

Home Education

Westminster Hall debates, 9 June 2009, 1:00 pm



[Mark Field](#) (Cities of London & Westminster, Conservative) [Link to this](#) | [Hansard source](#)

I recognise that the [Minister](#) is making her debut here, and that this matter is work in progress for her Department. I contacted her civil servants, and made it clear that the bulk of this half-hour debate will be taken up by my contribution, but that my hon. Friend [Anne Main](#) and [Andrew George](#) may wish to intervene.

In the middle of January, the Department for Children, Schools and Families launched an independent review of home education by Graham Badman, the former director of children and educational services at Kent county council. Mr. Badman has been charged with investigating the current system for supporting and monitoring home education, and was asked to consider how any concerns about children's safety, welfare or education are dealt with. From the outset, the Government have emphasised that they have no plans to change parents' well-established right to educate their children at home.

All that sounds harmless enough, and in light of recent child abuse cases it is little wonder that the Government want to safeguard children who are not visibly in the system, and to keep tabs on parents. It is right for any Government to want evidence that each and every child receives a suitable education, and genuine home educators have nothing to fear. However, the message coming loud and clear from home educators in my [constituency](#) is that that hype should not be believed. Their worry is that the Government are manipulating current anxiety about child abuse to intrude further into home education when they have little legal right to do so.

The latest review will mark the third such consultation pertaining to home education over the past four years. Any action stemming from it could affect the balance of power between civil liberties and state [intervention](#), whether one is innocent until proven guilty or guilty until proven innocent, and whether the state or parents have ultimate responsibility for their children. The ability to be free from an all-knowing, all-seeing state's ideas of education, welfare and standards forms the fundamental appeal for many of those who choose home education for their children. Any attempt to alter what is very much a matter of balance would undermine the entire ethos of education.

I became interested, involved and engaged in home education some months back when I met two articulate and passionate local mothers in the Pimlico area of my [constituency](#) who had decided to educate their children themselves. One made that decision as a result of her son's unhappy and unproductive first 18 months in the state school sector. The other had seen home education work brilliantly for family friends, and made the positive decision to take on that task for her daughters. The matter is a Cinderella area, and I approached my meeting with those two mothers with some standard misconceptions that a home education might produce an unsocialised,

precocious child who is unable to interact with their peers and perhaps shielded from all negative experiences. However, the more I listened to the two mothers, the more impressed and excited I was by their passion and enthusiasm for home education. Each was able to provide an individualised learning experience tailored to the child's abilities and interests. Far from having an isolated and insulated existence, the children of those two mothers frequently attended classes with other home schoolers, interacted with children of different ages and abilities, and experienced a wide range of activities from practising judo and learning Japanese to visiting galleries and museums during quieter times of day.



[Anne Main](#) (St Albans, Conservative) [Link to this](#) | [Hansard source](#)

My hon. Friend's experience is replicated in my [constituency](#) where there are 60 home schoolers. That has come to the forefront in my [constituency](#) because some parents are deeply unhappy about the school that they have been allocated and are investigating home schooling. It is a resourceful way of proceeding with a valuable education that is tailored to their child's needs. I echo what my hon. Friend is saying. When one looks into the matter, one sees that it is a heartening way forward and can be complementary to the state system.



[Mark Field](#) (Cities of London & Westminster, Conservative) [Link to this](#) | [Hansard source](#)

I thank my hon. Friend for her observations. I stress that the notion of a homogenous group of home educators with a single mind could not be further from the truth. Diversity is one of the most important aspects of the home education ideal and the education that is provided for those children who have the great benefit of it. A home-educated child will naturally have a close relationship with their parents, whose lives are often enriched by learning new skills and knowledge alongside their children.

I have discovered that in my [constituency](#), in the heart of the biggest city in our nation, there is an active community of home educators who share classes and co-ordinate their knowledge base. A nationwide lively online community shares best practice and experience, and I have learned about that from the inundation of information to my private office during the past three or four days since it became known that I was having this debate today. I apologise that I will not be able to make all the points that were made to me by interested parents. Many home educators choose not to engage with other families, and the appeal of home education is that individual educational experience can be tailored to best suit the child and the family.

