

Personal Details

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Organisation: Home Service

Response on Behalf of an organisation: Yes

Keep response confidential: No

Allowed to contact in the future: Yes

Request a response acknowledgement: Yes

Request to be informed when the consultation results are published: Yes

Respondent Information Questions

Which of the following best describes you:

- Home educator
- Organisation representing home educators
- Local authority
- Young person who is/was home educated
- Other (please specify)

Answer/Comments

Home Service is an organisation established in 1993 which seeks to provide support for Christian home educators as well as raising the profile of home education within the Christian community and local and national government level.

Consultation Questions

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

- Yes
- No
- Not Sure
- No Response*

Answer/Comments

There is much within these Guidelines that is excellent and to be applauded. We are particularly pleased that the current balance between parental rights and responsibilities on the one hand and local authority obligation on the other has been maintained. It is

our experience that broadly speaking the current legislative arrangements work well except in those cases where local authorities fail in their responsibilities either by taking upon themselves powers not conferred by legislation or by adopting attitudes and behaviour that destroys trust between parents and local authority officials.

We are also pleased that the Guidelines go a long way towards encouraging local authorities to undertake their responsibilities in the area of elective home education knowledgeably and with a broad understanding of differing educational philosophy and practice. Some of our families have benefitted from the advice given by supportive LA advisors.

Nevertheless we do have some serious misgivings in certain key areas. Whilst we have described these in the appropriate sections below, we wish to raise some more general concerns in this section.

These Guidelines are correctly targeted at local authorities. It is our view that the DCSF has no right to address matters such as the rights and responsibilities of parents in a consultative document of this sort. The Department's sole responsibility is to state clearly the statutory obligations placed upon local authorities and parents with regard to children educated otherwise than at school. In addition, DCSF may provide what they regard as examples of good practice in the context of local authority conduct in relation to home educating parents but it should never be the role of government to prescribe parental behaviour beyond what is clearly stated in law.

It is not part of a government's role to advocate one lifestyle choice over another. Many Home Service members choose to home educate for reasons that are intimately bound up with their world and life view. For them, home education is part of a lifestyle choice that they have made. Government should stop issuing statements such as "the Government believes that, for most children, school is the right place in which to receive education." (letter to Bernard Jenkin, MP from Andrew Adonis, dated October 2006) which are discriminatory in both substance and tone, lead to hurt and suspicion on the part of many home educators and encourage local authorities to adopt a default position which believes that home educated children are not in the best place for their development. Instead the DCSF and government ministers should adopt attitudes and language that is inclusive and tolerant, clearly stating that they support parental educational choices - whether that is for schooling or otherwise as being of equal worth.

These guidelines should be exclusively directed at local authorities. A further document clearly describing the legal rights of parents might prove helpful, especially if it included a statement that DCSF regarded elective home education as an equally valid educational choice alongside schooling.

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
- Not Sure
- No Response*

Answer/Comments

Although you have chosen not to consult on section 2.4 we would like to make the following comments.

We do not think it is necessary to emphasise the fact that home educating parents 'must assume full financial responsibility' since this is the de facto situation anyway. In addition, this wording could be interpreted as DCSF discouragement for those local authorities that choose to provide support to home educating families on a discretionary basis

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

- Yes
- No
- Not Sure
- No Response

Answer/Comments

2.5 It is our opinion that local authorities should clearly differentiate between what is the legal position regarding home education and what are simply their opinions regarding other matters pertaining to home education. It is important that local authorities adopt a non-discriminatory approach to educational provision and that they strive to ensure that all their staff are sufficiently trained to manifest this approach. In this respect we believe that it is important that local authorities and their staff are made aware of their responsibilities under Article 8 of the ECHR – "Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

Whilst we are pleased to see recognition that there is diversity of educational provision, we feel that reference to 'reasonable progress' should be removed since it carries no legal authority and is open to interpretation. We fear that local authority officials will use the phrase to brow-beat or intimidate parents (particularly those new to home education) whose children are developing educationally but not necessarily in a manner that is acknowledged by the educational system.

