

# Local authorities and home education

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This report evaluates how well a sample of local authorities discharged their duties towards children and young people who are educated at home. The report considers the views of parents and their children, the reasons why some families chose home education, and the implications for the welfare and education of children and young people.

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## Executive summary

The aim of this survey was to evaluate how well the sample of local authorities discharged their statutory duties to ensure the suitability of education for children and young people who were educated at home.<sup>1</sup> Between September and December 2009, inspectors visited a representative range of 15 local authorities of different sizes across England, including rural and urban authorities. They held discussions with local authority staff, as well as headteachers from independent and maintained schools.

This report includes the views of many home-educated children and their parents: what they said and wrote are important sources of evidence. Inspectors revisited 14 of the 15 local authorities in November and December to hold meetings for parents and their children. Altogether, 120 parents attended the meetings to talk to inspectors about their reasons for, and experiences of, educating their child at home and the nature of the local authority support that they received. Conversations of a similar nature were held with 130 children and young people at the same meetings. Inspectors also received responses to questionnaires from 148 parents and 158 children and young people.

The parents surveyed adopted a wide range of approaches to educating their children, ranging from a highly flexible 'autonomous' approach, to a school-structured morning, often with a variety of social and enrichment activities in the afternoon. Some had withdrawn their child from school not because of a positive wish to educate at home but in response to unresolved difficulties. Just over half the parents surveyed were frustrated and upset by the experiences they and their children had had while the children were at school. Bullying was a factor for around a third of parents who met inspectors or completed the questionnaire. Over a quarter of the 130 children whose parents spoke to inspectors had a statement of special educational needs or were previously at the stage known as 'school action plus'.<sup>2</sup> Almost all the parents surveyed whose children had special educational needs and/or

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<sup>1</sup> Section 7 of the Education Act 1996 provides that: 'The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable (a) to his age, ability and aptitude, and (b) to any special educational needs he may have, either by regular attendance at school or otherwise.' Under section 436A of the Education Act 1996, inserted by the Education and Inspections Act 2006, local authorities have a statutory duty to make arrangements to enable them to establish the identities, so far as it is possible to do so, of children in their area who are not receiving a suitable education. 'Suitable education' is not defined by legislation or guidance. It has been broadly defined in case law as an education which '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 adopt some other form of life if he wishes to do so'.

<sup>2</sup> Pupils whom schools place at the stage of 'school action plus' should be those who need some additional support provided by the school to meet their special needs, with some support from outside the school, such as from an educational psychologist, special needs teacher or a local authority's behaviour support service. A statement of special educational needs is a legal document which states the support to which the child is entitled. For further information, see *Special educational needs code of practice*, DfES, 2001; [www.sen.trb.ac.uk/viewarticle2.aspx?contentId=12386](http://www.sen.trb.ac.uk/viewarticle2.aspx?contentId=12386).

disabilities had removed them from school because they believed that their child's needs were not being met.

The 1944 Education Act set out a parent's right to educate their child at home; this was confirmed in the 1996 Education Act. However, the parent is not required to inform either the local authority or any other public body that they are educating the child at home unless the child is to be removed from a special school. Local authorities therefore encounter serious barriers in carrying out their statutory duty 'to establish the identities, so far as it is possible to do so, of children in their area who are not receiving a suitable education' and finding out whether home-educated children are receiving an education which is 'suitable', 'efficient' and 'full-time', as required by the 1996 Education Act.<sup>3</sup> The lack of definition in legislation or guidance about what constitutes a 'suitable' education presents authorities with a further barrier to fulfilling their duties.

Other legislation has given local authorities statutory responsibility for safeguarding and promoting the welfare of children and young people within their boundaries.<sup>4</sup> However, authorities cannot carry out these responsibilities effectively because they do not know of all the children in their area or where they are being educated. The local authorities visited were alerted by schools to children who were deregistered because their parents wanted to educate them at home and the authorities made contact with the parent. However, there was no reliable way to establish how many children were resident but 'invisible', having never entered the school system. Sharing information across a local authority depended largely on the quality of the professional relationships developed between education departments and health services.

This survey concludes that the lack of any registration requirement for elective home education is preventing local authorities from carrying out their statutory roles to identify children who are not receiving a suitable full-time education, and also to safeguard young people.

Officers in the local authorities visited welcomed the potential of a single database which would allow professionals from different agencies to exchange and gain information about young people from birth to the end of compulsory education. However, they doubted whether the potential of ContactPoint or any equivalent system could be realised fully unless parents who were educating at home were required to register with the authority.<sup>5</sup> Some of the parents contacted during the

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<sup>3</sup> *Elective home education: guidelines for local authorities*, DCSF, 2007; [www.dcsf.gov.uk/everychildmatters/publications/elective/](http://www.dcsf.gov.uk/everychildmatters/publications/elective/)

<sup>4</sup> Children Act 1989; Education Act 2002; Children Act 2004; *Working together to safeguard children*, DCSF 2006, revised 2010; [www.dcsf.gov.uk/everychildmatters/safeguardingandsocialcare/safeguardingchildren/workingtogether/workingtogethertosafeguardchildren/](http://www.dcsf.gov.uk/everychildmatters/safeguardingandsocialcare/safeguardingchildren/workingtogether/workingtogethertosafeguardchildren/)

<sup>5</sup> For further information, see: [www.dcsf.gov.uk/everychildmatters/strategy/deliveringservices1/contactpoint/contactpoint/](http://www.dcsf.gov.uk/everychildmatters/strategy/deliveringservices1/contactpoint/contactpoint/)

survey were concerned about what information might be held on a system such as ContactPoint and how it might be used.

