

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.

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

Name

[REDACTED]

Organisation (if applicable) Nottinghamshire Local Authority

Address:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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

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

Which of the following best describes you:

<input type="checkbox"/> None of these	<input type="checkbox"/> Organisation representing home educators	<input checked="" type="checkbox"/> Local authority
<input type="checkbox"/> Traveller education	<input type="checkbox"/> Other (please specify)	

This is a composite response on behalf of Nottinghamshire Local Authority. Representatives of the following services met to consider the consultation document; Elective Home Education, Education Welfare Service, Traveller Education Service, Special Educational Needs, Education Other Than At School (EOTAS) and the Education Psychology Service

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

☒ Yes

☐ No

☐ Not Sure

Comments: As long as the guidelines are unambiguous and take into account all relevant legislation and previous guidance.

Lead officers of Nottinghamshire Local Authority believe that the draft guidance represents a missed opportunity to draw upon the Every Child Matters framework which sets out the criteria by which ALL children's well being should be measured (whatever their background or their circumstances). There is no reference to this major piece of legislation which requires that children should be healthy, stay safe, enjoy and achieve, make a positive contribution and, in due course, experience economic well being. A suitable education has been redefined by the five outcomes enshrined within the Children Act 2004 yet this guidance makes no mention of it.

There is some ambiguity in para 1.2. The implication in this paragraph is that pupils who are home educated might attend an educational establishment on a part-time basis. Whilst we recognise that flexi-schooling is the most appropriate option for some children, we consider that the school that the child attends on a part-time basis is usually best placed to monitor the overall provision for the individual. A child who is home educated and receives education which is subject to the arrangements that the LA makes to fulfil its statutory duties should not be registered at all and should not appear on any school roll. When registered, the child attracts funding to the school. Arrangements for flexi-schooling are agreed locally and the school's governing body should take responsibility for monitoring the overall provision for the individual who is on the roll of the school.

Para 1.3 The guidance does not adequately define the nature of the statutory nature of the duty of the Local Authority with sufficient precision.

Para 1.4 The **reason** why parents elect to home educate their child is in fact important. In Nottinghamshire, where the reason for electing home education is known, it is of concern to the Local Authority that 36% have been withdrawn from school due to bullying, attendance issues, conflict with school, or emotional problems. The Local Authority can offer assistance to children who fall into this category and be pro-active. In the school year 2006/07 20% of children withdrawn from school have returned because the decision to home educate was perhaps ill conceived at the outset. This demonstrates the way Local Authorities can establish effective partnerships with parents where the

reasons for electing to home educate have been explored.

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

☐

Yes

☐

No

NS Not Sure

Comments:

Para 2.1 Education is compulsory for **statutory school age** children – some definition required here. The new department for Children, Schools and Families will need to consider how this will be affected by plans to engage all young people in education or training up to the age of 18.

Para 2.3 This remains based on case law dated 1985. No attempt has been made by the DfES to refine the interpretation of “efficient” and “suitable” yet this is the very help Local Authorities need. 21st century Britain is now very different . As para 2.1 stands, Local Authorities would be obliged to support parents and children whose beliefs and values (within the community) are at odds with “the way of life in the country as a whole”. Some reference to citizenship in this paragraph would seem to be appropriate.

A suitable education should be one in which the **5 ECM** outcomes are achieved.

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

☐

Yes

☐

No

NS Not Sure

Comments:

Para 2.6 is unhelpful. Even children who are said to be "educated at home" can actually miss out on an education. Not all children respond to their parent's wishes and some choose to abscond themselves. This can happen in cases where the reason for electing to home educate has been ill conceived at the outset. It is our experience that in many cases, where parents choose not to engage with the Local Authority, the child's education can be severely disrupted.

In September 2007, a CME (Child Missing Education) officer will have been appointed to Nottinghamshire Local Authority's Children and Young People's Services to address these issues.

Para 2.7 - 2.10 Further clarity required. It is implicit within the law that the Local Authority has a responsibility to ensure that all children receive their entitlement to a suitable education and has (therefore) a monitoring role.

There is insufficient emphasis on safeguarding and no real commitment to addressing the dilemma faced by Local Authorities in balancing the rights of the parent with the needs of the child. Nottinghamshire Local Authority is committed to supporting **all** children in their endeavours to achieve the 5 ECM outcomes and would value clear guidance as to how this can be achieved within the context of Elective Home Education.

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

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Yes

☐

No

NS Not Sure

Comments:

Para 3.5 The guidance given here should be underpinned by the ECM agenda so that Local Authorities can take appropriate, direct action where there are concerns.

Para 3.4 The Local Authority endorses the view that it should not "assume that there is a problem which needs investigating". Within an integrated children's service, any problems that exist have usually been identified and shared in the interests of the child. It would be helpful if home education support groups would also advise parents that the involvement of the Local Authority as a partner in their child's education is nothing to be feared. Nottinghamshire Local Authority is committed to meeting the needs of the Gypsy, Roma and Traveller children who make up 9% of our known home education families. The Traveller Education Service and Elective Home Education team work closely to engage

effectively with families. A realistic approach needs to be taken with regards to the best form of engagement.

Para 3.6 There is a lack of clarity as to what constitutes a 'reasonable concern'. It is only when the concern is investigated that a decision can be made as to whether it is well founded or not.