2.7 As the legal provider of formal education within an area, it is our opinion, that local authorities invariably have a conflict of interest when they seek to undertake their legal responsibilities as described in 2.7. This often leads LA staff to adopt the discriminatory default position of maintaining that school is best and that children who are home educated are potentially more vulnerable than those at school. Our knowledge of home educated and school educated children is that the opposite is the case. We suggest that Ofsted be specifically charged with monitoring and reporting on local authority behaviour and attitudes in these areas.

2.11 It seems clear to us that some local authorities have failed in their duty to promote the welfare of children by their determination to enforce 'rights' that they do not possess in law. These include visiting families without an appointment, insisting that visits take place and demanding to speak with children. Parents are often made to feel criminalised by these actions and children are presented with an object lesson in heavy-handed authority and illegal threats.

3.1 Though you have not consulted on this section, we are pleased to see that local authorities are to be urged to produce written policy documents on elective home education. It is our view that to obtain widespread credibility this document is best produced in consultation with a wide range of representatives of the home educating community. We believe that local authorities should be compelled to involve home educators from faith-based communities where they exist locally.

3.3 Though you have not consulted on this section, we are uncomfortable with the notion that LAs can appoint local home education 'Tsars' without there being any requirement that these officers possess any experience of home education. We do maintain, however, that all LAs should be required to have a named officer who has responsibility for cultivating positive relationships with those local home-educating parents who desire such relationships.

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

- Yes
- No
- Not Sure
- No Response*

Answer/Comments

3.4 We feel that this section would have been more helpful if it had opened with the simple and factual statement, "it is not necessary for home educating parents to have regular contact with the local authority." It is wrong to differentiate between home educators on the basis of ethnicity and for this reason the example given of Gypsy/Roma and Traveller parents is unhelpful. It is also unrepresentative of the home educating community as a whole.

3.5 The opening of this section – "If information exists which may cast doubt on whether an "efficient and suitable education" can be provided," is disturbing. The omission of the word, 'reliable' alongside 'information' suggests that any information may be accepted (and used) at face value; whilst the phrase 'can be provided' represents a value judgement on the parents in question and not on their actions. In fact, if as this phrase intimates, it is possible for a local authority to come to the conclusion that 'efficient and suitable education' cannot be provided solely on the basis of information received (which may not even be reliable); logically there is little point in what follows in the remainder of the sentence or section.

This section closes with a reference to the home-educated child being given the opportunity to attend a meeting but then fails to elaborate on how the local authority

could inform the child of such a meeting without exceeding their statutory powers.

This is a poorly worded section that may encourage local authorities to go beyond their legal authority and adopt unhelpful approaches to parents, which is likely, in turn, to cause parents to be unwilling to develop positive relationships with the local authority. (See Part 4)

3.6 We are disappointed that no reference is made in this section to local authorities having a responsibility to better understand what home educating parents are attempting to do when the local authority believes that there are reasonable concerns. Often these concerns are misguided coming as they often do from a view of education that is school-based.

Whilst local authorities are entitled to write to parents whenever they wish to, it is not correct to state that the only two responses open to parents are to submit a report or seek a meeting. Parents may reasonably respond to such a request in a manner that is appropriate to their family and their educational philosophy. Local authorities should be obliged to recognise this

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
- Not Sure
- No Response*

Answer/Comments

3.11 Since there is no statutory definition of 'full-time' with regard to home-educated children there seems little point in referring to school attendance, particularly since the consultation correctly points out that this has no relevance to home education. We therefore suggest that reference to school hours and weeks be removed.

In our opinion, the notion of 'almost continuous one-to-one contact and education' presents an unrealistic perspective on home education possibly implying to inexperienced local authority officials that children taught otherwise than at school are cut off from the influences of the outside world. It is for this reason, amongst others, that we prefer the term 'home-based learning' to home education.

We are very pleased to see the list of items that home-educating parents are not required to undertake. We feel that this is a helpful reminder to local authorities, who should be encouraged to communicate this information to home-educating parents and those that approach them who are considering home education.