Some of the parents who gave their views to inspectors saw a requirement for all parents to register if they are educating their child at home as very unwelcome. This was primarily because they saw registration as likely to infringe their freedom to educate at home in the way they saw fit. Some also rejected the view that registration would help authorities to track the whereabouts of and safeguard all children, both those who are home educated and those who simply disappear from the system. It was clear from the survey that while some parents wanted little or nothing to do with the local authority, others welcomed the support they had already received and were keen to receive more. Feedback during the survey also showed that some parents were unaware of the role that a local authority could play in mediating between them and a school.

## Key findings

- Although successive Children Acts have placed a safeguarding duty on local authorities for all children within their boundaries, there is no mechanism that allows authorities to know how many children are within their boundaries or where they live. When this situation is combined with the high levels of population mobility in most local authority areas, it is extremely challenging for the authorities to fulfil this duty.
- The current legislation around home education severely hampers local authorities in fulfilling their statutory duties to safeguard children who are educated at home and ensure the suitability of their education, as well as to provide support and resources to home-educating parents and their children.
- All the 15 local authorities visited took a range of actions to carry out their statutory duty to establish whether all children in their area were receiving a 'suitable' and 'efficient' education, but all were aware that their knowledge of their population was incomplete.
- There is no national information about the number of children who are home educated, the reasons for parents choosing home education, the type and quality of the education that children are receiving, or the outcomes for this group of young people.
- Within the surveyed authorities, there was no consistent monitoring of information about the home-educated population by ethnic background, religion, age, gender, special educational need or the reason that the parents had chosen home education.
- All the local authorities visited followed the guidance provided by the former Department for Children, Schools and Families (DCSF) on monitoring the quality of the education provided by registered home educators. Five of the authorities, within the limitations of their resources, provided additional support for families.
- Parents' attitudes to the local authority were influenced by the tone of the local policy and guidance materials, and the approach of the local authority officer who

was responsible for registration and visits. However, even in authorities where the policy was written with empathy and officers had a good understanding of the varying nature of home education, some families would not allow local authority officers to make home visits.

- All the local authorities surveyed reported that a very small number of parents had removed their children from school when they were on the brink of being prosecuted for their child's non-attendance. Local authorities were concerned that in these situations insufficient education was taking place. However, only five of the surveyed authorities had initiated School Attendance Orders with a family and only three had actually served one.
- The children and young people whom inspectors met were enthusiastic about their learning and explained what they thought they had gained by being educated at home. Those who had attended school compared their experiences and conveyed clearly that, for varying reasons, they were happier now that they were being educated at home.
- Almost all the parents surveyed whose children had special educational needs and/or disabilities had removed them from school because they believed their child's needs were not being met. However, once they were educating their children at home they experienced a lack of specialist support. Children did not always receive support such as speech and language therapy or physiotherapy unless the parents commissioned and paid for it.
- Five of the local authorities placed great emphasis on mediating between parents and a school to try to resolve problems before the child was removed. The authorities were aware that some parents elected to educate their child at home because they were unhappy with the child's school experience.
- Parents who received monitoring and support from the local authorities generally commented that they welcomed the advice or encouragement and would have liked further support of various kinds, particularly financial. The cost of taking public examinations was a particular issue. Home-educated children's access to services such as Connexions, child and adolescent mental health services, and the school nursing service varied widely.

## Recommendations

The Department for Education should:

- enable local authorities to carry out their responsibilities to safeguard children who are educated at home and evaluate the suitability and efficiency of their education by:
  - enacting legislation which requires parents to register their intention to home educate and inform the local authority if they move home
  - enacting legislation which requires and enables local authority officers to undertake an annual home visit to monitor the child's progress. This visit should involve a discussion with the child in private as well as their parents and include a focus on any support needed

- define what constitutes a 'suitable' education in the context of the 1996 Education Act
- consider funding an entitlement for home-educated children to take public examinations at 16, or earlier if appropriate, at recognised examination centres.

The Department of Health and the Department for Education should work together to:

- ensure that those responsible for commissioning health-related services consider the needs of home-educated children and young people for access to services such as child and adolescent mental health services, speech and language therapy and physiotherapy.

Local authorities should:

- ensure that when parents express a wish to withdraw their child from school to educate them at home, the reasons for the decision are explored; that support, advice and mediation are provided to retain the child in school if this is the parents' true preference; and that the school is challenged if appropriate
- ensure that the local Connexions service contacts all home-educated children and young people to support them in making informed choices post-14
- develop an information service for parents to include contact details of where young people can access support and advice
- ensure that local authority officers responsible for home education receive up to date training, including regular safeguarding training, that includes a focus on the different approaches to home education and appropriate ways of evaluating what constitutes 'suitable' and 'efficient' education.

Schools should:

- ensure that they fully explore a parent's reasons for choosing home education and make every effort to resolve any concerns, particularly those around bullying and special educational needs, so that the child can remain in school if that is the parent's true wish.



## The home-educated population

### 'We don't know what we don't know'

1. Current legislation does not require parents who wish to educate their children at home to register this fact with any public authority. All the 15 local authorities visited kept records of the children who were known to be electively home educated. In the authorities visited, which were of very different sizes, the number of children recorded as educated at home ranged from 32 to 620. However, in all the authorities, officers could speak knowledgeably only about the education and welfare of the children who were registered and whose parents cooperated with the local authority's monitoring and support processes. Home educators and local authority officers with whom inspectors held discussions during the survey believed that the number of children educated at home was markedly greater than the numbers registered.
2. The local authorities surveyed had no reliable knowledge of the total population of children within their boundaries or where they lived, yet the various Children Acts introduced between 1989 and 2006 place a duty of care on them for safeguarding all children. However, the lack of information about the child population and those who are educated at home inhibits firm judgements being made about the effectiveness of organisations and agencies in carrying out their tasks. In reality, local authorities can only 'know what they know'.
3. In all the local authorities visited, the officers could see the potential of ContactPoint, an electronic system whereby professionals from different agencies would be able to exchange and gain information about young people from birth to the end of compulsory education. However, they expressed doubts about whether such a system could be effective unless all parents who were educating their children at home were required to register with their local authority and to keep the authority informed if they moved house. Some of the parents spoken to during the survey were concerned about what information might be held on ContactPoint and how the authorities might use it.