All that comes at no cost to taxpayers because the vast [majority](#) of home educators shoulder not only the teaching burden, but the financial one. Despite that, the choice

for many home educators is often not the ability to afford such a route—many probably struggle to some extent—but stems from lack of faith in what the state sector provides, particularly when the basis of that provision is "take it or leave it". That is a problem not so much in my [constituency](#), but in other parts of London where many parents are dissatisfied when only their third, fourth or fifth choice of school is available for their children. Home educators come from a wide variety of backgrounds, and many find that home schooling is the most workable or perhaps the only alternative to expensive school fees or an unattractive local state school.

Unfortunately, both the mothers to whom I spoke at length were deeply concerned about the future of home education. There is long-standing suspicion that the Government, both local and national, are uncomfortable about parents providing education that cannot be monitored, tested or accounted for. There is a real fear that the Government, under the banner of child protection, will try to interfere with the freedom of choice of home educators. I represent a big flagship Conservative borough, but the same probably applies to the local education authority, which is equally to blame. I am not making a partisan party political point. The freedom that is so fiercely guarded by the [majority](#) of home educators and their choice to pursue that path is due to a fundamental rejection of the state's values, and lack of faith in the state's ability to provide a suitable education for their child.

[Home education](#) has been under constant scrutiny since the [Children Act](#) 2004, which enshrined the Government's [Every Child Matters](#) agenda in legislation. Draft guidelines clarifying the rights and responsibilities for home educators and local authorities were drafted and debated in early 2005, shelved for two years, and finally published in autumn 2007. That consultation caused great anxiety among home educators because it was feared that the Government would try to introduce inspections and to control the curricula. Eventually, guidelines issued after the review maintained the previous position, and most families were incredibly relieved.

Meanwhile the Education and Inspections Act 2006 introduced new duties for identifying children who were missing education. Yet there was another consultation in autumn last year on children missing education, and all home educators will eventually be tracked down as a result of the [ContactPoint](#) database. Local authorities will be required to determine

"as far as they are able"

whether a child is receiving what a local education bureaucrat deems is a suitable education. Before that, local authorities were required only to make a note of any families whom they found home educating.

All this casts doubt on the Government's motives with the Badman review, particularly as the consultation response time has been cut from 12 weeks to four. Why have they not given the latest guidance a chance to work through? Could it be that the consultation is a knee-jerk reaction from a Government who are fearful of any further culpability in the face of some quite deep failings in the care system?

Home educators with whom I have engaged conclude that either the Government have no faith in the previous reviews or this is a superficial exercise to try to allay public

concern—a bid to make good other failures with frenetic activity—which will result in few or no changes.



[Andrew George](#) (St Ives, Liberal Democrat) [Link to this](#) | [Hansard source](#)

The hon. Gentleman is making a very strong case. He says that there may be public concern about this sector, but having visited a group of home educators in Penzance in my [constituency](#), it was clear to me that in many cases these people have chosen this option precisely because they want to escape abuse and bullying in schools. Some choose it for other reasons. In a letter dated 19 June 2007 that I received from the then Under-Secretary in the Department, [Lord Adonis](#), he made it clear that under section 47 of the [Children Act](#) 1989 the powers already exist to intervene in cases in which the state believes that a child may suffer harm. I agree with the hon. Gentleman. The state already has the powers to intervene where it suspects that harm may be going on.



[Mark Field](#) (Cities of London & Westminster, Conservative) [Link to this](#) | [Hansard source](#)

That is a very valid point and I am glad that the hon. Gentleman has brought it up. There is obviously passion about this issue not just in big cities or suburban conurbations, but in the depths of the far south-west of England. It is probably worth stressing—I appreciate that in many ways the hon. Gentleman made this point—that the issue is not simply children who are being bullied dropping out of the system. It is much wider. [Home education](#) is a choice of parents for the good of the children, and one should always trust the instincts of parents rather than the instincts of a bureaucrat in the local education department or of the state as a whole. I am talking about parents' instincts about what is best for their children. One interesting point, which has been very evident, is that home education is not necessarily something that all the children in a family will go through. Parents may make the choice that particular children are best suited to home education and that their other children will go down a much more conventional path by going to school.

