representing home educators <input checked="" type="radio"/> Local authority <input type="radio"/> Young person who is/was home educated <input type="radio"/> Other (please specify)	
Answer/Comments:	
Please specify:	
<b>Consultation Questions</b>	Identifier: 608
1 Do you agree that it is helpful for the DFES to issue guidelines to local authorities?	
<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response	
Key Indicators:	

	<div style="background-color: black; width: 100%; height: 1.2em; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div>
New Key Indicator(s):	<div style="border: 1px solid black; height: 1.2em;"></div>
Answer/Comments:	The principle of guidelines is to establish roles and responsibilities and enable clear procedures and protocols to be put in place. However, if the guidelines do no more than reiterate the current law and the current limitations of local authorities to safeguard and protect children within the confines of that law, then they cannot be deemed to be 'helpful'. Indeed, it could be argued that such guidance merely emphasises the impotence of local authorities, and facilitates at best the delivery of inadequate educational provision by parent/carers, and at worst the possible abuse of children in the home educating environment.
Text for Report:	<div style="background-color: black; width: 100%; height: 1.2em; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100%; height: 1.2em; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100%; height: 1.2em; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100%; height: 1.2em; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100%; height: 1.2em; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div>
<b>2 Do you agree that the description of the law (paragraphs 2.1-2.3) relating to elective home education is accurate and clear?</b>	
	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	<div style="background-color: black; width: 100%; height: 1.2em; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div>
New Key Indicator(s):	<div style="border: 1px solid black; height: 1.2em;"></div>
Answer/Comments:	Yes. But the law clearly needs to be changed, as it directly conflicts with principles enshrined in Every Child Matters, Safeguarding Children, Child Protection and common sense.
Text for Report:	<div style="border: 1px solid black; height: 100px; width: 100%;"></div>
<b>3 Do you agree that the description of local authorities' responsibilities (paragraphs 2.5-2.11) is accurate and helpful?</b>	
	<input type="radio"/> Yes

	<input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
New Key Indicator(s):	<input type="text"/>
Answer/Comments:	<p>The description of local authorities' responsibilities may well be accurate, but it is far from helpful. Indeed, it is difficult to imagine how these responsibilities could be effectively carried out.</p> <p>For example, 2.5 states: 'all children should make reasonable progress'. How can 'reasonable progress' possibly be established if there is no right of access to the child? The guidance talks of 'evidence' being provided in respect of the educational provision. However, a written report submitted by parents may not be accurate, and indeed, could be a work of total fiction. And there is no way of ensuring that 'pieces of work' allegedly completed by the child and submitted as evidence, are, in fact, the work of the child. It is only if the authority has the legal right to meet with the child and discuss the work and activities they are undertaking that progress could be measured.</p>
	<p>2.6 Why is it that the DCSF has seen fit to exclude home educated children from the protective umbrella of the Statutory Guidance for Local Authorities in England to Identify Children not Receiving Education - Education and Inspections Act 2006? Are not home educated children, by the very nature of their isolation, more in need of regular monitoring to ensure they are receiving appropriate educational provision? Such monitoring does not need to be intrusive, but at a very minimum does require that the child can be seen and the educational progress assessed.</p> <p>2.7 How can a local authority ever have 'good reason' to believe that parents are not providing a suitable education if they have no statutory duties in relation to monitoring the quality of home education, have no right of access to the child, have no right of access to the home, and have no right to assess the resources/materials being provided or the environment in which the education is being delivered? Despite sections 2.7 – 2.10 it is extremely difficult to imagine a situation where justification for a School Attendance Order could be demonstrated.</p> <p>2.11 How the DCFS believes that local authorities can fulfil their duty to safeguard and promote the welfare of children under Section 175(1) of the Education Act given this guidance is difficult to imagine, since the two are in direct conflict.</p>
Text for Report:	