### A diverse group

4. In 14 of the 15 local authorities visited, inspectors were able to hold meetings with families. Overall, discussions took place with 120 parents and 130 children and young people. In addition, 148 parents and 158 children and young people across the authorities surveyed completed questionnaires to help inspectors to understand the various styles of home education and the choices that families had made.
5. Traditionally, home educators have been considered in legislation, and frequently in discussions and debate, as a single group rather than, as inspectors found, a very diverse population. People from a range of backgrounds and from different racial and religious groups choose to educate their children at home or do so through force of circumstance. The parents who

responded to the questionnaire and attended the meetings were diverse in their social and economic circumstances, educational experience and their reasons for educating their children at home.

6. Across the authorities visited there was no single approach to home education or common interpretation of guidance on elective home education. An officer in one of the local authorities described home education as:

‘a set of individuals carrying out education in their own way for very different reasons, unsupported by guidance and legislation.’

What many of the parents surveyed had in common was their passion for their children’s upbringing and their willingness to give up significant amounts of time to be their child’s educators.

7. There was no uniformity in the data the local authorities collected about the children who were home educated and no standard analysis of the information. However, all the local authorities collected basic information about the children who were registered with them. From this information, inspectors’ conversations with parents and the parental questionnaires, it was possible to discern parents’ reasons for educating at home.
8. For a small group of parents it had always been their intention to educate at home for philosophical and religious reasons, so they tended to be those who had never placed their child in a school. For example, one parent who educated all her children at home and had briefly considered sending the eldest to school when the child became five commented:

‘I couldn’t see the point of getting in the car every day to take them to a little concrete box down the road – they are surrounded by fields where we live and they love their freedom. It’s what’s right for her and it’s what’s right for us as a family.’

9. For most of the parents to whom inspectors spoke, educating at home came about as a result of their concerns about their children’s education and well-being while at school, including:
- experiences their children had already had
  - concerns about what their children might encounter, for example on transfer to secondary school
  - dissatisfaction with the progress their child was making
  - concerns that their child’s particular needs were being ignored or were not being met.
10. Nearly a third of the 120 parents to whom inspectors spoke had withdrawn their children from school because of what they saw as the school’s lack of concern about the bullying of their child. This case study illustrates one family’s experience:

'He was being bullied at school. We contacted the headteacher to speak about it and were told that there was no bullying in the school which is why, along with the academic results, it was such a popular place. We watched over the year as our child changed from a bright confident boy into a shadow of his former self. We liaised with his year head but seemed to hit a brick wall. In the end we decided I would give up my job and educate him at home. From looking on the internet I found out about home education networks and made contact. We then informed the school we were taking our son out. The school said, 'Fine'. I was alarmed to find out you did not actually have to register – I thought this was wrong, I thought children could be vulnerable, so I decided to register a couple of weeks after the event. They were helpful when I phoned and took the details and reasons why we had left the school. Within two weeks we had a visit from a lady who discussed with us the information booklets the authority had sent about home education. We also talked about organising a curriculum which was helpful as I thought I had to teach the whole of the subjects he was studying at school. I have not really needed much support from them but it's nice to know I can if I wish to contact them.'

11. The local authorities visited told inspectors of their concerns about a very small number of parents who, they believed, withdrew their children from school to be companions rather than to educate them at home. The authorities were concerned about the mental health of some parents and their ability to meet their children's needs.
12. Families' responses to the support or challenge offered by the authority varied. Resistance to support combined with weak challenge from the authority resulted in a situation, which continued indefinitely, in which a child was receiving little education.
13. Generally, local authorities' information about the families who had registered their intention of educating their children at home showed that more secondary-aged than primary-aged children were educated at home. Many of the parents seen said that they were happy for their children to attend primary school but had strong reservations about secondary education and, in particular, aspects of the curriculum, school organisation and welfare. In one urban authority visited, which had a small number of registered home-educated children, 15 out of 31 of them were from Traveller and showground families. Some Traveller, Gypsy and Roma families chose home education so that they could continue their children's education while travelling. The Travellers' Education Services in all the authorities visited were well aware of the specific needs of these groups and were striving to support them flexibly and effectively.
14. The number of children entering and leaving home education varies throughout the year. Across the authorities visited, numbers tended to rise in September as parents kept their children away from school because they were unhappy about the secondary school to which the children had been assigned. In one

authority, for example, the yearly average of home-educated children was 36. However, in September, the number could rise temporarily to 65 until problems were resolved, at which point some children re-entered the school system. In one large rural authority visited, the average number of children educated at home was around 430, but at the beginning of the academic year and until December, it was around 630. Since there is no common national agreement about when a local authority should undertake a census, secure comparisons across authorities cannot be made.

15. For most of the parents surveyed, choosing to educate their child at home involved a significant financial commitment. Some parents planned for this, having decided from the beginning that they would educate at home. Others, however, felt forced to do so because of concerns about their child's safety and welfare at school. This meant that they could suffer financially if they had to give up paid work to educate their child at home.