Para 3.7 In cases where a parent chooses "not to meet at all" with a representative of the Local Authority, their decision should be formally recorded. Under the draft guidance, the Local Authority remains vulnerable if the child later accuses the LA of negligence in failing to ensure their educational needs were effectively met. Although this has not yet happened there is an increasing culture of litigation in society as a whole and it is reasonable to assume that this could happen in the future.

There is a need for the child's voice to be heard.

Para 3.8 - 3.10 De-registration is not helpful in terms of supporting young people whose needs may best be served within a school setting. Neither does it support the Local Authority in its endeavours to identify children missing education (CME legislation). Rather than remove the child's name from the school roll immediately, a period of time determined by the DfES should be provided so that the Local Authority can be pro-active in its duty to ensure the child receives a suitable education. Whilst the child is on roll, there is funding attracted to him/her and support could be accessed that might otherwise be difficult to secure when the child is home educated.

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?

☐

Yes

☐

No

NS Not Sure

Comments:

The amount of time devoted to education by children in school is equivalent to school hours plus homework. In addition there are extra curricular activities provided by school and for some, a wealth of experiences offered by the family. Even in relation to school children, the term "full - time" is difficult to define. There is a need for a redefinition. Full time could be said to relate to the time needed to achieve specific learning goals

The Local Authority recognises that "educational activity can be varied and flexible" but questions whether it can be effective if not planned. This begs the question as to how home educators know if they have achieved something if they did not know what it was that they were hoping to achieve at the outset. Even where the preferred approach to learning is of an autonomous nature, the parent should be able to identify what it is they want their child to achieve. Whilst the guidance provides a list of what parents are **not required** to do, there is little emphasis placed on the need to accept full responsibility for their child's progress. Parents should be advised to draw up a plan to demonstrate their desire to help their child learn. They should have a broad outline of what they hope their child will achieve and the ways in which this will be facilitated.

Para 3.13 The characteristics could have been more usefully based on the 5 ECM outcomes. They should also make explicit that the child is expected to make progress in his/her learning and not merely "stimulated by their learning experiences".

Para 3.15 – 3.19. There is insufficient emphasis on SEN within the guidance as a whole and this is disappointing. In Nottinghamshire, the incidence of children identified as being on the autistic spectrum or with Asperger's syndrome who are home educated, is increasing. It is important that the Local Authority knows why this is the case to inform future policy and practice. Pupils with SEN represent a significant proportion of home educated pupils. It is disappointing that the consultation does not ask respondents to make comments about this area.

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

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Yes

No

NS Not Sure

Comments:

Para 4.1 & 4.2 The title should be Developing Partnerships as there are duties and responsibilities placed on all parties. Section 4 does not convey this message very clearly.

Nottinghamshire Local Authority supports the view that positive working practices should be established at the outset to support the needs of the child.

Para 4.3 – 4.4 There is an overall lack of clarity here. Much is couched in terms of “may wish” “may decide” and there is an emphasis on what the Local Authority should **not** do, rather than making it absolutely clear what should be done. The vagueness surrounding the time for “adjustment” is unhelpful and open to interpretation between Local Authorities leading to geographical inequalities.

Para 4.7 and 4.8 We agree that Local Authorities should not assume there is a problem just because access to the family is denied and consider that in addition, parents should not be suspicious of the Local Authority. The educational needs of the child should be paramount for all parties.

Para 4.9 It is difficult to see how Child Protection can work if the Local Authority has no contact with the child. The ECM agenda needs greater recognition.

Para 4.11 We agree that home educating parents should be involved in the Local Authority’s review of procedures. Nottinghamshire Local Authority is in the process of revising its guidelines to parents having drawn upon parental views at the outset. Relatively few known home education families in Nottinghamshire are members of home education organisations. Conversely, home education organisations have made it known to the Local Authority that several of their members remain unknown to the Local Authority and take steps to remain “undiscovered”.

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

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Yes

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No

NS Not Sure

Comments: Reasons why parents elect to home educate are important because they often set the tone for the kind of partnership that is established with the Local Authority. Where young people have had unhappy or unsuccessful school experiences, parents often are happy to receive as much support they can have from the Local Authority to support their child through difficult times. Parents in this position should be encouraged to discuss their concerns with a named representative of the Local Authority prior to de-registration. It may be the case that other support agencies can intervene and offer resources that are difficult to access once the child is no longer on a school roll.

Para 5.2 We agree that Local Authorities offer support of this nature to home education families where possible. Local Authorities should assist each other in sharing information and good practice.

Para 5.5 The Local Authority would like clarification as to whether it is required to pass details of individual children on to other partners such as for example the Connexions service or a school nurse. This would seem to be a positive action to support home educated children, but the position regarding this is unclear at present.

Para 5.6 As flexi-schooling is an arrangement with the school; the school should accept full responsibility for the overall provision and establish a protocol with the parents. As funding is attracted to the school when the child is on roll, flexi schooling should remain outside the remit or elective home education arrangements for Local Authorities. Children who participate in flexi-school arrangements do not need to be included on the Local Authority's database systems as being electively home educated. The partnership arrangements are between school and parents and the term "the rest of the time the child is home-educated" is unhelpful. The Home-School contract should reflect the nature of the partnership. ... "the rest of the time the child follows the programme of study off-site and usually at home" is a better reflection of what should be happening. Much greater clarity is needed with respect to flexi – schooling. This is a form of provision in its own right and should not be subsumed within Elective Home Education guidelines.