<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	
<b>4 Do you agree that the section on contact with the local authority (paragraphs 3.4-3.7) is accurate and helpful?</b>	
	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	<p>[REDACTED]</p> <p>[REDACTED]</p>
New Key Indicator(s):	<input type="text"/>
Answer/Comments:	<p>This section demonstrates quite clearly that the burden of responsibility for demonstrating that the educational provision is inadequate rests wholly with the local authority, whilst they are simultaneously disempowered and rendered impotent. As previously stated, written reports and submission of samples of work are no guarantee of appropriate provision. 'More frequent contact' with parents does not in any way demonstrate or guarantee either the educational provision or the well being of the child.</p> <p>Although the 'Questions for Consultation' seem not to consider it necessary to ask for views on the issue of those children who have never been registered in a school, this group do raise very real safeguarding and child protection concerns. A minimum requirement for parents to register any home educated child with the local authority would go some way to addressing this gap.</p>
Text for Report:	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
<b>5 Do you agree that the section on providing a full-time education (paragraphs 3.11-3.14) – and in particular, the characteristics of provision (paragraph 3.13) – is accurate and helpful?</b>	
	<input type="radio"/> Yes <input checked="" type="radio"/> No

	<input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	<div style="background-color: black; width: 100%; height: 1.2em;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div>
New Key Indicator(s):	<div style="border: 1px solid black; height: 1.2em;"></div>
Answer/Comments:	<p>It is interesting that the DCSF sets out clear characteristics that they state local authorities may reasonably expect to be included in the provision of education at home, all of which would be impossible to establish given the guidance document. Local authorities may expect the 'consistent involvement of parents or other significant carers' but there would be no way of establishing that this is the case. There is absolutely no way of establishing whether the child's 'needs, attitudes and aspirations' are being recognised – to do so would inevitably require contact with the child. Again, there is no way of establishing whether the child finds their learning experiences stimulating without being able to meet with the child. And without access to the home or the child it is impossible to establish what resources are available and what opportunities there are for interaction with other children or adults.</p> <p>Despite the local authority being totally unable to establish any of the above given the constraints of the guidance, it incredibly goes on to say what should be done if 'one or more of the above characteristics appear to be lacking'!</p>
Text for Report	<div style="background-color: black; width: 100%; height: 1.2em;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div>
Identifier: 608	
6 Do you agree that the section on developing relationships (section 4) is useful?	
	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	<div style="background-color: black; width: 100%; height: 1.2em;"></div> <div style="background-color: black; width: 100%; height: 1.2em;"></div>
New Key Indicator(s):	<div style="border: 1px solid black; height: 1.2em;"></div>

Answer/Comments:	Relationships can only be developed when both parties wish them to be so. Despite real efforts on the part of local authorities to build positive and beneficial relationships with home educating families, there are some who remain steadfastly hostile to the local authority and refuse any interaction. This guidance, as it stands, facilitates these parents, and leaves children vulnerable.	
Text for Repo	<div style="background-color: black; width: 100%; height: 10px;"></div> <div style="background-color: black; width: 100%; height: 10px;"></div> <div style="background-color: black; width: 100%; height: 10px;"></div> <div style="background-color: black; width: 100%; height: 10px;"></div> <div style="background-color: black; width: 100%; height: 10px;"></div>	
<b>7 a) Are the suggested resources in section 5 and appendix 2 useful?</b>		
	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response	
Key Indicators:	<div style="background-color: black; width: 100%; height: 15px;"></div>	
New Key Indicator(s):	<div style="border: 1px solid black; height: 20px;"></div>	
Answer/Comments:	5.6 Outlines the arrangements for flexi-schooling. Since flexi-schooling is NOT home education, it is misleading to have it included in guidance on home education. In order for flexi-schooling to take place, a child has to be on a school roll. In order for home education to take place, a child has to be de-registered (or never registered at a school). For the DCSF to conflate these two arrangements can only lead to confusion.	
Text for Report:	<div style="background-color: black; width: 100%; height: 10px;"></div> <div style="background-color: black; width: 100%; height: 10px;"></div> <div style="background-color: black; width: 100%; height: 10px;"></div> <div style="background-color: black; width: 100%; height: 10px;"></div> <div style="background-color: black; width: 100%; height: 10px;"></div>	
<b>7 b) Should any other contacts be included?</b>		
	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response	