## **Local authorities' actions**

### **Guidance for families**

16. All the authorities visited had a policy outlining their role and functions in relation to elective home education. All of them also had guidance for parents about the legal requirements of home education. Three of the authorities did not go much further than this and two made it clear to parents, as well as to inspectors, that they thought that school was the best place for a child to be educated. The remaining authorities had advice for parents on how they might want to organise a curriculum, as well as information about the authority's monitoring and support role. They ensured that the tone of advice was neutral and non-judgemental. In six of the authorities, the guidance went further, telling parents how they could get in touch with home education groups and how their child could take examinations, giving useful websites, and suggesting places of interest to which parents might take their children. In one of the authorities visited, the quality of its information was particularly useful and balanced, and helped parents to understand clearly the role they were taking on.

The local authority made it clear that it was not opposed to elective home education or biased in favour of traditional methods of schooling.

Its guidance set out clearly the procedures that needed to be followed regarding elective home education and asked for full details of the educational programme the child was to follow. It made clear that the authority had no power to enforce or legally require such a plan. It clarified what 'suitable' education meant, quoting the guidance from the (former) DCSF that 'parents need only convince a "reasonable person" that a suitable education is being provided'. It mentioned that the local authority would need to satisfy itself that the parent/carer was willing and able to provide that suitable education. It acknowledged that the authority had no right of access to the home but discussed the nature of a home visit for monitoring and assessment, emphasising the specialist services the family might miss out on otherwise and the potential risks to children who go missing or become 'invisible'. It also provided helpful information about a range of services such as the Connexions service, college links, information and communication technology, advice and guidance about resources, flexi-schooling and examinations.<sup>6</sup>

17. Key to the relationship between the local authority and parents was the quality of the initial contact. Where it was positive and supportive, and the local authority officers understood the concerns of parents who were educating their children at home, mutual respect and a greater degree of cooperation developed. In one authority, for example, the positive relationship between the relevant officer and families meant that home educators convinced other home-educating families who had not registered to do so. In this authority, at the time of the survey visit, two parents with three children came forward to register, having been home educating for five years without the local authority's knowledge. They had been persuaded to do so by the positive experience of other home-educating families. Only one registered family in the authority was reluctant to allow visits to the home but was prepared to meet on neutral ground at a public library.
18. In their meetings with inspectors, parents made it clear that some officials implied criticism of and discouraged home education. The guidance provided by four of the authorities visited was not easy to understand and did not give the impression that the authorities understood the concerns and views of the parents. One authority's guidance was negative in tone and the authority made

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<sup>6</sup> Flexi-schooling is a legal option provided that there is agreement by the headteacher of the school concerned. The child is required to follow the National Curriculum at school but not while she or he is being educated at home. Local authorities should make sure that headteachers are made familiar with flexi-schooling and how it may work in practice. Guidance on keeping attendance registers is available from the DfE; [www.teachernet.gov.uk/wholeschool/behaviour/attendance/pupilregis/](http://www.teachernet.gov.uk/wholeschool/behaviour/attendance/pupilregis/).

it particularly clear in the information that it sent to parents that it believed children were best educated in school. Inspectors found the highest number of refusals for officers to enter homes in this authority.

19. In contrast, two of the local authorities visited had consulted home educators about guidance that the local authorities were updating. They had taken note of suggestions about wording and content to make the guidance more accessible for parents.

## Mediation and flexibility

20. Five of the local authorities visited placed a great deal of emphasis on working with parents who suddenly expressed a wish to remove their child from school to educate them at home. These authorities had found that the main reason for this was because the parents were unhappy with their child's experience at school and had been unable to resolve their differences of perception and expectations with the school. The mediating role taken by the local authority officers supported the parents and the school and offered impartial advice and guidance. The mediation also helped the local authority to challenge and support its schools, particularly where bullying, safeguarding and welfare were concerns and where the school did not recognise what the parents were describing. One authority visited followed up parental concerns by ensuring that the officer with responsibility for anti-bullying worked with a school on its anti-bullying strategies and systems. This had some success and the number of complaints that the school received declined.
21. Five of the authorities had been effective in working with a very small number of families and schools, usually one or two families and schools, to broker alternatives to full-time school or full-time home education. All the examples found during the survey concerned young people of secondary school age. The schools concerned alerted the local authority to the possibility of parents withdrawing their child from school and the authority contacted the parents to see if a compromise could be reached. This depended very much on the headteacher agreeing to a flexible programme or the local authority finding a college programme.
22. However, brokerage worked only where everyone involved wanted to find an acceptable arrangement. Each authority visited cited cases where either the headteacher or the parents had not been prepared to consider flexible approaches to resolving concerns. One parent expressed the frustration felt by a number of other parents at a perceived lack of flexibility when she said:
 

‘I wasn’t looking for my children to opt out. I just wanted them to be educated in the way which was most appropriate for them. I didn’t really want it to be all or nothing.’
23. Flexi-schooling is a legal arrangement between the parent and the school whereby the child is on the roll of the school but attends only part-time. Four

local authorities were discussing the option of flexi-schooling with their headteachers. However, there was a general reluctance from the schools to offer part-time tuition, not least because of:

- its effect on the school's attendance figures
- the setting of unmanageable precedents with other parents
- concerns about how the school might fulfil its safeguarding duties through such an arrangement.

A family and a headteacher illustrated how flexi-schooling could be made to work when the parents felt that they wanted to 'try something different'.