There is no Appendix 2

The information in annex A is helpful overall. However under the heading Self – Study, the guidance states "It may also be possible for a group of home educators to consider seeking approved status in their own right". There is a lack of clarity as to what the legal position would then be. It would seem to be sensible that if child minders are subject to Ofsted inspection, similar arrangements should be in place for home educators setting up schooling / education programmes for groups of children.

7 b) Should any other contacts be included?

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Yes

☐

No

NS Not Sure

Comments:

Annex B – Useful contacts

We consider that the Local Authority contact should be the first on the list and that the positioning of the Education Otherwise Association Limited title should become aligned to the left. Organisations should be listed alphabetically with ACE as the first “useful contact” No one organisation should be afforded priority and the DfES, like Local Authorities should be impartial. The guidance should make the point that it is not responsible for the content of the websites and does not necessarily endorse what is said on any of the websites listed.

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

Comments:

The Local Authority is concerned that there is an insufficient focus on safeguarding and SEN both within the document and the questions to which respondents have been asked to address.

Greater clarity regarding the role of the Local Authority in relation to safeguarding and the effective implementation of the ECM agenda have not been sufficiently addressed within this guidance.

Concerns remain in relation to the de-registration of pupils. Nottinghamshire Local Authority has already demonstrated how it can be effective in supporting the needs of the unhappy school educated child whose parents/ carers opt for home education as a result of negativity about school education, due to the fact that 20% of the 107 children referred to the Elective Home Education service have returned to school following support from the Local Authority.. The child's needs are often better served by remaining on the roll of the school to enable the Local Authority to begin to engage with the family before final decisions are made.

The needs of Gypsy, Roma and Traveller children are underestimated in this guidance, as are the complex needs of the most vulnerable children.

It would seem that wishes and demands of the home education organisations have had a disproportionate influence within this guidance, particularly in

relation to para 2.1 – 2.9 and 3.11 – 3.14. Whilst we recognise the right of organisations to lobby parliament, consideration must be given to the fact that in some Local Authorities the majority of parents who are known to be providing home education do not subscribe to such organisations. Families who choose home education are very diverse, with a wide range of needs and values, and these are not always represented by established home education organisations.

The guidance is a welcome first step in supporting effective working practices within an integrated children's service but the lack of clarity in the guidance outlined in this response means there is scope for further development. We would like to see the ECM agenda reflected in the guidance.

Overall the guidance is insufficient to address the dilemma faced by Nottinghamshire Local Authority in meeting its duty to ensure all children are in receipt of a suitable education. The lack of clarity will provide barriers to the continuation of our current good practice.

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

Here at the Department for Education and Skills we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

☐

No

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
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.

Further information on the Code of Practice can be accessed through the Cabinet Office Website: <http://www.cabinetoffice.gov.uk/regulation/consultation-guidance/content/introduction/index.asp>

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:

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.

[Click here for more information about using this screen](#)

<< first	< previous	Ref: 714	Jump	next >	last >>
Entire Response		[REDACTED] Surrey County Council			

[REDACTED]

This response has been submitted by a registered respondent.	Change Details
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Personal Details	Identifier: 714
Response Type	Online
Title:	
First Name:	[REDACTED]
Last Name:	[REDACTED]
Email:	[REDACTED]
Organisation:	Surrey County Council
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]
Respondent Information Questions	Identifier: 714
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:	<div style="border: 1px solid black; height: 100px;"></div>
Consultation Questions	Identifier: 714
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):	<div style="border: 1px solid black; height: 20px;"></div>
Answer/Comments:	Surrey County Council welcomes the clarity of the guidance and the fact that the purpose is to support local authorities in carrying out their statutory responsibilities.
Text for Report:	

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 checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	[REDACTED]
New Key Indicator(s):	
Answer/Comments:	The guidelines seem to be an accurate reflection of the law and good practice.
Text for Report:	
3 Do you agree that the description of local authorities' responsibilities (paragraphs 2.5-2.11) is accurate and helpful?	
	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
New Key Indicator(s):	

Answer/Comments:	<p>2.5 Whilst agreeing with the statement that all children should make reasonable progress it is hard to see how progress can be measured if the local authorities have no statutory duties in relation to monitoring the quality of home education on a routine basis.</p> <p>2.6 Again, how do the local authorities know the child is receiving education if enquiries can be made only if there is reason to believe parents are not providing a suitable education?</p> <p>2.7 The draft guidance 2007 emphasises through bold print that local authorities can intervene if they have good reason to believe that parents are not providing a suitable education implying the local authority can only take action when a complaint has been received. It does not acknowledge as clearly as earlier draft guidance that local authorities may, in the first instance, make informal enquiries</p> <p>Draft guidance from DfES to local authorities in 2002 and 2004 and 'A Summary of the Law Relating to Home Education in England and Wales' produced by education otherwise stated: Although the legal duty of LEAs is concerned only with children who appear not to be receiving a suitable education, case law (Phillips v Brown, Divisional Court [20 June 1980, unreported]) has established that an LEA may make informal enquiries of parents who are educating their children at home to establish that a suitable education is being provided.</p> <p>2.8 This section alludes to the above but mentions Phillips v Brown as a footnote with no explanation of Lord Donaldson's judgement.</p>
Text for Report:	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
4 Do you agree that the section on contact with the local authority (paragraphs 3.4-3.7) is accurate and helpful?	
	<p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> Not Sure</p> <p><input type="radio"/> No Response</p>
Key Indicators:	<p>[REDACTED]</p> <p>[REDACTED]</p>
New Key Indicator(s):	<p>[REDACTED]</p>
Answer/Comments:	<p>3.4 The role of Traveller Education Support Service is to enable and support the children of Gypsy/Roma and Traveller families to attend school. Despite working closely with TESS and making joint visits to families who intend to home educate, TESS feel their efforts to maintain school attendance are undermined by elective home education whose "suitability" is that it "primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to</p>

