

Press Release Friday 20th November 2009

CHILDREN SCHOOLS AND FAMILIES BILL

- HOME EDUCATORS IN A HEADLOCK

"In a rapidly changing world Government could learn much from the good practice of home educators- instead it has decided to bring forward legislation that will stamp it out" said Annette Taberner of Education Otherwise who met twice with Graham Badman during the course of the review on home education.

Ms Taberner added: "David Laws MP yesterday referred to "a tidal wave of bureaucracy" in this Bill. The proposed measures will do nothing to improve the education of children and will act as a disincentive to home educate. This will be to the particular detriment of children withdrawn from school in the face of bullying and unmet educational needs."

Ms Taberner also highlighted the MP's concern that the proposals "should not become a back-door way of foisting much of the bureaucratic and centralised education system on those who are seeking to home educate often precisely in order to escape from that system."

The registration and monitoring measures announced yesterday will be combined with a review of "suitable education" which the Government announced last month.

The Government's rationale for attempting to impose intrusive and restrictive burdens on home educating families and local authorities is that at present "the Government cannot be sure that all home educated children are receiving a suitable education and are safe and well."

Yet the Government's own experts have clearly and repeatedly warned against the dangers of this approach.

Sir Roger Singleton, the author of the Vetting and Barring Scheme has said "the plain fact remains that every now and then something quite inexplicable happens that will defy our best attempts to understand and explain it."

Barry Sheerman, Chair of the Select Committee told parliament in July following a report on children in care that "there is sometimes a danger that all the resources, after a tragic death, are rushed into child protection and can actually starve the resources for the support of families and good quality social work."

Professor James Conroy, a member of Graham Badman's own Expert Reference Group has told the Select Committee of his grave disquiet with the Badman Review, saying that he had "rarely encountered a process, the entirety of which was so slap dash, panic driven and nakedly and naively populist"

Ms Taberner concurs, saying "sadly no registration or monitoring system of children, in school or outside school, can make sure that children are receiving a suitable education and are safe and well at all times. The hasty and flawed Review is being followed by a rush to legislation- without waiting for the reports of the Select Committee or the public consultation."

Ann Newstead, media spokesperson for Education Otherwise commented that "thousands of home educators have had to set aside stupid amounts of time to get their heads round the political process. We have participated in a seemingly endless stream of consultations and reviews and we feel that the Government has simply ignored us, seemingly determined to impose a one size fits all state education on every child. We are shocked and disgusted."

Ms Taberner stated that "whilst retaining the duty in law to provide an education suitable to the age, ability, aptitude and any special needs a child may have, parents will have to comply with requirements imposed by local and national government. The two may be incompatible, but the local authority will be the arbiter of what should happen in these cases, not the parent" adding that "Education Otherwise maintains that the present systems and framework are entirely sufficient but poorly understood and badly implemented, often by inadequately resourced and unsupported staff who in some cases are antipathetic to home education."

Fiona Nicholson, a Trustee of Education Otherwise, said that the charity was taking legal advice on the drafting of the Bill presented yesterday to Parliament and would make further comment shortly.

Ms Nicholson added that the proposed measures if implemented would completely transform the working conditions of many local authority officers, bringing a compulsory requirement for face to face meetings with all home educated children with the exception of young people in their final 6 months of compulsory education. Asked by the Select Committee what would happen if home educated children refused to be interviewed by the local authority, Graham Badman replied that this was the question he was most dreading.

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The Minister's recent answer on funding for support to home educators shows the Department attempting to shift the blame on to local authorities who are now reproached for not realising that money has been available in the past for home educated children with special needs or for those who wished to attend college from the age of 14. Ms Nicholson commented that this is an extraordinary move by the Department at a time when Ministers are expressing the hope that the Badman Review will bring a more positive relationship between local authorities and home educating families.

Graham Stuart MP, Chair of the recently formed All Party Parliamentary Group on Home Education told Members of Parliament that "the scheme is all about getting home educators in a headlock and forcing their children back into the Balls fold."

Notes for editors

Children Schools and Families Bill

<http://www.publications.parliament.uk/pa/cm200910/cmbills/008/10008.38-44.html>

Badman Review of Home Education

<http://www.dcsf.gov.uk/everychildmatters/ete/independentreviewofhomeeducation/irhomeeducation/>

Department Children Schools and Families Disclosures Log of Freedom of Information Requests on the Badman Review

<http://www.dcsf.gov.uk/foischeme/subPage.cfm?action=searchResults>

What Do They Know Disclosures Log of Freedom of Information Requests on the Badman Review

<http://www.whatdotheyknow.com/search/badman/bodies>

Minister Diana Johnson answer on funding for support, 12 November 2009

<http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm091112/text/91112w0082.htm#0911162007763>

House of Commons debate on the Bill, 19 November 2009

<http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm091119/debtext/91119-0014.htm>

Sir Roger Singleton October 2009 on the Soham murders

<http://www.guardian.co.uk/society/2009/oct/25/parents-volunteering-child-safety-review>

Barry Sheerman July 2009 on the dangers of knee jerk reactions to tragic cases of child deaths

<http://www.independent.co.uk/news/uk/home-news/mps-warned-of-more-baby-p-type-tragedies-1728906.html>

Professor James Conroy evidence to the Select Committee Inquiry into the Badman Review

<http://www.publications.parliament.uk/pa/cm200809/cmselect/cmchilsch/memo/elehome/d/me6202.htm>

Further evidence to the Select Committee Inquiry into the Badman Review including response from Education Otherwise

<http://www.publications.parliament.uk/pa/cm200809/cmselect/cmchilsch/memo/elehome/d/contents.htm>

Education Otherwise on the law in England with respect to home education

<http://education-otherwise.org/legal.htm>

Education Otherwise Campaign Site

<http://www.freedomforchildrentogrow.org/update.php>

Summary of proposals in the Bill

- A School Attendance Order may be issued if the child "does not appear to the local authority to be a home-educated child."
- Annual application on behalf of family for home education licence
- Licence to be refused if information is deemed inaccurate or inadequate
- Licence to be refused if deemed harmful to child's welfare for home education to begin
- Licence to be revoked if home education deemed harmful to child's welfare
- Licence to be revoked if material circumstances differ from information provided at time of licence being granted
- Qualifying conditions for licence to include statement of prospective education either at time of application or within prescribed time to be specified by regulation
- Licence to be revoked if family is deemed to be non-co-operative
- Right of appeal against local authority decisions with respect to licensing

Annual monitoring to judge renewal of licence, conditions to include determining whether child is receiving suitable education, whether education has conformed with the statement lodged at the time of licensing, how the child feels about home education and whether it is deemed harmful on any grounds for a child to continue to be home educated

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