The family felt that they had access to the benefits of a good school and those of home education. The arrangement was prompted when the parents felt that they wanted a more flexible family life, including some travelling abroad, as well as making the most of their work patterns. However, they did not want their children to stop attending school altogether. With the headteacher, whose approach the family described as 'totally open and supportive', they planned for their sons to stay on the roll of their secondary school while being educated largely at home, often abroad. When in England, the boys joined enrichment and sporting activities at the school, played in school teams and later went on careers and university visits with the school. The headteacher met them regularly, and gave them access to tutors who supported certain elements of their coursework. Both also took part in work experience which the school arranged. They chose to take their national tests in Year 9; they went on to sit their GCSE exams, very successfully, through the school; and then, through choice, joined the sixth form full-time.

24. Older teenagers can find it a challenge to maintain their motivation. It is also difficult for some of them to have access to the next steps in their education or training. Again, inspectors noted creative thinking to solve such problems.

A local authority officer explored such concerns with a 15-year-old girl and her parents during a home visit. Together they decided that she would benefit from attending college part-time. She chose a hairdressing course, which the local authority officer promptly arranged. She enjoyed the new challenge as well as the opportunity to socialise with others with the same interests. As a result, she was motivated to continue with her other studies at home.

## The monitoring role of a local authority

25. All the local authorities visited used a range of staff to monitor the provision made for home-educated young people and the progress they were making. The staff came from a variety of backgrounds, such as retired headteachers and education welfare officers, consultants and officers with some background in teaching. One authority deployed teachers and tutors from the Home Tuition

Service. The role of such staff was to undertake visits once a family had registered and then maintain contact, visiting at least once a year. All the authorities increased the number of visits if they had concerns about the child or young person and their education or welfare. If there were concerns about safeguarding, other agencies were informed. However, only those children and young people of whom the local authority was aware and whose parents would allow such visits could be visited.

26. Visits usually resulted in a letter to parents. In most cases, this was a brief review of what had been discussed, some comments on the child's perceived progress since the previous visit and some suggestions for the parent to follow up.
27. Across the authorities visited, there was no common training for staff undertaking the monitoring role and no national training was provided or recognised by the (former) DCSF. As a result, there were considerable differences in how the staff involved in the monitoring assessed the progress of children and young people in order to determine whether they were receiving a 'suitable education'. It was not clear what criteria were being used. Assessment was seldom linked to the education plan prepared by the parents and 'signed off' by the local authority and was based largely on the officer's own decisions about what should be assessed. This almost always led to conflict where the parent's approach was one of autonomous learning but the officer was assessing the child or young person in relation to the levels of the National Curriculum. In the authorities where there was a bias towards returning children and young people to school, the emphasis on maintaining a school-based curriculum was not received well by parents, since they had often removed their children from school, or not sent them, in order to avoid what they perceived as its strictures.
28. In contrast, however, one local authority officer, while fully respecting parents' right to choose their own approach, kept the parents fully informed about what might be expected of pupils of a similar age to their own children. This helped the parents to keep the child's options open, should a return to school be considered.
29. There was little consistency across the authorities about how the monitoring visits were managed and what they were to cover. In some of the visits, children and young people were seen separately from their parents; in others they were spoken to with their parents. In some instances, the parents refused the visitor the opportunity to speak to the child directly. The legislation and guidance do not give the child the right to speak to an adult outside the family about their experiences of their education, whether positive or negative, if the parent does not wish this to happen.
30. There was great variation in the type and extent of support that a child received from the local authority when home educated. Currently, the emphasis is on the parent rather than on the child or young person and, at the time the



survey took place, there was no national agreement about what services and support home-educated children should receive.

31. Determining whether a 'suitable education' is being provided depends on securing information about the child's progress and development. If parents choose not to cooperate, a local authority cannot obtain the information. All the authorities visited were aware, however, that a lack of cooperation from parents did not necessarily mean that children were not being suitably educated and the authorities visited were loath to take an approach which might have been perceived as combative. They were also aware that there were at least some, and probably many, families who were educating their children at home without being registered with the authority.
32. The local authorities generally felt that they were powerless to intervene if they felt that a suitable education was not being provided for a child or young person. However, only five of the authorities visited had initiated a School Attendance Order with a family that they believed was not providing a 'suitable' education for their children.<sup>7</sup> Three Orders were completed that led to the children attending the specified school; in the other two cases, the children were returned to school before the Order was served.

## Practical support

33. Home-educated children's access to services such as the Connexions service, child and adolescent mental health services, and the school nursing service varied widely in the authorities visited.

## The Connexions service

34. The Connexions service was generally, although not always, mentioned in the local authorities' information for parents. The service was offered usually as something to which the family could have access if it wished. However, there were Connexions services which did not feel that this open offer was sufficient to support young people in making informed choices and they therefore took a more active approach. For example, one service contacted all home-educated young people of whom the authority was aware when they reached 14 years of age and visited the young person's home if a response was not received. One

Connexions service changed its practice after a young person who was educated at home phoned Connexions Direct:

The young person did not want to be educated at home and was phoning to seek advice about how he could go back to school, a decision to which

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<sup>7</sup> A School Attendance Order can be issued to a parent if a child is not on the roll of any school and the local authority is not satisfied that arrangements have been made to provide an alternative, suitable, full-time education. School Attendance Orders are used to direct the parents to send the child to a specified school.

his parents were opposed. The personal adviser met him, helped him to negotiate with his parents and to find a school place.

As a result, the Connexions service in the authority began to get in touch with all home-educated young people of whom the authority was aware, sending them information about choices and next steps, and offering them the chance to meet a personal adviser. The communication emphasised that this was the young person's own choice. Good attention was paid to helping young people with post-16 transition.

At the time of the survey, the service had just identified funding in order to start a specific programme for home-educated young people to help them with the next steps in their education or work life.