	<p>adopt some other form of life if he wishes to do so", and may be seen by parents as an easy option and means to avoid prosecution for their child's non-attendance at school.</p> <p>3.5 Surrey County Council is pleased to note the guidance recognises the contribution of the child and seeks to include his/her views either by attendance at a meeting or expressed in some other way.</p> <p>3.7 It is the experience of Surrey County Council that many parents welcome the opportunity to discuss the provision that they are making for their child's education and we, as the local authority are happy to meet at venues other than the home or to be provide with evidence of suitable education in other ways if parents choose not to meet, however, in a minority of cases it is extremely difficult to establish the veracity of a written report. Surrey County Council is willing to accept creative and flexible education arrangements but is concerned that 'evidence' submitted may not be the work of the child. To safeguard the child's right to education, a person in the employ of the local authority should see and speak to the child.</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>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 checked="" type="radio"/> Yes</p> <p><input type="radio"/> No</p> <p><input type="radio"/> Not Sure</p> <p><input type="radio"/> No Response</p>
Key Indicators:	<p>[REDACTED]</p> <p>[REDACTED]</p>
New Key Indicator(s):	<p>[REDACTED]</p>
Answer/Comments:	<p>3.11 Accurate but unhelpful when parents request a definition of full time or use the fact that there is no definition of full time to justify providing a minimal number of hours education per day.</p> <p>3.12 Accurate and helpful.</p> <p>3.13 Far more helpful and specific than previous guidance. Each characteristic is valued especially the expectation by the DfES of consistent involvement of parents or significant carers playing a substantial role in providing education.</p> <p>3.14 Accurate and helpful. However, access to ICT is integral to providing education at home. Not all families (especially GRT) have this and may be reluctant to use the resources at public libraries.</p>

Text for Report:	[REDACTED]
Identifier: 714	
6 Do you agree that the section on developing relationships (section 4) is useful?	
	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	[REDACTED]
New Key Indicator(s):	
Answer/Comments:	<p>This section is useful. Officers of Surrey County Council endeavour at all times to develop positive relationships with home educating families but in some cases their efforts are rejected on the grounds of interference and abuse of the parents' right to privacy. A small but increasing number of parents tolerate enquiries by the local authority but do not wish to develop a relationship; the fact that they respond to the local authority with identically worded letters suggest that this is an organised group.</p> <p>4.5 Parents need a more comprehensive set of information than proposed - e.g. on key contacts in the local authority for advice and clarification. Connexions services - not enough guidance e.g. as a service for young people of 13 and above, it is young people who need to make the decision to opt out or not from this service not parents; there is not enough clarity as to Connexions requirements to track young people who have opted out of the service.</p> <p>4.9 Whilst there is no provision for education professionals to see the child (they could be the only professional involved) it is possible for child protection issues to be concealed.</p>
Text for Report:	[REDACTED]
7 a) Are the suggested resources in section 5 and appendix 2 useful?	

	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	[REDACTED]
New Key Indicator(s):	
Text for Report:	
7 b) Should any other contacts be included?	
	<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:	Social contacts are important so information directing parents to local drama groups, the Youth Service, sports clubs etc would be useful.
Text for Report:	[REDACTED] [REDACTED]
8 Please use this space for any other comments you wish to make about the guidelines	
Key Indicators:	[REDACTED] [REDACTED]
New Key Indicator(s):	

Answer/Comments:	<p>1.4 The wording of this section does not refer to parents whose intention is to remove their child from school for a short period of time. A proviso should be made that parents who intend to home-educate for a period and then return their child to the school system may disadvantage the child if they do not follow the National Curriculum. The statement could be repeated in paragraph 3.11.</p> <p>2.4 It is essential that parents are made aware that they must assume full financial responsibility for all aspects of the child's education. Since parents have great difficulty arranging for their children to sit public examinations attention should be drawn, at this point, to Annexe A.</p> <p>3.9 There is conflict here with The Education (Pupil Registration) Regulations introduced on 1st September 2006. Regulation 12(3) states:</p> <p>The name of a school-age pupil must be deleted if the proprietor has written notification from the parent that the pupil is receiving education otherwise than at school. The school must inform their local authority as soon as they become aware and before the deletion is made.</p> <p>Whilst it is acknowledged that compulsory registration of all home educators would require a change to the Law, there is considerable strength of feeling within Surrey County Council that the education of some vulnerable children is not monitored because registration is not compulsory.</p> <p>3.17 and 3.18 Clarification is needed as the guidance does not say if it is compulsory for the local authority to amend the statement to read "parents have made their own arrangements under section 7 of the Education Act 1996" where the authority is satisfied that the child's parents have made suitable arrangements.</p> <p>"The statement can also specify any provision that the LEA has agreed to make under section 319 to help parents to provide suitable education for their child at home." Clarification needed again. Does it mean funding provided to schools for SNA support, Speech and Language Therapy and resources for disabled children such as standing frames or specially adapted desks, etc. would be transferred to parents to provide the same resources at home?</p> <p>Annexe A Paragraph 2.</p> <p>Home-educated young people do not have equal opportunities with their peers who attend school. In Surrey, home educated young people are precluded from attending College in year 11 because available places are secured by transfer of funds from schools to colleges.</p> <p>Recent changes to the examination system have made it extremely difficult for home-educated children to take GCSE examination. The main difficulties are:</p> <ul style="list-style-type: none"> § The range of examinations available to private candidates is limited § Examination centres may not accept private candidates <p>Children Educated As A Group</p> <p>No information is provided on children educated as a group. Surrey County Council is aware of children of school age educated in groups of 5 or more on a part time basis, generally three or four days per week. Clarification is required on the regulations for registration of schools. Similarly, would the regulation apply to a family home educating five or more siblings?</p> <p>In addition to 'The Guidance To LEAs On Elective Home Education, could the DfES produce a booklet giving guidance to the public on Elective Home-Education? The booklet should include procedures for home-education, the implications of de-registration, case studies, examples of</p>