Key Indicators:	
New Key Indicator(s):	
Answer/Comments:	The contact list is comprehensive and helpful.
Text for Report:	
<b>8 Please use this space for any other comments you wish to make about the guidelines</b>	
Key Indicators:	[REDACTED]
New Key Indicator(s):	
Answer/Comments:	If the government is committed to safeguarding children, this guidance has to be seriously redressed.
Text for Report:	[REDACTED]
<div>Save Reset Delete Print</div>	
<div>First Previous</div>	Ref: 608 <div>Jump</div>
<div>Next Last</div>	
Entire Response	[REDACTED] - Enfield Local Authority
[REDACTED]	

# Consultation on Home Education Guidelines

## Consultation Response Form

The closing date for this consultation is: 31 July  
2007

Your comments must reach us by that date.

department for

**education and skills**

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**Please tick if you want us to keep your response confidential.X**

Name

Organisation (if applicable) Cambridgeshire LEA

Address:

If your enquiry is related to the policy content of the consultation you can contact Elaine Haste on:

Telephone: 0870 000 2288

e-mail: [elaine.haste@dfes.gsi.gov.uk](mailto:elaine.haste@dfes.gsi.gov.uk)

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 01928 794888

Fax: 01928 794 113

e-mail: [consultation.unit@dfes.gsi.gov.uk](mailto:consultation.unit@dfes.gsi.gov.uk)

Which of the following best describes you:

<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

Please Specify:

--	--

1 Do you agree that it is helpful for the DfES to issue guidelines to local authorities?

<input type="checkbox"/>	<input type="checkbox"/>
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Comments:

These guidelines will only be useful, however, if they honestly and openly attempt to address the key presenting issues involved in how a LA can properly carry out both its education and safeguarding duties with regard to children who are home educated.

2 Do you agree that the description of the law (paragraphs 2.1-2.3) relating to elective home education is accurate and clear?

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

Comments:

3 Do you agree that the description of local authorities' responsibilities (paragraphs 2.5-2.11) is accurate and helpful?

☐ ☐

Comments: Paragraphs 2.5 to 2.11 are ambiguous and unhelpful and will not support local authorities to carry out their education and safeguarding functions with regard to children who are home educated. Paragraph 2.7 and the quote from Section 437 of the Education Act 1996 encapsulates the basic problem in that it suggests that local authorities should be inactive unless they have "good reason" to believe that parents are not providing a suitable education. This local authority strongly believes that it should base its practice on an active confirmation that parents are providing a suitable education rather than a passive assumption that they are. Paragraph 2.11 totally avoids the issue of how local authorities might properly carry out their safeguarding functions with regard to children who are home educated. This local authority wishes to record its disappointment at the DfES's failure to constructively address this issue.

4 Do you agree that the section on contact with the local authority (paragraphs 3.4-3.7) is accurate and helpful?

☐ ☐

Comments: Again, these paragraphs are ambiguous and unhelpful. This local authority acknowledges that the vast majority of parents who choose to home educate do so for entirely sound reasons and succeed in providing a suitable, full-time education for their children. The local authority is committed to working in a spirit of partnership and collaboration with such parents and believes that in most instances it succeeds in doing so. This authority believes, however, that a small minority of parents persistently refuse to engage in any form of meaningful dialogue with the local authority. This authority believes that the ambiguity of the existing legislation in relation to home education and the continuing lack of clear DfES guidance on the respective roles and responsibilities of home educating parents and local authorities does little to support local authorities to open a dialogue with this particular group of home educating parents. This local authority regrets that the draft guidelines offer no practical support to local authorities with regard to parents who persistently refuse to engage in a dialogue.

5 Do you agree that the section on providing a full-time education (paragraphs 3.11-3.14) – and in particular, the characteristics of provision (paragraph 3.13) – is accurate and helpful?