## Health

35. In one of the local authorities visited, a specialist public health nurse for children and young people had recently taken up a role in the team which dealt with those who were not receiving education in school, including those who were educated at home. Her introductory letter to all the home-educating parents known to the local authority listed a range of health issues on which she could provide support, should parents wish it; for example on immunisation, behaviour problems, sexual health and smoking cessation, healthy eating and dealing with the effects of bullying. Among the authorities visited, this level of support was unusual. In particular, lead officers for elective home education consistently expressed their concerns to inspectors about the limited access that children who were educated at home gained to child and adolescent mental health services.

## Education

36. Six of the local authorities visited had arranged for home educators to be able to withdraw a larger number of books from the libraries than was usually allowed. Another authority provided access to resources such as science boxes. Three gave information about tutors who could be employed who had been checked by the Criminal Records Bureau and four provided information about commercially available curriculum materials. One of the authorities supported home-educating parents to register their children with the local pupil referral unit as private candidates to take GCSE examinations.
37. Two authorities provided money for the officers responsible for home education to organise a conference for parents and their children. In one of the authorities a venue was booked with a programme that focused on inputs from various services such as Connexions, the county library and the school psychological service. Activities were organised for the children and young people and around 27 parents and 30 children attended. An evaluation of the day by the parents was followed up by a letter a few days after the conference. This summarised suggestions for improvement and further topics parents had

requested if the authority were to hold another conference. Some parents told inspectors how helpful they had found the day and looked forward to more.

## **Funding**

38. The funding available to meet the needs of a pupil educated in school does not follow the child if they are educated at home. Three authorities offered only basic monitoring and no additional support of the sort described above. In two cases, officers said that they did not want to create a dependency culture which the local authority could not sustain as it did not have the finance to do so. All the authorities visited expressed some level of concern about the limited resources available to them to help families who wanted support.

## **Children and young people with special educational needs**

39. Over a quarter of the 130 children whose parents spoke to inspectors had a statement of special educational needs or were previously at the stage known as 'school action plus'. There were also those whose parents, often supported by medical diagnosis, identified the children (many of whom were very able) as having some form of autistic spectrum disorder. The local authorities' data showed a similar picture, although it often lacked the detail given by parents. In nearly all the meetings inspectors held, the parents raised concerns about the unresponsiveness of particular schools in meeting their child's needs, as expressed in the statement of special educational needs.
40. Once parents chose to educate their child at home, various forms of support were reduced or stopped. The only consistent contact that families had with the local authority was the annual review of the statement of special educational needs. In one authority, for example, a parent said that the authority had agreed to provide speech therapy for her child, but this did not happen in practice; there was a shortage of speech therapists and the authority's priority was the children who attended school. In another instance, in an initial exploration with the authority about educating her child at home, a parent was told that she would not be able to access any services such as physiotherapy. It was, she said: 'either school and services or home education and nothing'. Occasionally, the authorities offered access to the educational psychology service for home-educating families. For many, however, in order for support to continue, the parent had to have the money to buy it.
41. In six of the authorities, some support that was provided through health services, such as speech therapy, continued; where there were profound medical as well as educational concerns, support was maintained. However, this was only for children who already had a statement of special educational needs and not for those who had been previously at the stage of 'school action plus'.
42. One authority had 29 home-educated pupils with a statement of special educational needs, of whom 16 were identified as being on the autistic

spectrum. No child had additional resources allocated by the statement and the parents had to manage as best they could within the limitations of their personal finances and ability to find and commission support. These families received an annual visit from a local authority officer and more visits if there were concerns. During the visit the officer discussed with parents how they could support their child.

43. Parents felt that networking with other parents and getting together with their children helped them, although parents with the most disabled children sometimes did not find it easy to make the most of these opportunities because of transport or other practical difficulties.
44. At least three of the authorities had been unable to monitor the provision being made at home for children with a statement of special educational needs because parents had refused access. Having failed to build a relationship with the parents and persuade them to cooperate, the authorities were not clear about the action they should take to resolve the situation. This meant that the child's education was not being monitored.

## **The impact of bullying**

45. At all the meetings with inspectors, parents raised their concerns about bullying. In three of the authorities visited, parents said that headteachers had denied that bullying existed in the schools from which the children had been removed.
46. Six of the local authorities systematically asked schools why parents had withdrawn their child, but none of the 15 authorities asked the parents their reasons in order to compare the information with that provided by the school.
47. Many of the children and young people whom inspectors met, particularly those who were on the autistic spectrum, were highly articulate. Parents and the children and young people reported, often with some emotion, how the children and young people had been singled out at school because of their individuality. Where this had not been tackled, it had led to bullying. The young people affected described to inspectors the distress that the bullying had caused them and their relief when they had been taken out of school to avoid it.

## **Children's experiences**

48. The children and young people that inspectors met were enthusiastic about their learning and explained what they thought they had gained by being educated at home. Those who had attended school compared experiences and conveyed clearly that, for varying reasons, they were happier now that they were being educated at home. One young person summed up the views of several who had found school difficult, either academically or socially, when she said: 'At school, friends can do it all fine, you can't do it, it's not nice at all. At home, it's just your family, you can relax and it's all fine.' The following are

typical remarks made by young people who had previously attended school who spoke to inspectors during the survey:

'I really like being educated at home, it's more social and less stressful.'

'When I was in school it was really competitive. Now I can work at my own pace and I don't get distracted – I just get on with it.'

'When my mum decided to take me out of school I was glad, it was what I had been wanting for ages, I was really relieved.'

'I'm feeling much healthier and happier now.'