3.12 We welcome the comment that information provided by parents may come in a wide range of formats and that "there are many, equally valid, approaches to educational provision". We feel that it is important to differentiate between 'learning' which takes place within children (and adults) and cannot be separated from personal development

and examples of work produced by a child which may demonstrate learning. Since learning is essentially intimate and personal, local authority officials should not expect to see concrete examples of work in order for them to conclude that learning has occurred.

3.13 As has already been stated in section 2.2, parents are obliged to provide an efficient full time education that is suitable to a child's age, ability and aptitude and to any special educational needs that their child may have. The list contained within 3.13 does not carry any authority and may, as indeed is demonstrated in section 3.14 be used to intimidate or pressurise parents. Further, we would maintain that it is because of the express failure of local authority schools to meet some of these characteristics, notably 'recognition of the child's needs, attitudes and aspirations' and 'opportunities for the child to be stimulated by their learning environment' that has drawn some parents to turn to home education for their children in the first place. It is therefore somewhat hypocritical and insulting for these same local authorities to send officials to 'judge' parents in the specific areas where some of their own schools have so conspicuously failed.

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

- Yes
- No
- Not Sure
- No Response*

Answer/Comments

4.1 This is an important part since we would maintain that good positive relationships should exist between parents and local authorities when home educating parents desire them. Since this document is aimed at local authorities reference to parents in 4.1 is superfluous and should be removed.

We are disappointed with the tone of language used in this section. Phrases such as "...safeguard the educational interests of children and young people " (4.1) and "...if the authority is required to investigate assertions from any (our emphasis) source that an efficient and suitable education is not being provided" (4.2) are confrontational and are hardly likely to encourage parents to desire good relationships with local authorities. Further they may encourage local authorities to adopt a default position where they suspect parents and regard children as being vulnerable simply because they are home educated.

4.3 It is our view that much of 4.3 is unnecessary and irrelevant. It would be adequate simply to say, "Parents' educational provision will reflect a diversity of approaches and interests. One approach is not necessarily any more efficient or effective than another. Although some parents may welcome general advice and suggestions about resources, methods and materials, LAs should not specify a curriculum which parents must follow."

4.4 Though we are generally pleased with the language used and the sentiments contained in this section, we are concerned that whilst this section talks of parents being able to demonstrate their commitment to provide an efficient education "...by them providing some indication (our emphasis) of their objectives and resources" section

3.10, which you have not consulted on, speaks of parents submitting their 'proposals'. In addition, section 3.10 says, "Local authorities should bear in mind that, in the early stages, parents' proposals may not be detailed..." Parents are not obliged to provide written proposals, detailed or otherwise, nor are they actually required to provide an indication of their objectives or resources. In addition, the difference in tone between the various sections (and others within the Guidelines) is a cause for concern and does demonstrate why so many parents mistrust DCSF and local authority motives with regard to home education.

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

- Yes
- No
- Not Sure
- No Response*

Answer/Comments

5.3 We suggest that the word 'although' should be removed from the opening sentence.

5.9 It is our view that the policy regarding EMAs and home-educated students is discriminatory. If parents are able to demonstrate that children beyond the age of 16 are continuing to be home educated, then the EMA should be available in the same manner as for other students.

Whilst we recognise the value of providing parents (and home-educated students) with information about qualification options and useful contacts this section is partial and is liable to frequent change. This information would be better provided on the DCSF web site with an obligation upon local authorities to provide a link to it on their own sites.

The Useful Contacts list gives the impression that there are two important support organisations for home educators with others being mentioned in passing. This is unfortunate, and gives the impression that DCSF favours links with Education Otherwise and Home Education Advisory Service over those with other organisations such as Home Service.

7 b) Should any other contacts be included?

- Yes
- No
- Not Sure
- No Response*

Answer/Comments

There are a wide range of organisations such as the Open University and online providers of services such as NorthStarUK which should be included. It is our opinion that DCSF should undertake a comprehensive study of those providing services to home-educating families with a view to providing an online resource which both parents

and local authorities could access.

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