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THIS RESPONSE IS FROM AN OFFICER FROM THE LONDON BOROUGH OF BARNET. THE OFFICER STATES THAT THE VIEWS EXPRESSED ARE HIS/HERS AND NOT THE AUTHORITY'S.

715

ELECTIVE HOME EDUCATION

QUESTIONS FOR CONSULTATION

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

Yes it is helpful for the DfES to issue guidelines to LAs but guidelines to parents/carers would also be useful. It would be a helpful addition to have a consistent picture of what a "suitable and efficient" education looks like and how/when this can be assessed. A timeframe for inspection would assist both LA/parents so that clear expectations are laid down.

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

We agree with the principle of parental responsibility in 2.3 but feel that until the Act is amended different communities may be encouraged to be inward looking rather than inclusive.

In principle we agree with 2.4, but we do not agree with the lack of requirement for parents to register as we have a safeguarding responsibility for all the young people in our Borough.

We agree that parents who have opted out should take financial responsibility for their children's education but that grants should be available from Central Government for exam registration/fees and invigilation in the public examination system at Key Stage 4 and above. This could be linked into the requirement to register with the Local Authority so that the parents have an incentive, and the LA then has an overview.

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

In 2.5 we would value a definition of "reasonable progress", especially for students who have opted out of Standard Assessment Tests (SATs)/QCA.

We feel that the duty mentioned in 2.6 should apply to children educated at home and there should be a comprehensive database in each Children's Service and a requirement for all parents and carers to register.

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

We agree with 3.4 – 3.7

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?

Whilst we value the principles in 3.13 we would appreciate a suggested outline of the last paragraph in 3.11. "However the LA should offer advice and support to parents in these matters if requested". We are equally aware of the need for flexible arrangements in elective home education.

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

4.1 has made us reflect on how we as a Children's Service could work towards better partnerships with parents who educate their children at home.

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

We feel the resources and links in Section 5 and Appendix 2 are very useful.

7b. Should any other contacts be included?

We feel that there should be a note to refer people to Local Authority intranets where local contacts and details can be obtained.

Please use this space for any other comments you wish to make about the guidance.

- Need to review the Act so that there is a statutory responsibility to register with the LA from a safeguarding point of view.
- We have experienced the problems families have faced when Post 16 options are closed to them as a result of Elective Home Education and no formal qualifications.
- We feel that some families are not entering their children for formal qualifications because of the cost.
- We are concerned that because of the new guidance on Exclusions that EHE will be challenged in the streets during school hours. The requirement for an ID card might also be another incentive for parents to register. If discounts to Leisure Centres were available on production of an ID card, this might also serve as an incentive to register.
- Whilst we appreciate that the majority of Home Educators take Elective Home Education seriously we have concerns from personal experiences and visits regarding extremely vulnerable children.
- To ensure our pupils are safe we have a "net" of alternative routes e.g. assessment by Educational Psychologists and referrals to the Education Welfare team. We feel this safeguarding needs to be written in the guidance.

• [REDACTED]

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

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

response edit

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[REDACTED]	Ref: 717 [REDACTED]	[REDACTED]
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Entire Response

Anonymous

Personal Details

Identifier: 717

Response Type

Online

Title:

First Name:

Last Name:

Anonymous

Email:

Organisation:

Address:

Response on behalf of an organisation:

☒ Yes ☐ No

Campaign:

	Not Part of Campaign
Confidential Response:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Future Contact:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Acknowledge Response:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Inform when published:	<input checked="" type="radio"/> Yes <input type="radio"/> No
Key Response:	[REDACTED]
Respondent Information Questions	Identifier: 717
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]
Consultation Questions	
Identifier: 717	
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:	Whilst Local Authorities have always had very limited authority to regulate and monitor the education provision for children educated at home, it is helpful that LA's are issued guidance that supports existing policy and practice.
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 checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	[REDACTED]
New Key Indicator(s):	
3 Do you agree that the description of local authorities' responsibilities (paragraphs 2.5-2.11) is accurate and helpful?	
	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	[REDACTED]
New Key Indicator(s):	
Answer/Comments:	<p>Accurate –but not necessarily helpful –</p> <p>2.5- How do LA's monitor progress for children educated at home, given the reliance on parental cooperation and the absence of formal monitoring arrangements? – at odds with the ECM agenda – and duty placed on LA's to improve outcomes for CYP.</p> <p>Whose responsibility is it to evidence that the child is making "reasonable" progress? – To whom does the burden of proof rest with? – should there be a standard of outcomes, rather than provision?</p> <p>2.6 is confusing. It may serve to clarify the difference between the two sets of guidance in relation to EOTAS and missing children if the information was placed at the beginning of the document.</p> <p>Whilst the information is correct in relation to the responsibilities, it also serves to highlight the fact that LA's powers are "diluted", by the amount of detail in relation to SAO's.</p>