49. The children and young people were aware of the time and support that their parents invested in educating them at home. They appreciated the opportunities for educational visits and for meeting other home-educated children: 'we get to go on loads of trips'; 'we do lots of great things all day, we don't have to do things after school'; although they also were aware of being in a town or at a leisure facility when others were in school and how people looked at them. Children and young people felt that they had plenty of opportunities to do work that interested them. Both those who had previously been educated at home and those who had never been to school talked enthusiastically about the range of experiences they had: 'every day is different'.
50. Regardless of the style of learning, being able to work at their own pace was something that was appreciated by many: 'I have a lot more time to learn than I would do if I were at school. I'm not rushed.' They also accepted there were aspects of learning that interested them less but that had to be covered. Mathematics was the least favoured topic in the responses to the questionnaires the children and young people completed. Those whose learning was less structured appreciated most of all the opportunity to develop interests to which they could devote time without the restrictions of a formal subject-based timetable:
- 'Because we don't have to learn anything in particular, we can learn whatever we want to learn. There's no set time to learn it and if it's interesting we can carry on and do more.'
51. Those who had reached the stage of thinking about public examinations were aware of the difficulties of arranging and paying for them. Some took correspondence courses which led to certification, while others hoped that they could provide a portfolio of work and achievements to help them in interviews for further and higher education.

## Parents' experiences

52. At the meetings held by inspectors, the parents had the opportunity to express their concerns. In each meeting there was anxiety and, in some cases, deep

anger about what parents referred to as an 'investigation' of home education. Home-education websites at the time of the survey reflected some parents' concerns. Parents also wanted to discuss their children's education in general and give their views about what would help them. Their concerns included:

- funding, particularly for public examinations
- the role of the local authority
- how the suitability of education was assessed
- safeguarding
- their treatment by schools
- the lack of recognition of their positive contribution.

53. Funding, particularly for public examinations, was a major concern. Many of the parents felt that there was discrimination against home-educated children because of their difficulties in gaining access to the public examination system. The cost of taking an examination was sometimes prohibitive for the parents involved.
54. In six of the meetings, parents were concerned about the role of the local authority and expressed mistrust. In two of these cases the authorities were those whose guidance was the least helpful; it implied that children were not best educated at home. The parents felt that some of those who visited them did not understand what they were aiming to do as parents. They were of the view that those assessing the suitability of education should understand what they did with their children and should measure progress only with reference to that. These parents viewed the local authority officers as lacking knowledge about home education, even though some of the same officers had demonstrated both their understanding and their empathy to inspectors. Being assessed in terms of their children's safety and well-being was a concern of some parents; they resented the idea that they might be seen as potential abusers. Other parents, however, said they felt they had nothing to hide and welcomed consultants and officers in their home.
55. The parents' irritation at how some schools had dismissed their concerns about the welfare and progress of their children had left many of them angry with the school system. In a number of cases drawn to the attention of inspectors during the survey, the parents had not followed through the full procedures open to them about problems such as bullying. After an unsatisfactory meeting with senior staff at the school, they had withdrawn their child rather than working with the school's governing body or the local authority to resolve problems. More than half the parents to whom inspectors spoke had no idea that they could have contacted the governing body or the local authority. In two cases, parents reported to inspectors that the headteachers had advised the parents to educate their child at home rather than have them permanently excluded. It was not possible, within the scope of the survey, to find out the school's perspective on what had happened in these cases.

56. The parents also felt that those outside home education did not really understand what they were trying to achieve and that, in some way, home education was perceived as a poor substitute for formal schooling.

## Outcomes for children and young people

57. It is not possible to know how well home-educated children and young people as a group attain and achieve academically in comparison with their peers, or how they develop personally or socially. Not all home-educated children are known to the system and the 15 authorities surveyed did not systematically collect or analyse information about the home-educated young people they knew about.
58. Four of the authorities visited knew of some of the young people's attainment at 16+, but this was not the whole picture, since some of the young people took examinations earlier and some later than 16. Their parents did not perceive the age of 16 as a 'cut off point' for education. Many of the parents made it clear that they were happy for their children to be educated at home for longer, working towards GCSE and A levels at their own pace. Eleven of the authorities visited could not extract from the data provided to them from the Connexions service any specific information about the outcomes for, or destinations of, these young people at the age of 16.
59. Even if GCSE examination data were available, it would have limited validity in terms of judging the attainment of this group of young people as a whole, since the opportunity to gain qualifications currently depends on the parents' ability to pay for the examination. Parents told inspectors that if their child wanted to take a number of examinations the fees could run to hundreds of pounds; this was substantiated by the costs advertised by various providers.
60. Parents also told inspectors that their children went to college and then to higher education but there were no data to support or counter what they reported. However, inspectors met six young people who had completed home education and attended further education colleges, following a variety of accredited courses. They felt that home education had suited their needs and had enabled them to move confidently to the next stage of their education.
61. These findings highlight the lack of local and national information about the impact of home education.

## The impact of legislation and guidance

62. The legislation and guidance on home education in England were major factors in the extent to which the local authorities:
- could know about their home-educating population
  - could carry out a monitoring role.

63. There is no requirement for home-educating parents to register with the local authority. There is no requirement for such parents to cooperate with any monitoring and no reliable system for authorities to be able to know who lives within their boundaries. Section 7 of the 1996 Education Act requires the education provided to be 'efficient', 'full-time' and 'suitable', but these terms are not defined well. Even where the authorities had a sensible interpretation, based on their knowledge of case law, they were not able to determine whether all the children in their area were receiving an education which met these requirements.
64. The local authorities surveyed were also clear that the current legislation on home education seriously undermines their ability to carry out their duties to safeguard children. This is because the legislation does not allow them to know that some children exist and it does not give them sufficient rights to see the children of whom they are aware. Some of the multi-agency work seen in four of the local authorities, using health professionals, gave the authorities a way of supporting the child and the family and also a way of assessing whether the child was safe. While some families made it clear that they did not need or want any support, many others would have welcomed at least some.
65. The quality and extent of support for a child being home educated depended on where the child was living. Inspectors found a variation in the level of support that authorities gave to parents. There was innovative and supportive work, but in each case this was because of an individual officer's creativity and funding which the authority had provided from another budget and not because of requirements, guidance or dedicated funding for home education.

