

## QUESTION 1

Based on your experience of local authorities implementing this duty since it was introduced in 2007, does the guidance make clear the actions which local authorities are expected to take to help them comply with the duty?

NO.

Tips on filling in this question. What is YOUR experience of YOUR local authority and “children missing education.” put the name of your local authority and “children missing education” into google UK and see what you find. In the majority of cases you won't see any reference to the 2007 statutory guidance and you will also find many misconceptions.

what did your LA say in response to the 2007 Home Education Guidelines consultation ? Freedom of Information requests revealed that many local authorities said that they wanted more powers under “children missing education” to control home education.

maybe your LA thinks home education needs to be “approved” as “suitable”

maybe your LA thinks that the local authority needs to keep coming back to check that the education “is still suitable”

maybe your LA reports home educated children as “missing education” if they don't see the child or see samples of the child's work

maybe your LA thinks one of the purposes of truancy sweeps is to find unknown home educated children who might be “missing education”

maybe your LA hasn't done anything much about “children missing education” because it can't really kick in till ContactPoint goes live ( the national children's database which has been delayed again till Spring 2009.)

## QUESTION 2

Does the guidance make clear the role that implementation of this duty has in the wider programme of work led by local authorities to improve outcomes for children and young people, including promoting their safety and well-being?

NO.

Parents are responsible for outcomes, not the local authority. Home educated children do not come into local authority targets. Local authorities aren't being told how they can help home educating families, only how they can police them. “Promoting safety and wellbeing” should focus on children most at risk. Home educated children should not be included in “vulnerable groups”

## QUESTION 3

Does the guidance accurately describe the range of circumstances that put children's safety at risk and puts them at risk of not receiving a suitable education?

NO.

Children who are home educated are not “at risk” just because they are home educated.  
Home educated children are NOT more at risk of not receiving education.

If DCSF wants to consider the children who are at risk of not receiving education they need to look at what happens in PRUs and with children in schools who don't get the SEN support they need and at children in failing schools.

It is very misleading to say “suitable education” rather than “efficient full-time education suitable to age aptitude and ability and any special educational needs the child may have.”

Home educators find it offensive to being put in same “vulnerable” category as children at risk of forced marriage. “

#### QUESTION 4

Does the guidance show effectively what steps local authorities should take when children are living in difficult circumstances that put them at more risk of not receiving a suitable education?

NO.

Far too much attention is paid to home education.

#### QUESTION 5

What are the key challenges local authorities could face to implementing these guidelines effectively?

The draft guidance clashes with last year's Home Education Guidelines for local authorities. We went through a full consultation to get these guidelines with almost a thousand consultation responses. What was the point?

The guidance doesn't explain clearly how “children missing education” will work with ContactPoint national database.

Home educators will challenge this guidance at local and national level.

#### QUESTION 6

Does the guidance make clear the duties and powers that local authorities have in relation to home educated children when parents are not providing them with a suitable education?

NO.

Home educators will want to add their own comments here since this is the question which specifically mentions home education as a policy issue.

Points to consider:

Where do home education guidelines fit in here ?

Why is the shorthand of “suitable” education being used when the law actually says “efficient full time education suitable to age ability aptitude and SEN.”

Why would anyone think this makes it easier for local authorities ? Because “suitable” is completely subjective.

We know that local authorities complained about the Home Education Guidelines and now it feels as though they are getting another chance with the Children Missing Education Guidance, especially since the CME is statutory.

Why are home educated children classed as vulnerable and at risk of not receiving education?

Surely this applies equally to many children in school. This is discrimination. Why are home educated children seen as being at more risk of forced marriage and sexual exploitation and abuse.

The local authorities will understand less about their powers once they have read this guidance.

What would be helpful would be if the local authorities read the 2007 DCSF Home Education Guidelines in conjunction with the 1989 Children Act; the 1996 Education Act, the 2002 Children Act, the 2004 Children Act ; the 2006 guidance on Working Together to Safeguard Children, the 2006 Pupil Registration Regulations; the 2006 Attendance and Exclusion Sweep Guidance, the 2006 Education and Inspection Act ; and the 2007 statutory guidance on Children Missing Education. It would also be helpful if the Government took into account the fact that ContactPoint has been delayed a number of times which means that many of the measures directed by the 2007 Children Missing Education statutory guidance have not yet been implemented. It is inappropriate to revise CME guidance on home educated children.

#### QUESTION 7

Does the guidance contain all the 'signposts' to other relevant guidance; sources of support and advice for local authorities that will enable them to implement this duty effectively?

NO.

Absolutely not. Not made clear how revised CME guidance will fit with Home Education Guidelines DCSF November 2007. Not made clear that education has to be efficient full time and suitable to age aptitude ability and SEN ( section 7 1996 Education Act ) and that “suitable” is only shorthand term for this longer definition. No signpost to home education support organisations such as Education Otherwise. Not enough information about Data Protection legislation and the question of “consent” for data to be shared. No guidance on legal age at which child may be said to give consent without parent.

#### QUESTION 8

Beyond the publication of the guidance, what would be the most effective means of communicating the importance of implementing the new duty, and the processes that will help its implementation, to professionals working with children?

Training in home education. Contact with home education support organisations and local home education community groups. Guidance can't be published in present form.

#### QUESTION 9

Have you any details of good practice that would be useful to include in the final version of the 'guidance'?

Examples of good practice would involve local authority complying with current 2007 statutory guidance on CME and current non-statutory 2007 guidelines on Elective Home Education. Can anyone think of a council which does this? It is NOT good practice to make up some different guidance in-house or to adhere to outdated policies ( eg the draft guidelines on CME produced in 2004-5)

#### QUESTION 10

Did you find the draft guidance clear, unambiguous and easy to follow?

NO.

It was confused and contradictory about home education. Home educated children are not more “vulnerable”. Home educated children are not more at risk of not receiving an efficient full time education suitable to their age aptitude ability and SEN. The current 2007 guidance is much clearer.

#### QUESTION 11

We have developed standard data definitions at Appendix 1 of the guidance. These were developed in consultation with several local authorities. Do you agree with these definitions?

NO.

Which local authorities were consulted ? Which departments of the LA were consulted ? Don't agree with decision automatically to EXCLUDE pupils on roll at various institutions who may NOT be getting efficient full time education suitable to age aptitude ability and SEN and to INCLUDE home educated children. If the quality of the education is being assessed then this must be apply to every educational setting not just to home education.

#### QUESTION 11( b)

If not, what amendments would you suggest and why?

Data definitions can only work if clear and unambiguous not if they require subjective interpretation to decide whether or not something is “suitable.” More logical to say “place of education known” / “place of education not known.” The second group are potentially “missing education” until the location is discovered.