	<p>2.7 – proving that a parent is not providing a “suitable” education is extremely difficult given the lack of definition, and the limited authority to regulate and monitor EHE. In relation to any statutory response: SAOs are very difficult to serve successfully. With non-school attendance, SAOs can be very time consuming and costly. They can ensure a child is at least placed on a school roll by parents but rarely ensure the child’s attendance at the school.</p> <p>2.11 Duty under Ed Act 2002 to safeguard and promote the welfare of children Given the status – quo of existing legislation there appears to be no consistency between the limited authority to regulate and monitor the education of children educated at home, and the duty to safeguard and promote the welfare of children. (in the context of families where there are existing safeguarding concerns)</p>
4 Do you agree that the section on contact with the local authority (paragraphs 3.4-3.7) is accurate and helpful?	
	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Not Sure <input type="radio"/> No Response
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New Key Indicator(s):	<div style="border: 1px solid black; height: 1.2em;"></div>
Answer/Comments:	<p>The information is accurate but, not necessarily helpful. It serves to highlight the restrictions placed on LA's to operate with regard to monitoring the suitability and efficiency of home education.</p> <p>3.4 – little evidence of parents initiating contact with LA following or, in between visits from officers.</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?	
	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	<div style="background-color: black; width: 100%; height: 1.2em;"></div>

	[REDACTED]
New Key Indicator(s):	
Answer/Comments:	3,13 - Should also include evidence of "progress"
Identifier: 717	
6 Do you agree that the section on developing relationships (section 4) is useful?	
	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	[REDACTED] [REDACTED] [REDACTED]
New Key Indicator(s):	
7 a) Are the suggested resources in section 5 and appendix 2 useful?	
	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	[REDACTED]
New Key Indicator(s):	
7 b) Should any other contacts be included?	
	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	
New Key Indicator(s):	
8 Please use this space for any other comments you wish to make about the guidelines	
Key Indicators:	[REDACTED] [REDACTED] [REDACTED]

	<input type="checkbox"/> [REDACTED] <input checked="" type="checkbox"/> [REDACTED]
New Key Indicator(s):	[REDACTED]
Answer/Comments:	<p>How do we balance the LA role between parental cooperation / limited powers to monitor education and safety of child, with duty to safeguard and promote welfare of children?</p> <p>The rights of the parents to home educate their children is clear, however, the burden of proof as to whether they are providing a suitable education is clearly placed on the LA as well as other responsibilities to ensure that every child makes reasonable progress. Will a change in legislation prove to be more burdensome and expensive for LA's and, more importantly, will it improve outcomes for those children EOTAS?</p> <p>Claification on the role and status of the "Reasonable" person woud be helpful</p> <p>Inspection – if part of the arrangements for inspection is to look at the way LA's cater for home educated families in there area, what is the future role for LA's in monitoring the educational achievements of children educated at home?</p>
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	
[REDACTED] [REDACTED]	Ref: 717 [REDACTED] [REDACTED]
Entire Response	Anonymous
[REDACTED] [REDACTED] [REDACTED]	

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Logged in as: [REDACTED]

Consultation on Home Education Guidelines

department for

education and skills**Consultations**

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<< first	< previous	Ref: 742	Jump	next >	last >>
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Entire Response

[REDACTED] - Cheshire County Council, Children's Services

[REDACTED]

Personal Details

Identifier: 742

Response Type	Online
Title:	[REDACTED]
First Name:	[REDACTED]
Last Name:	[REDACTED]
Email:	[REDACTED]
Organisation:	Cheshire County Council, Children's Services
Address:	[REDACTED]
Response on behalf of an organisation:	<input checked="" type="radio"/> Yes <input 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:	
Respondent Information Questions	Identifier: 742
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:	Cheshire County Council
Please specify:	
Consultation Questions	Identifier: 742
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]
New Key Indicator(s):	
Answer/Comments:	Any guidance needs to be clear and specific and should outline the rights and responsibilities of Local Authorities, parents and children. It should also reflect local and national priorities and agenda such as Every Child Matters and Working Together to Safeguard Children.
Text for Report:	
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="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	[REDACTED]
New Key Indicator(s):	
Answer/Comments:	Whilst the description of the law is clear and accurate the terms 'suitable' and 'efficient' when related to educational provision are capable of interpretation in a very broad way. This is not helpful to Local Authorities or parents when trying to define what constitutes an 'efficient' and 'suitable' education. The quoted case law states that it 'should not foreclose the child's options in later years to adopt some other form of life if he wishes to do so.' There is a need for a more detailed description of an 'efficient' and 'suitable' education which includes as a minimum literacy and numeracy as compulsory activities. There is a need for legislation which should ensure that a clear curriculum entitlement is defined which is broad and balanced.
Text for Report:	[REDACTED]
3 Do you agree that the description of local authorities' responsibilities (paragraphs 2.5-2.11) is accurate and helpful?	