☐ ☐

Comments: The suggestion that "local authorities should offer advice and support to parents...." is ambiguous. This authority believes that great care needs to be exercised with regard to the use of the words "advice" and "support". Officers from this authority will always do their utmost to facilitate the process whereby parents can provide home education. It is open to discussion, however, as to whether it is the responsibility of the local authority to offer specific "advice" and "support" when parents wish to assume responsibility for educating their children. It might be suggested that the offering of "advice and support" potentially redirects some portion of responsibility back to the local authority. Whilst always endeavouring to work in partnership with parents officers from this authority will always make it clear to home educating parents that they are assuming sole responsibility for their child's education. (The local authority Elective Home Education Manager meets with a group of home educating parents each term in order to discuss issues of mutual concern.)

6 Do you agree that the section on developing relationships (section 4) is useful?

☐☐

Comments: Whilst most paragraphs in this section are broadly helpful this local authority wishes to record its concern that paragraphs 4.9 and 4.10 totally fail to address how the local authority might properly carry out its safeguarding functions in relation to children who are home educated. It is, this authority would suggest, inadequate for the guidelines to simply state that the welfare and protection of all children are "of paramount concern and the responsibility of the whole community". Whilst this authority would not wish to suggest that children who are home educated are at any more risk of ill-treatment or abuse than children who attend school, the fact remains that children who attend school are daily seen by a range of professional and others, whilst children who are home educated are often not. This is an important issue which the draft guidelines ignore.

7 a) Are the suggested resources in section 5 and appendix 2 useful?

☐☐

**Comments:**

Parents are particularly interested in local resources.

**7 b) Should any other contacts be included?**

<input type="checkbox"/>	<input type="checkbox"/>
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**Comments:**

**8 Please use this space for any other comments you wish to make about the guidelines**

Comments: In addition to the points previously made this authority has concerns that the guidelines talk exclusively about the rights of parents and the responsibilities of local authorities. Nowhere is clear reference made to the educational entitlement and rights of the child. This apparent marginalisation of the individual child has serious ramifications, particularly for groups that are identified as vulnerable. For example, this local authority continues to have concerns that there may be a growing number of Traveller children – mainly of secondary age, but increasingly of primary age – who are being denied their proper educational entitlement as a result of their parents in effect taking advantage of what they may perceive to be a lax and largely non-prescriptive home education framework. This authority would request clearer guidance with relation to home educating Traveller families and in particular clarification as to what might be deemed a “suitable and efficient education”. This authority is concerned that Traveller children may be disproportionately represented in the elective home education numbers and that this in itself could be perceived as evidence of institutional racism in the education system.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

**Please acknowledge this reply**

☐

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2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

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**Thank you for taking time to respond to this consultation.**

Completed questionnaires and other responses should be sent to the address shown below by 31 July 2007

Send by post to:



# Consultation on Home Education Guidelines

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2007

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**Please tick if you want us to keep your response confidential.** ☐

Name

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Organisation (if applicable)

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Address:

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If your enquiry is related to the policy content of the consultation you can contact Elaine Haste on:

Telephone: 0870 000 2288

e-mail: [elaine.haste@dfes.gsi.gov.uk](mailto:elaine.haste@dfes.gsi.gov.uk)

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Telephone: 01928 794888

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e-mail: [consultation.unit@dfes.gsi.gov.uk](mailto:consultation.unit@dfes.gsi.gov.uk)

Which of the following best describes you:

<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

Please Specify:

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1 Do you agree that it is helpful for the DfES to issue guidelines to local authorities?

Comments:

Enfield Local Safeguarding Children Board agrees that clarification of regulations relating to elective home education is helpful but the clarification should be written in the context of Every Child Matters. The Staying Safe and Being Healthy outcomes are of particular importance where children remain outside the maintained education and health system.

By focusing on the pieces of legislation relating only to education the guidelines have the unintended result of taking attention away from the best interests of the child and safeguarding issues

The draft guidelines pay insufficient attention to safeguarding issues. The areas where the legal framework is inadequate or in need of review in relation to balancing parents' rights to home educate their children and the local authorities duty to safeguard children. The government should set out a timetable for changes to the current arrangements which will address the inadequacies of the current arrangements.

