

The writing in black is quoted from the minutes of the [Lancashire Safeguarding Board](#) in January 2010. The writing in blue are the comments of a home educating mother, whose family have recently moved to Lancashire and so unknown, as yet, to the Local Authority.

Lancashire's Response to the Badman Report

Angela Robinson (Special Teacher – LCC, Lead of the EHE dept, as such she would be presumed to be au fait with the law on education and local practices) gave a Power Point presentation in relation to the Badman report which addresses safeguarding issues for children educated at home. RM will send the presentation to all members with the minutes of the meeting.

PE asked If someone chose to home educate, do they have to inform someone, if so who? AR advised that, yes the Local Authority should be informed and parents have a legal duty to register.

This information is mistaken. There is no legal duty on parents to register that they are home educating. In law it is the duty of parents to educate children, they do not need a licence or registration to carry out this duty.

Attached are details of the [Law on HE](#) and the [current guidelines to Local Authorities](#). These are clearly not understood by those who have provided information to this meeting, this is very concerning. If they are understood they have been ignored.

EF asked if it was known how many children and families in Lancashire are home educating and what concerns existed. AR advised that there 430 known children and that numbers had risen alarmingly over the last 3 years.

Two issues with this

1. Why is this rise alarming? Home Education is about parents taking direct responsibility for their children's education rather than simply contracting it out to the generic education system. It's a great way to support children's learning and a natural way to provide for their social development. Before 1870 it was how most families educated their children for most of the time. The fact that AR describes the rise as alarming indicates that she and her department are not well informed about the nature and effectiveness of Home Education and that they do not appreciate the importance of freedom and diversity in learning and education. It is common, however, that teachers have not been taught nor chosen to learn much about educational philosophy or epistemology.
2. I wonder about these figures? Has there really been a rise? A [2008 document](#) shows 467 children, in early 2009 her department told the Badman review that there were 479 children and, in response to an Fol request in September '09 they said, "Last academic year we had in total 495 pupils on our register". That's looking like a slight rise followed by a fall to me. Of course then there are those who are unknown to the LA. Given that there is no need to register in law anyone who can would prefer not to be known to this LA, particularly given their ultra vires policies and the way they misinform other professionals about the law (as in the information provided to this meeting).

I would be mortified to think that health, education and safeguarding professionals would assume I am breaking the law by not registering with the Local Authority. I am not a criminal; I am a parent. I find it disturbing that the professionals in the area are so poorly informed about duty with regard to education and the law surrounding it. My husband and I take our duty to educate our children seriously, to see our educational choices conflated as they are in the minutes of this meeting with safeguarding feels irrationally prejudicial to us as people who simply make different educational choices. We are normal people who live in the real world, in busy, ordinary society; we are regularly seen by friends and neighbours. The people minuted in this discussion seem to think because our children are not at school that they are "at risk". Has society broken down so much that schools now have a primary function to keep children safe? The society I live in has

not broken down so much. We live in a typical Lancashire terraced street where our children are the most obvious of the local kids, they are around during the day, don't wear uniform and are regularly commented on as "x and y and they don't go to school". They are well known to all the neighbouring children and parents. They are visible and available to chat to older members of our community during the day, who often start the conversation with "No school today then?" Sometimes followed by a friendly conversation about the joy of learning without school and how they wish they could have done that when they were young. They also have an active social life with other home educated families, this is another circle in our close and well functioning society.

EF asked if there were reported instances of safeguarding issues in Lancashire. AE advised that any concerns should be raised with the Children Missing from Education or Safeguarding team. A lot of referrals are due to suspicion of safeguarding issues.

It seems from this discussion that HE is itself considered a safeguarding issue. The HE parents that I know are engaged and dedicated parents. I realise I'm showing my own prejudice and experience, but in general I believe that HE parents are less likely to be a safeguarding issue than those who contract out the education and care of their children. The vast majority of family homes are safer, better places than institutions for children to be in. This is as much the case for Home Educated children as for those who go to school. I certainly wouldn't wish to label schooling parents in the way we are labelled here.

It is a real worry that safeguarding revolves around being seen by professionals rather than having real relationships with real people in the real world. In the long term the safest children will be those with the most experience of interacting in the real world as they grow up surrounded by people who love and care for them.

TM asked if there are any checks made on the family and home circumstances.

Why should there be checks on our family and home just because we choose not to use school to fulfil our duty to educate our children? What would those checks be? Would they really improve safeguarding? Would they simply use excessive resources to intrude on families who are not at risk, taking time and resource away from work that really does need to be done? This assumption that our children must be hidden because they do not go to school is rather strange. We don't use school, but we do live on a street, we use shops, libraries, sports facilities, parks, museums, buses and trains.... we live among people.

AR advised that there were, home visit are made within the first month and parents are engaged to work through any difficulties.

This is not in line with current law or DCSF guidelines. I'm aware that not all HE parents who are known do actually have visits.

A CRB check is also made as well as a check of agency records with regard to any adults in the home; this information is covered in a parent's questionnaire.

I don't believe this can be true. If it is, it is astonishing that parents would need to have a CRB check to carry out their ordinary parental duty. I don't know any HE parents who have had CRB checks carried out on them because they HE. I do know plenty who've had CRB checks for other reasons. The most common profession among HE parents is teaching. This is not because they know how to teach. These parents will invariably admit that they need to shed their 'schoolie' ways to be effective home educators. Home education is very different from school.

NB asked if information is shared with partner agencies.

Unless there are actual safeguarding issues I don't see why this information is relevant to "partner agencies". How about we wear Home Ed uniforms or badges at the least? Would that make the job easier?