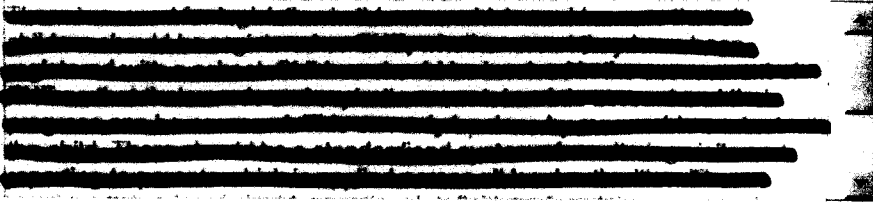





	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
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New Key Indicator(s):	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>
Answer/Comments:	<p>This section is ambiguous and contains sections which are contradictory to other paragraphs in the guidance.</p> <p>Paragraph 2.5 states that local authorities should provide clear and accurate written information which is made widely available and this is agreed. However, it also states that 'all children should make reasonable progress'. It is not possible for the local authority to ascertain whether a child is making progress if the parent will not permit an officer of the authority to see the child or to provide information about the education they are providing, which is their parental right as stated in paragraphs 2.8 and 2.11.</p> <p>Paragraph 2.6 makes it clear that children who are being educated at home by parental preference are excluded from the local authority duty to identify children who are missing, or in danger of missing, education. This is contradictory to the safeguarding duty of the local authority highlighted in paragraph 2.11. Local authorities are committed to ensure that Every Child Matters and this should mean every child, including those being educated at home by parental preference.</p>
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4 Do you agree that the section on contact with the local authority (paragraphs 3.4-3.7) is accurate and helpful?	
	<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>

	[REDACTED]
New Key Indicator(s):	
Answer/Comments:	<p>The guidance states that where parents do not want involvement the LA should not automatically assume that there is a problem which needs investigating. (Para. 3.4). The next paragraph goes on to state that "If information exists which may cast doubt on whether an "efficient and suitable education " can be provided, the local authority should seek to gather any relevant information that will assist them in reaching a properly informed judgement.' Our experience is that the majority of home educating parents welcome contact with the local authority and the advice and support which we currently provide for them. The guidance makes it quite clear that parents have the right to refuse to engage with the local authority, to refuse access to their children and to refuse access to their home. However, the authority has the responsibility to ensure that children make reasonable progress (Para. 2.5) and to safeguard and promote the welfare of children (Para. 2.11). Where parents do not want involvement with the local authority it is difficult for the authority to make an informed judgement on the suitability of the education being provided, progress or welfare of the child.</p> <p>Paragraph 3.4 refers to research into Gypsy, Roma and Traveller children who are educated at home and uses a reference from that research stating that "few Gypsy/Roma and Traveller parents have the knowledge skills and resources to provide or deliver a full-time education that is efficient and suitable". The guidance then goes on to state that 'We do know that there will be Gypsy, Roma and Traveller children who do receive a good education at home.' Traveller Education Support Services across England have been instrumental in raising the issue of the</p>
	<p>increasing numbers of Gypsy, Roma and Traveller children who opt out of the education system at the end of Key Stage 2 to be educated at home. This is because of their concerns that in the majority of cases their parents are not able to provide a suitable education, as the quoted research has shown. Many of these parents are using Elective Home Education to remove their children from secondary education secure in the knowledge that the local authority has no right to see the child or right of access to information about the education they are providing. Whilst one has the greatest respect for the cultural mores of the Gypsy, Roma and Traveller communities their children have the right to a suitable education which "primarily equips a child for life within the community of which he is a member, rather than the way of life of the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so." DCSF statistics show that Gypsy, Roma and Traveller children are the lowest achieving group in education at all Key Stages. When they are taken out of school at the end of Key Stage 2 and "few Gypsy/Roma and Traveller parents have the knowledge skills and resources to provide or deliver a full-time education that is efficient and suitable", their options in later years are likely to be considerably curtailed.</p>
Text for Report:	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</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?	
	<input type="radio"/> Yes <input type="radio"/> No <input checked="" 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>This section could be very helpful but again includes contradictory statements. Paragraph 3.13 gives helpful guidance but those stated characteristics of acceptable provision could only be established as existing by meeting with the child in their educational environment. The guidance falls short on outlining the rights of the child to express their needs and aspirations.</p> <p>Current advice in the DCSF guidelines for parents states that: "When a child has a statement of special educational needs which names a special school, the child's name may not be removed from the register of that school without the consent of the education authority." Sections 3.15 – 3.19 in the consultation document makes a somewhat oblique reference to this. Paragraph 3.18 needs some clarification so that the situation of children with a statement naming a special school is clearly defined as to whether or not they may be withdrawn for EHE without the consent of the local authority.</p>
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Identifier: 742	
6 Do you agree that the section on developing relationships (section 4) is useful?	
	<input type="radio"/> Yes <input type="radio"/> No <input checked="" 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>