Within this Borough there was the recent death of a young person who had been home educated. The local authority provided above the minimum support and monitoring required by present legislation but believe that improvement should be made to the current requirements to ensure the safeguarding and welfare of the child/young person.

2 Do you agree that the description of the law (paragraphs 2.1-2.3) relating to elective home education is accurate and clear?

Comments:

Enfield Local Safeguarding Children Board agrees that the description of the law is clear and accurate, but omits key legislation in relation to the duty to safeguard and promote the welfare of children and young people, namely the Children Act 2004 s11 and the duties contained in the Education Act 2002 s 175 ( Guidance s2 11)

In integrated children's services safeguarding duties should be prioritised. There should be the requirement for the child to be seen on a regular basis by someone independent of the local authority who should have responsibility for monitoring the child's development and wellbeing.

The guidance also omits any legislation relating to the rights of the children, namely the UN Convention on the rights of the child.

3 Do you agree that the description of local authorities' responsibilities (paragraphs 2.5-2.11) is accurate and helpful?

☐☐

Comments:

**Paragraph 2.6** "the guidance issued makes it clear that the duty does not apply to children who are being educated at home which runs counter to good practice in safeguarding children who are benefiting from school education.

**Paragraph 2.8** underlines parents' right not to comply with a request for information. The guidelines should instead emphasis that parents refusal to provide information about the education they are providing ight constitute an alert for local authorities from the safeguarding point of view.

4 Do you agree that the section on contact with the local authority (paragraphs 3.4-3.7) is accurate and helpful?

☐☐

**Comments:**

This section makes the assumption that parents will engage with local authorities, an assumption which not substantiated in practice. Some parents refuse to engage with their local authority.

**Paragraph 3.4** cites Gypsy/Roma and Traveller parents. Parents' who have mental health issues, have learning difficulties themselves and some disabled parents may not have the knowledge, skills and resources to provide or deliver an education that is efficient or suitable. The local authority remain powerless under current legislation even if they take a risk based approach to insist on seeing a child who is being educated at home to ascertain their state of wellbeing.

**Paragraph 3.5** provision should be made for children who are educated at home to be provided with an independent advocate (independent of the local authority and parent) to help secure the child's views. There is no emphasis on the child's right to participate in decision making. Isolation increases a child's vulnerability therefore giving the child the right to participate is very important.

**Paragraph 3.8** regulations relating to de-registration should be revised to ensure that children are retained within the system. For example schools should not be able to de-register a pupil until confirmation is received that the pupil has been registered with the local authority as receiving home education. The system for de-registration creates perverse incentives within school systems relating to publishing league tables for attainment and attendance.

5 Do you agree that the section on providing a full-time education (paragraphs 3.11-3.14) – and in particular, the characteristics of provision (paragraph 3.13) – is accurate and helpful?



Comments:

There is no reference in this section to the Every Child Matters agenda outcomes. The focus is on the adult needs and there is no reference to children's rights or welfare issues. The law as currently defined does not afford children educated at home the same protection afforded to children educated at school. This is discriminatory and the guidelines should include plans for how this will be remedied.

The guidance does not address the issue of the schools which encourage the parents of children with attendance issue to deregister their children. The guidelines also fail to address the issue of parents who deregister to avoid court action when pressurised by the EWS regarding their children's poor attendance at school.

6 Do you agree that the section on developing relationships (section 4) is useful?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comments:

These guidelines place the responsibility to develop a relationship with the local authority. The guidelines should state that parents too have a responsibility to engage with the local authority and health services. This should be strengthened by changes to the current statutory arrangements.

Parents are not required to have any qualifications or training to provide education this discriminates against home educated children who, were they in school, would benefit from teaching from professionally trained staff who engage in continuing professional development and whose performance is regularly appraised. Again the guidelines may be stating the current legal situation but issues such as this should be flagged and plans for the situation to be remedied, set out by the government.

Current arrangements do not take account of parents with mental health issues or parents with ulterior motives for keeping their children at home.

7 a) Are the suggested resources in section 5 and appendix 2 useful?