AR advised that it was, this included the Health economy. JC suggested that school nurses should also be party to any relevant information.

HE families tend to access health care through their GP. I'm not sure why the school nurse would be necessary for children who don't go to school.

BC asked how disputes between parents as to whether home education is appropriate are resolved. AR advised that this is something that would be worked through with families.

TM asked if an assessment process existed. AR advised that there was not and we are currently reliant on information provided voluntarily, it is recognised that this is a flaw in current system.

Assessment, Ofsted inspections, etc. are for the purpose of informing parents about the educational progress their children make and the provision provided for them through schools. It is parents' duty to ensure an appropriate education is received. If, however, the education is provided directly by the parent and they are fully engaged in that provision they do not need information provided by assessment, inspection, etc.

This attitude comes from those who mistakenly think that it is they and not parents who have a duty to "cause a child to receive an education suitable to their age, ability, aptitude and any special needs they may have".

AR also advised that there were no unannounced visits.

I have heard of one family having an unannounced visit. This is an astonishing invasion of privacy.

GC-H advised that Contact Point should assist where there are gaps in self disclosure.

NB summarised that there are a lot of questions for The Board with regard to systems and processes, especially between adult services and home education.

Unless there are genuine questions about safeguarding this should not be necessary. It should be made clear what "adult services" are. I don't think I avail of any such service.

Can we put something in place so adult services can notify the Elective Home Education team of any concerns?

Surely they (whoever they are) would notify social services if there are safeguarding concerns in any case?

If they have reason to believe that an education is not being provided they should notify the EHE team.

NB also asserted that The Board needs a mechanism for completing the annual report to the Children's Trust.

A discussion took place about self disclosure, appropriate safeguarding checks and the need for all agencies to be engaged in this.

I find it concerning that if my children are to be engaged with any statutory agency that they will be treated differently to school children simply because they are home educated.

LT suggested that parents be informed that routine safeguarding checks would be carried out.

Routine safeguarding checks? Is it reasonable to assume that this group of people should undergo routine safeguarding checks when no other families do unless there is specific evidence of safeguarding concerns?

This principal was agreed as a way forward.

I am very concerned that my children would have to undergo routine safeguarding checks. The implication that they are not safe in their own home and need to be checked by strangers is worrying and potentially damaging to them, to their relationship with us and to their relationship with local service personnel. If they are to have this service imposed when they don't need or want it, will they feel comfortable and safe to use the service if they ever do happen to really need it?

If there is any evidence that my children are at risk however I would be grateful for the appropriate intervention of social services.

PE advised that legislation will provide a step forward and was expressed concerns that some organisations are campaigning against this as this could create barriers to safeguarding.

Some lateral thinking is required that will increase appropriate and effective safeguarding without impinging on the family's privacy or the child's education. It is also crucial that resources are not wasted on unnecessary monitoring. Monitoring cannot be effective given that plenty of children who attend school who are in need of both educational and welfare help fall through the cracks of the system. How will irregular monitoring by unknown professionals really help? To spread resources more thinly through monitoring is 'to build more haystacks to find the needles'.

NB asserted that agencies must share info if anyone discovers safeguarding issues, especially with regard to adults who have access to the home / children.

This of course applies to all families not just HE families. I'm sure though that it would be done in a way that takes account of confidentiality as well as safeguarding the child.

JR added that health concerns, such as not receiving immunisations etc should also be investigated.

These issues should be treated in the same way as in any other family. Is immunisation not still a medical choice made by families and individuals? Has it become a safeguarding issue too? Or is it more about safeguarding if combined with HE? The fact that the safeguarding board are conflating choice not to vaccinate with safeguarding is also concerning. Citizens are still allowed to refuse vaccination in the same way that they are not compelled to use school.

GC-H suggested that proposals for a registration process could be useful in light of the concerns raised.

NB summarised that The Board needs to do what it can to safeguard children, and specifically its engagement with adult services and the Children's Trust about these issues.

Also a system needs to be explored for notifying agencies of the names and addresses of Children at risk and any adults present at the home.

LT agreed to liaise with Bob Stott about this and report back.

PE added that if a nurse should pick up a new case there needs to be a system to ensure the information is passed on.

Surely the general system for reporting safeguarding concerns is all that is required? Why does this group of people require a special system? The fact that we can't take our children to see local service providers without expecting that they will be recording and reporting the fact that we HE and so making judgements about us based on similar prejudices to the ones indicated in these minutes is hardly going to help relationships. In fact, a similar attitude from the last Government did much to destroy relationships and trust between Home Educators and Local Authorities across the country.

PJ highlighted the need for more robust links between information about missing children and children educated at home. These issues are significant in current Serious Case Reviews.

PG advised that many parents are actively lobbying against proposed legislation which is likely to create a lot of challenges in the future.

Well maybe, or maybe it'll result in finding a solution that improves safeguarding without the danger of unintended consequences or invasion of the privacy of innocent families.

Personally, I think that there should be a system whereby all children could raise concerns about their education, this opportunity should not just be available to home educated children but to school children as well. This system would also make it easy for children to raise any safeguarding concerns. It would encourage people to develop strong communities and watch out for each other rather than relying on paid professionals who cannot, with any amount of resources, do as good a job people in the community who have real sense of responsibility. This level of intrusion and service reduces peoples acceptance of their own responsibility.

School Attendance Orders are rarely used by LAs. If they have reason to assume a family are not providing an education they can go down this route and require the family to prove otherwise. It's fairly straightforward. See the possible lines of action in the chart linked [here](#).