People unfamiliar with the ethos behind home education might question the defensiveness of some who home educate: "Why not let the Government in if there is nothing to hide?" Of course, that refrain has seen many other freedoms cast aside over the past decade or so. Independence to pursue the choice that is right for a particular child at the speed at which that child wishes to learn is the cornerstone of home education. Home educators opted out of the system by and large because they lacked confidence in the idea of a very strict and regulated state system. That is something that has been apparent for quite some time—20 or 30 years. I am talking about the rise of the national curriculum and ever more testing, which are, understandably, concerns.

So sacred is the independence of home educators that for a long time they have remained under the radar. However, they now feel compelled to put forward their case, as they have little faith in the review process that is currently being undertaken—I think that the Badman report will come through in the next few weeks—and what it is trying to achieve. Indeed, very few believe that it will produce anything but the "right" result in terms of what the Government now seek. As one home educator told me, "They keep asking us for our views and when we don't give them the right answer they come back and ask again." It seems to be a function of Government all too often—not just in the education sphere but beyond—that they look at individuals who are not doing the conventional, standard thing. I therefore want to ensure that home educators' concerns are firmly put on the record.

It is important to clarify the law when it comes to education. The [Human Rights Act 1998](#) states:

"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 in conformity with their own religious and philosophical convictions."

The Government have a right only to ensure that the education that the state, predominantly via local government, provides is of good quality, and the authorities can intervene only when people are seen to be breaking the law. It is for the same reason that police do not routinely visit people's homes to check for stolen property. Therefore, there is an overwhelming case that home educators should be allowed to get on with their lives without undue state interference.

Unfortunately, local authorities have become increasingly confused about what is law and what is merely Government guidance. I believe that much of the confusion arises from the Government's [Every Child Matters](#) agenda, in which issues of education, health and welfare have been conflated. Home educators are deeply concerned about that. The Every Child Matters outcomes are to be healthy, to stay safe, to enjoy and achieve, to make a positive contribution and to achieve economic well-being. The Government have naturally found it rather difficult to ensure that that agenda is being applied by parents in choosing to home educate a child.

On launching the latest consultation, the Government suggested that local authorities and children's organisations had expressed concern about the current system's ability adequately to support and monitor the education, safety and well-being of home-educated children. That fits with a growing body of evidence from home educators that they are more regularly encountering social workers, who turn up, often unannounced, to make demands: evidence of class timetables, written work and so on. In considering forced marriage, the [Select Committee on Home Affairs](#) has also raised the fear that home schooling might be used as a cover for something more sinister.

However, home educators vigorously reject the attempts by the Government to mix concerns about child welfare into any review of home education. They believe that the Government's concerns in that regard are in line with the misunderstanding that a child is safe when seen once or twice by a local authority. Furthermore, home educators feel that once the proposition has been made that home education can be

used as a cover for child abuse, the onus of proof has shifted on to them to prove their innocence. That is not in any way desirable.

Many home educators believe that the mixing of agendas stems partly from a fundamental misunderstanding of how they school their children. Much of the Government involvement in this area has linked work on uncovering hidden children to home education. In reality, very few home-educated children are hidden, as much of their education is conducted outside the home. Home-educated children are normally seen by a wide range of adults and children: education officers at museums, other home educators, private tutors and normal contacts such as GPs, librarians and youth group leaders.

I am not diminishing in any way legitimate concerns about child abuse. I have a great deal of sympathy for the Government in the very difficult task that they face in preventing cases similar to the appalling ones that we have heard about recently. However, we must be clear. Local authorities, as the hon. Member for St. Ives pointed out, already have powers to get involved in a family when there are concerns about abuse. Admittedly the processes involved can sometimes fail, but that is not the fault of the home educator. It is for Government to re-examine social services procedures if there are concerns.

The uncomfortable truth is that no amount of legislation will ever remove all risk. The task of Government is to balance the rights of all individuals. Given that home-educated children are not proven to be at any greater risk, it is inappropriate to throw away the liberty of parents, even in part, to choose how to educate their child, particularly when it is equally possible for a child to go to school and be abused when they return home or for children in the care of the state to suffer abuse.