<input type="checkbox"/>	<input type="checkbox"/>
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Comments:

Provision should be made for children who are educated at home to be provided with an independent advocate (independent of local authority and parent) to help secure the child's views.

The guidance could make the recommendation that local authorities offer home educated children the possibility of sitting exams at their local school. This could provide the incentive for building a relationship between home educated children and their community.

Para 5.6 The notion of "flexi-schooling" is of concern. It creates circumstances in which parents may be encouraged to keep a child at home for part of the week with little check on the education the child is receiving during that time. Any "flexi-schooling" arrangement should be subject to monitoring by Education Welfare Services.

Para 5.8 This paragraph should be strengthened to make arrangements for home educated children the same as those for children educated in school. The guidance should include recommendations regarding the safeguarding and health and safety considerations that should be taken into account by any parent wanting their child to engage in a work experience placement.

7 b) Should any other contacts be included?



Comments:



8 Please use this space for any other comments you wish to make about the guidelines

Comments:

Comments:

Enfield Local Safeguarding Children Board re-iterate here the comments made in Section 1 which we believe to be of fundamental importance.

The draft guidelines as currently written assume benign intent in elective home education and pay insufficient attention to safeguarding issues. The Enfield Local Safeguarding Children Board is aware of a number of serious child protection cases where the child was electively home educated. This is a major concern.

By focusing on the different pieces of legislation relating only to education, the guidelines have the unintended result of taking attention away from the best interests of the child and from safeguarding issues.

The guidelines should highlight areas where the legal framework is inadequate or in need of review in relation to balancing parents' rights to home educate their children and local authorities' duty to safeguard children. The government should set out a timetable for changes to the current arrangements which will address the inadequacies of the current arrangements

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

**Please acknowledge this reply X**

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Send by post to:

## Questions for Consultation

1. Do you agree that it is helpful for the DfES to issue guidelines to local authorities?

Answer: Yes

2. Do you agree that the description of the law (paragraphs 2.1- 2.3) relating to elective home education is accurate and clear?

Answer: The description of the law is accurate but the law itself is unclear. Section 2.3 is not clear and can be a source of conflict. It would be helpful to have a concise description of what constitutes a "suitable" or "efficient" education. The law needs to include the need for basic skills to be taught providing a baseline for local authorities to be able to assess the home education. The child's needs should be met, not the parents.

3. Do you agree that the description of local authorities' responsibilities (paragraphs 2.5-2.11) is accurate and helpful?

Answer: No.

Section 2.5: What is "reasonable progress"? We would like clarity of what is meant by this term.

Section 2.6: All children should matter, not just those in schools. The Education and Inspection Act should apply to all children.

Section 2.7 contradicts section 2.3. There ought to be a statutory duty. There should be minimum requirements to prove that the child is receiving a suitable education. We need firm guidance regarding what constitutes suitable education.

Section 2.8 says that parents are under no duty to comply. We feel that there should be such a duty.

Section 2.11: If local authority officers were given powers to enter the home, it would enable the local authority to assess whether the environment was conducive to learning.

4. Do you agree that the section on contact with the local authority (paragraphs 3.4-3.7) is accurate and helpful?

Answer:

Section 3.4: There is a conflict with Every Child Matters.

**7a. Are the suggested resources in section 5 and appendix 2 useful?**

Answer: In exceptional circumstances, this local authority will provide alternative education for older children for whom a return to school would be untenable. There is no other flexibility and the local authority should not be providing resources for home educating families as it is the parent's decision to withdraw the child (ren).

This county's Library Service is very supportive and helpful towards home educating families.

Section 5.2: It should be made very clear to potential home-educating parents that by doing so they take full responsibility for their child's education, including the resourcing of it.

Work experience: There should be more flexibility here as parents can argue that by the child taking part in work they are preparing them for the community in which they live. The child employment guidelines were introduced to stop children who were attending school working until late at night on a school day: this is not applicable to home educated children who can be educated at any time during the day/week.

**b. Should any other contacts be included?**

Answer: The names of organisations should be shown in alphabetical order.