## Those who cannot be seen

66. The initial scope of the Badman review included consideration of whether home education could be a cover for abuse such as forced marriage.<sup>8</sup> Badman concluded that he could 'find no evidence that elective home education is a particular factor in the removal of children to forced marriage'. Likewise, little secure evidence was given to inspectors as part of this survey, other than anecdotal evidence that these things occurred. Inspection is not an appropriate means to try to investigate the extent to which home education might be used as a cover for forced marriages.
67. It was also not possible to comment on whether children are kept at home and not registered in order to conceal abuse or neglect. What was clear, however,

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<sup>8</sup> G Badman, *Report to the Secretary of State on the review of elective home education in England*, DCSF, 2009;  
<http://publications.everychildmatters.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=HC+610&>



was that the failure to register all children with the local authority irrespective of where they were educated – in local authority or independent schools, at home or in other educational provision – contributed to making it possible for young people to disappear.

## Notes

Inspectors visited 15 local authorities of different sizes across England, including rural and urban authorities, between September and December 2009. They held discussions with directors of children's services; officers with responsibility for home education; those employed by local authorities to make visits to homes; education welfare officers and their teams; health professionals; officers in charge of Traveller education; special educational needs services; anti-bullying strategies and behaviour support services. Inspectors scrutinised a range of documents about the local authorities' policies and processes, as well as data about the composition of the home-educated population. Inspectors also met headteachers from the independent and state schools.

Inspectors revisited 14 of the 15 local authorities in November and December 2009 to meet parents who were educating their children at home. (The remaining authority was not able to set up a parents' meeting.) On Ofsted's behalf, the local authorities arranged venues and invited parents to meet inspectors. In three authorities, more than one meeting took place to accommodate the number of parents or the size of the authority. Altogether, 120 parents and 130 children and young people attended the meetings. Inspectors held discussions with the parents about their experiences before they educated their children at home, the type of education they were providing, and the support they received from the local authority. Similar conversations were held with children and young people.

Ofsted also asked local authorities to send questionnaires to all home-educating families, one for parents and one for children. Inspectors received 148 responses from parents and 158 from children and young people.

This survey took place at the same time, and in the same local authorities, as a separate survey by Ofsted about children who are missing from education. This enabled inspectors to make the most of their discussions with local authority officers since some of the officers had at least partial responsibility for both these areas.

## Further information

### Publications by Ofsted

*Safeguarding children: the third joint chief inspectors' report on arrangements to safeguard children* (080062), Ofsted, 2008;

[www.ofsted.gov.uk/Ofsted-home/Annual-Report-2007-08/Key-themes/Safeguarding-children](http://www.ofsted.gov.uk/Ofsted-home/Annual-Report-2007-08/Key-themes/Safeguarding-children)

[www.safeguardingchildren.org.uk](http://www.safeguardingchildren.org.uk)

### Other publications

*Elective home education: guidelines for local authorities*, DCSF, 2007;

[www.dcsf.gov.uk/everychildmatters/ete/independentreviewofhomeeducation/irhomeeducation/](http://www.dcsf.gov.uk/everychildmatters/ete/independentreviewofhomeeducation/irhomeeducation/)

*Statutory guidance (revised) for local authorities in England to identify children not receiving a suitable education*, DCSF, 2009;

[www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00202/](http://www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00202/)

G Badman, *Report to the Secretary of State on the review of elective home education in England* (HC 610), DCSF, 2009;

<http://publications.everychildmatters.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=HC+610&>

*Review of elective home education: Government response to the committee's second report of session 2009–10*, House of Commons, 2010;

[www.publications.parliament.uk/pa/cm200910/cmselect/cmchilsch/423/42303.htm](http://www.publications.parliament.uk/pa/cm200910/cmselect/cmchilsch/423/42303.htm)

### Websites

Independent review of elective home education (the Badman review);

[www.dcsf.gov.uk/everychildmatters/ete/independentreviewofhomeeducation/irhomeeducation/](http://www.dcsf.gov.uk/everychildmatters/ete/independentreviewofhomeeducation/irhomeeducation/)

## Annex A: Extract from guidelines for local authorities

The following is an extract from *Elective home education: guidelines for local authorities*, DCSF, 2007.

2.1 The responsibility for a child's education rests with their parents. In England, education is compulsory, but school is not.

2.2 Article 2 of Protocol 1 of the European Convention on Human Rights states that:

'No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions.'

Parents have a right to educate their children at home. Section 7 of the Education Act 1996 provides that:

'The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable –

(a) to his age, ability and aptitude, and

(b) to any special educational needs he may have,

either by regular attendance at school or otherwise.'

2.3 The responsibility for a child's education rests with his or her parents. An 'efficient' and 'suitable' education is not defined in the Education Act 1996 but 'efficient' has been broadly described in case law as an education that 'achieves that which it sets out to achieve', and a 'suitable' education is one that '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 adopt some other form of life if he wishes to do so'.

## **Annex B: Local authorities visited for this survey**

London Borough of Barnet  
Bury  
Derbyshire  
Herefordshire  
Leicester  
Sandwell  
London Borough of Southwark  
Norfolk  
North Tyneside  
Poole  
Shropshire  
Solihull  
Southend-on-Sea  
Sunderland  
Worcestershire