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New Key Indicator(s):	<div style="border: 1px solid black; height: 20px;"></div>
Answer/Comments:	<p>In the main this section is helpful and outlines current good practice that is in operation in many local authorities.</p> <p>There are some anomalies, however.</p> <p>Paragraph 4.8 reinforces the right of the parents to provide evidence of a suitable education by a variety of means, all of which can preclude a meeting with the child who should be at the centre of all our concerns.</p> <p>Paragraph 4.9 highlights the fact that child protection issues are of paramount concern. Children who are educated at home are excluded from local authorities' duty under the Education and Inspections Act 2006 to identify children who are missing, or in danger of missing, education (Para.2.6). The Every Child Matters agenda which was established following Lord Laming's Inquiry into the death of Victoria Climbié, seeks to ensure that no child will 'fall through the net'. Children who are being educated at home may not come to the attention of the local authority and there is a possibility that some could 'fall through the net'.</p> <p>Paragraph 4.12 states that Ofsted will report on the way that local authorities cater for home-educating families within their areas and this is welcomed. However, Elective Home Education is the only form of education that is not subject to external inspection and consideration should be given to introducing this on a national basis with an established framework of inspection that could be helpful to local authorities, parents and children.</p>
Text for Report:	<div style="border: 1px solid black; height: 20px;"></div>
	<div style="border: 1px solid black; height: 100px;"></div>
7 a) Are the suggested resources in section 5 and appendix 2 useful?	
	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
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New Key Indicator(s):	<div style="border: 1px solid black; height: 20px;"></div>
Text for Report:	

7 b) Should any other contacts be included?	
	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Sure <input type="radio"/> No Response
Key Indicators:	
New Key Indicator(s):	
Text for Report:	
8 Please use this space for any other comments you wish to make about the guidelines	
Key Indicators:	<p>██████████ ██████████ ██████████</p> <p>██</p>
New Key Indicator(s):	
Answer/Comments:	<p>The guidelines quote from "The situation regarding the current policy, provision and practice in Elective Home Education for Gypsy, Roma and Traveller Children, Ivatts, 2006."</p> <p>That same report states in its conclusions that:</p> <p>"in the light of the recent legislative programme to improve the education of all children and to protect them from harm and abuse, it is strange that elective home education is the only area of education and child care that is not subject to more rigorous statutory regulation concerned with quality assurance and accountability. The existing legislation is essentially only concerned with parents' rights and may now be judged as inadequate to protect the educational rights and to safeguard the welfare of children."</p> <p>There is a need for legislation in this area which would ensure that all children should be registered as EHE, whether or not they have been registered with a school. Children should be</p>

	involved in the assessment of EHE so that their needs and aspirations are taken into account and their progress can be assessed. This can only be done by reasonable contact with the child. There should be a standardised system of monitoring visits and reporting to parents which is applied across all local authorities. These requirements when linked to a national definition of a minimum curriculum entitlement which is very broad and balanced but measurable, would ensure that parents, children and local authorities would have a framework in which to build a secure and trusting relationship to the benefit of all parties, whilst safeguarding the rights of the child.
Text for Report:	
	
	Ref: <input type="text" value="742"/> 
Entire Response	 - Cheshire County Council, Children's Services
	

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

creating opportunity, releasing potential, achieving excellence

THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online or offline response facility available on the Department for Education and Skills e-consultation website (<http://www.dfes.gov.uk/consultations>).

The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

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

Name

Organisation (if applicable) Leicestershire County Council

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

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

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?



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



<p>Comments:</p> <p>These paragraphs quote the law and appear accurate.</p>	
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3 Do you agree that the description of local authorities' responsibilities (paragraphs 2.5-2.11) is accurate and helpful?

<input type="checkbox"/>	<input type="checkbox"/>
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Comments: Para 2.6 on Children Missing Education is contradictory: the second sentence says that the LA duty to identify CME applies to those educated at home; the third sentence says that the duty does not apply to home-educated children. The duty to investigate possible CME seems fairly pointless if it does not cover all children who are out of school.

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

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

Comments:

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:

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



Comments:

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

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

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: (1) There is little in the draft guidance about children's entitlements and later rights. It may be that a child in later years becomes dissatisfied with the provision made by his/her parents and with the LA's involvement, eg if opportunities for certain qualifications or careers were lost. There is no mention of the potential for disputes and claims for compensation from children in later life who may feel that both their parents and the LA have deprived them of educational opportunities. The guidance is inadequate on this.

(2) The sections on safeguarding (2.11) and child protection (4.9) are inadequate. One of the concerns about home-educated children is that some are never seen. Normal enquiries about educational provision may not reveal whether or not children are known to the health authorities, but some may not be. It is difficult to see how LAs can carry out all their functions with a view to safeguarding and promoting the welfare of children (including child protection, CME, or responding to concerns that a child may not be being educated, or monitoring children's SEN) when EO powers and guidance gives them little right to access or information.

(3) The section on "flexi-schooling" is very poor. There is no mention of the dilemma for schools: governing bodies are under a duty to provide the national curriculum, but how can this be fully ensured when the child is out of school for part of each week? There is no mention of how such part-time attendance is to be recorded on the register. There is no mention of the school's responsibilities or otherwise regarding the out-of-school provision. There is no mention of the organisational impact for schools and teachers. There is no mention of funding effects. There is no mention of school duties towards children with SEN. This is a potential minefield, and there is the possibility of litigation or claims for compensation against schools and LAs: this is not touched upon in the

guidance.(5.6)

(4) The guidance may need more advice on criteria for monitoring provision.

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 ☐

Here at the Department for Education and Skills we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

☐ ☐

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
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.

Further information on the Code of Practice can be accessed through the Cabinet Office Website: <http://www.cabinetoffice.gov.uk/regulation/consultation-guidance/content/introduction/index.asp>

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:

Elaine Haste, Department for Education and Skills, Mowden Hall, Staindrop Road, Darlington DL3 9BG

Send by e-mail to: homeeducation.consultation@dfes.gsi.gov.uk