With regard to the other aspirations in the Every Child Matters agenda, home educators contend that they are far more likely to fulfil the Government's objectives than the state system. Home education is personalised, child led and free from some of the detrimental effects of curriculum constraints, constant testing and standardisation. Home-schooled children can learn autonomously, often spend more time on physical activity and can learn in an environment free from bullying and peer pressure. Many studies have shown that, regardless of socio-economic background, home-educated children consistently outperform school-educated children.

The Government, however, regularly fail to fulfil the Every Child Matters objectives. The number of pupils achieving grades A* to C in [GCSE](#) exams remains only 57.1 per cent. Well-being surveys point to mental dissatisfaction in many children in our country. As the [Minister](#) will be aware, the [UK](#) was ranked in the bottom third for five of the six dimensions in [UNICEF](#)'s report on childhood in industrialised countries only last year.

Against such a background, it is perhaps not surprising that in Essex, for example, even the county council, as the education authority, accepts that home education can be a safer bet. Six families there will be paid a little over £10,000 each to educate their children at home because the parents have refused to send their children to what are universally regarded as failing schools in [Clacton-on-Sea](#).

I could say quite a lot more, and I appreciate that I have taken rather more time than I have given the [Minister](#). That is simply because we are waiting for the Badman review, and it would be invidious to expect her to half-guess what it will say or to announce anything that might prejudice it. I am sure that we will return to many of these issues once the review is in place and the ever-vigilant community of home educators has its say on some of the proposals in the review.

It is difficult firmly to say what, if anything, home educators want from the Government. By definition, the community is very diverse, and it is impossible for every home-educating parent to speak with one voice; indeed, it is rather desirable that they have no wish to do so. However, most in the community simply wish to defend their independence, and they reject any attempt by national or local government to impose the state's values on them and their children.

With one review after another in recent years, home educators are frustrated, and the [majority](#) feel that the Government are incapable of trusting parents to do the best for their children. Yes, parents do fail sometimes, but so, too, do the Government. We cannot prevent all cases in which a child is abused or not given a decent education; indeed, such cases happen just as often—in fact, rather more often—when the state is involved. It is for Governments to assess risk and to ask which areas warrant more attention.

Increased [intervention](#) makes little financial sense and has the potential to divert resources from truly vulnerable children. It also further infringes the rights of parents to make the best decisions for their children. Current legislation is perfectly adequate, but poorly understood. The Government must guard parents' sacred right to educate their children, while vigorously tightening the current system of child welfare. After that, the Government should look at their own ability to fulfil the Every Child Matters objectives, rather than continue to pursue those who put their faith, time and passion into home education.

1:22 pm



[Diana Johnson](#) (Assistant Whip (funded by HM Treasury); Kingston upon Hull North, Labour) [Link to this](#) | [Hansard source](#)

I thank [Mr. Field](#) for his understanding remarks about where we are with the review and about my position. I congratulate him on securing this short debate and I thank other hon. Members for their contributions.

The Government are committed to building a world-class education system for our children. That system must be built on the highest standards of teaching, real choice for parents and pupils, and rigorous accountability. [Home education](#) is a vital part of that system. This debate draws out two important themes, which must be held in balance. One is the right of parents to decide what is best for their children in their

education and development. The other is the right of every child to receive a high standard of education in a safe, secure environment.

At present, in England, we have a system that takes great account of the rights of parents to choose an education for their child that

"is in conformity with their own religious and philosophical convictions".

However, every child has the fundamental right to receive an education, and we need to ensure that that important human right is delivered for every child in the land, even in those rare cases where their parents' convictions conflict with their right to be educated.



[Mark Field](#) (Cities of London & Westminster, Conservative) [Link to this](#) | [Hansard source](#)

What convictions would conflict with the right to education? Would it be any convictions, or do the Government see specific convictions as problematic?



[Diana Johnson](#) (Assistant Whip (funded by HM Treasury); Kingston upon Hull North, Labour) [Link to this](#) | [Hansard source](#)

It would be rather extreme convictions. It would be a very small number of parents who did not want their children to be educated. It would be a very extreme belief or philosophy that made them follow that path, and the state would, rightly, have to take a view.

