

Concerns arising from apparent conflict between:

EHE Draft Guidelines for LEAs

Assumes all parents, carers and families provide safe homes and stability

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Every Child Matters Agenda

Emphasis on Staying Safe from maltreatment, neglect, violence, sexual exploitation and death

If LEA officers are unable to meet with a child(ren) how can they fulfil their responsibilities towards this potentially vulnerable group of children?

Focus on schools and children on roll or in alternative provision tracked by LEA mechanisms

Victoria Climbié was not on any school roll

A supportive approach from the LEA EHE team does not always mean that a parent with a history of years of conflict and unresolved issues with schools/LEA and sometimes all forms of authority will be willing to have any contact with the team. Under these circumstances it is almost impossible to monitor the quality of education taking place.

If the child is not seen it is impossible to verify that Home Education is also the child's choice. Only when talking to the child with their family is it possible to form a professional judgement as to whether the child appears, as sometimes happens, to be desperate to escape this situation. Situations of 'frozen watchfulness' can sometimes be observed and opportunities created where the child can communicate with the visitor to outline their concerns. Several case examples can be provided from this LEA.

Representation was made to the Consultation process for ECM on behalf of the Eastern Region Home Educators to tighten this perceived loophole where parents interpreted the law that by omission it did not state that children had to be seen, (see attached letter expressing our concerns) The proposed draft guidelines actually now confirm this is the case. Not helpful. In the event of a Section 8 enquiry how could the LEA officer claim they had fulfilled their responsibilities as outlined in the JRS criteria?

Questions in a recent DfES LEA survey on EHE by Travellers indicated that the DfES were under the impression that permission had to be obtained before home education could take place. (Q6. time between visit decision/approval and Q14 taken to Court after **unsuccessful** EHE application) The LEA do not have the power to refuse an application however unsuitable it is known to be - unless the child is in a Special School. Parents have the right to home educate until evidence indicates that they are not providing a suitable education - then we may be unable to visit to ascertain. Meanwhile the child may be losing out on most of their education or be in need of child protection.

- April 2005