We must also ensure that children have the opportunity freely to express their views about the education that they receive, in line with the [United Nations](#) convention on the rights of the child. That is a difficult balancing act, and Graham Badman's review is considering it carefully. There can be no question but that we need to ensure that every child receives a good and safe education, and the hon. Gentleman highlighted that in much of his speech.

Let me turn now to the benefits of home education. [Home education](#) is a well-established part of our education system. Where it works, and where it is the best option for a child, there are great benefits. It is the ultimate form of personalised learning, with provision tailored to a child's specific needs and with a real opportunity for the child's views and voice to be heard. It also demonstrates real engagement by parents in their child's learning, which is something that we are trying to encourage more consistently across the national picture, whatever educational setting children are in. Furthermore, the sense of community that the hon. Gentleman describes between home educators in his [constituency](#) is something that we want to see in other

educational provision, with partnerships between providers, the sharing of resources in communities and the maximising of the opportunities available to young people.

The vast [majority](#) of home educators do an excellent job, and the examples that the hon. Gentleman and [Anne Main](#) cite from their constituencies are clearly testament to that. Let me be clear from the outset that the Government recognise the valuable contribution made by home education, and we certainly do not seek to abolish it.

On the review, the hon. Member for Cities of London and Westminster is wrong to say that home education has been consistently under scrutiny since 2004. We first issued guidance on the issue in 2007, clarifying the role and obligations of parents and local authorities. The guidance brought together the statutory requirements and the roles and obligations of parents and local authorities, as well as the Department's view on how those should be interpreted in practice. There were no new requirements, and local authorities and home educators told us that it was helpful to bring everything together in one place so that everyone involved in home education could refer to it.

The duty to identify children who are missing education, which was introduced by the Education and Inspections Act 2006, was not a duty to identify home educators. Its purpose was far broader: to identify children who are receiving no education at all. Children who are home educated will inevitably be identified where they are not known to local authorities, but provided that they receive a suitable education, there is no reason why the new duty should have any impact on them or their parents. I think that the hon. Gentleman accepts that we need to do everything we can to ensure that children do not go missing from the education system. I hope that he will support our efforts to ensure that all children attend school regularly or receive a good-quality home education.

Graham Badman's review of home education was set up for a number of reasons. It is looking at the barriers to local authorities and other public agencies safeguarding home-educated children, as well as at ensuring that their safety, well-being and broader development are nurtured along with their academic achievement. It is also looking at the extent to which home education might be being used as a cover for child abuse, at whether local authorities are providing the right support to home-educating families and at whether any changes are needed to the processes for monitoring the standard of home education.

In November 2007, we issued guidance on home education to local authorities, but clarity about roles and responsibilities has still not been achieved. The responses from home educators and local authorities to the consultation on the guidance only underlined the polarised views on this matter. It is clear that further clarity is needed. The underpinning principles behind the criteria for the review are therefore not sinister. They are sensible and simple. They are intended to ensure that everybody involved in home education—local government, central Government and parents—is clear about their responsibilities and that there are clear lines of accountability. They are also intended to achieve greater national consistency in providing suitable full-time education for all children and to ensure that, where there are problems, safeguards are in place to detect them and to allow us to intervene quickly.

Graham Badman wanted to ensure that he took account of all the evidence that could be gathered, and that is why he made a public call for evidence. Reference was made to the 12-week consultation period being shortened to four weeks, but we are talking about a review, not a formal Government consultation. That is why there is a little uncertainty about the 12-week period. Home education is a vital part of the education system. The review is—



[Michael Weir](#) (Spokesperson (Business, Enterprise and Regulatory Reform; Energy; Work and Pensions); Angus, Scottish National Party) [Link to this](#) | [Hansard source](#)

Order. I am afraid that we have come to the end of the time for the debate.

[About us](#) [Contact TheyWorkForYou](#) [Link to us](#) [House rules](#) [API](#) / [XML](#)
[Source code](#) [Add search to Firefox](#)