

Correspondence to Blaenau Gwent Scrutiny Committee from Home Ed Cymru July 2024

Home Ed Cymru is a peer-led support group for home educators across Wales. We noted with interest an account of a meeting, on 2nd July 2024, of the Scrutiny Committee of Blaenau Gwent County Borough Council (BGCBC).

Home Ed Cymru are sure that the Scrutiny Committee members and attendees would be keen to ensure any comments are also held to the highest scrutiny for accuracy, to ensure they are representative and not misleading, and that any discussions or statements seek to avoid discrimination, stigmatisation and alienation of children, young people, families and indeed any lawful members of the community in Blaenau Gwent. We also trust that the members of the committee would desire to embrace diversity in all its forms in our society.

Thus, it is of course concerning to read accounts of comments and claims made in this meeting. We appreciate of course that media accounts may possibly not be fully representative, and thus would be most grateful for a copy of the full transcript of this meeting to enable fact-checking. At present we have the account given in Nation Cymru online

[Concerns raised over increasing numbers of home-schooled children \(nation.cymru\)](https://nation.cymru)

and an online copy of the summary of the report in question,

(Safeguarding Performance Information for Social Services and Education, authored by Tanya Evans and Luisa Munro-Morris).

We would also be most grateful for a copy of the full report, alongside copies of any relevant communications and discussions on the subject of elective home education (EHE) in relation to this meeting.

We fully appreciate that it can be natural to tend to be fearful or mistrustful of an area of life that individuals may not have personal lived experience of. Indeed, this is generally the way that unconscious bias can unwittingly arise.

However, fear and mistrust can be destructive and precarious grounds for making administrative decisions or claims. Can one imagine if a councillor, or someone presenting to a council meeting, were to make generalised, stereotyping, biased, discriminatory or stigmatising statements about, for example, members of the LGBTQ+ community, or Jewish or Muslim communities, or vegans, or any such demographic group within our wonderfully diverse society?

There would quite rightly be a public outcry and call to correct any errors or damage. Yet sadly, there would appear to be inaccurate and inappropriate comments, made in relation to enriching members of society, in the meeting in question.

We trust that members of the committee will be as keen as we are to ensure that any misleading information is swiftly addressed and that any discriminatory attitudes towards or unfounded suspicions, of lawful families, are swiftly dealt with in an appropriate manner. Therefore, we hope that you will find it helpful to reflect on the

feedback provided in this email, on what has allegedly been said. We trust that this feedback will be received in the spirit of constructive engagement in which it has been sent.

We note that it was claimed in the Scrutiny Committee meeting in question that an increase in the number of families opting to electively home educate their children is “*concerning*”.

The concept of families raising their own children, including being fully involved in their education, should surely be a reassuring rather than concerning one.

It may be helpful, therefore, to share some key aspects of elective home education (EHE), before considering any comments from the meeting.

We trust it will be helpful for committee members to appreciate that home education is:

- **Lawful.** Indeed, it is the default educational setting in law of England and Wales. Parents who wish to send their child/ren to school choose to opt *into* the school system by requesting a place in a specific school. Parental and family rights in education are protected in human rights legislation, which clearly convey how the state should not interfere with education and simply ensure it is available should parents want to utilise that provision.

We are sure it is a relief to local councils to know that the legal responsibility for ensuring a suitable education lies with parents and not with the council, as this means that councils cannot be sued, if and when a school fails to meet a child’s needs. This is because it was the parent who chose to place the child into the school.

We are aware that head teachers in BGCBC have recently written to the council to express their concerns regarding funding cuts, explaining that this means they will not be able to adequately meet the needs of children in their schools. It would be an unworkable and bankrupting situation if the council did have a duty to ensure every child had a suitable education, to be legally liable for any shortcomings and failures when that was not provided in each case, on top of already overstretched budgets. However, to blame parents for shortcomings in school budgets or for approaches to education within schools and to treat them with suspicion or stigmatisation when choosing to no longer delegate and outsource educational provision to a local school, is clearly inappropriate. To blame parents for shortcomings within the state education system would be likely to build divisive barriers rather than constructive bridges.

- **Safe.** It is well accepted, including by the Welsh Government, the UK Government, and the Department for Education, that elective home education is not a safeguarding concern. Furthermore, research has clearly demonstrated lower incidents of abuse and neglect within the home in EHE children compared to peers in state schools ([Home Education and the Safeguarding Myth: Analysing the Facts Behind the Rhetoric. - Education Otherwise](#)). Furthermore, EHE children are not subject to the sexual,

physical and psychological abuse and harassment that, sadly, a significant number of children experience within the school environment. One example is outlined here: [Harassment: More than 90 schools in Wales named on abuse site - BBC News](#)). Likewise, mental health issues for school children are a clear concern, with some 200 school children committing suicide in the UK each year, a national average of 4 school children committing suicide each week.

It appears that home education was discussed in the meeting of 2nd July 2024 alongside safeguarding matters. This implies an inappropriately perceived correlation between EHE and safeguarding issues. False conflation of EHE and “safeguarding issues” is something that is not only inaccurate but is especially stigmatising to home educated children, young people and families.

It is essential that council meetings, communications and reports do not suggest any false conflation of elective home education and “safeguarding concerns”, either intentionally or inadvertently.

- **Effective.** Home education enables every child to have a bespoke education, tailored to their individual needs, interests and learning styles. Whilst outcomes of home education can include those that are also conventional measured in schools, such as exam results, home education often supports more holistic and diverse achievements by its very nature of being individualised and unique to each child’s needs, aptitude and interests.

- **Necessary** For a society to be truly diverse, free and democratic, then the styles and modes of education of its children must also be diverse, not only to meet wide spectrums of needs of those children but also for the benefit of continually evolving societies. This choice of education has always been upheld by our governing laws.

- **Responsibility of parents, not the state**, as confirmed in law. If the state attempts to assume *responsibility* for ensuring suitability of education for all children, it must also then assume *liability* for every case where school provision fails to meet a child’s needs and fails to provide them with a bespoke education that is suited to the age, aptitude and ability of each child. At present, parents cannot sue schools when they fail children because, in law, responsibility for suitability of education remains with the parents, as they chose to send that child into the school and are able to remove them. If authorities shift responsibilities to assume that the duty to ensure suitability is theirs, then they leave themselves in a vulnerable position for legal action when their provision is not suitable – a position that would likely bankrupt most LAs IF it were to be the case in law.

In relation to home education, the duty of the LA is very simple, a reactive one, to act “if it appears” a suitable education is *not* being provided or enabled. Local authorities can and do make informal enquiries regarding educational provision. These must be based on the golden thread of British Law, the presumption of innocence, not the presumption that education is not suitable unless proven otherwise.

- **Does not routinely need oversight or inspection**, as not only is that unlawful, but such external intrusion would also damage the natural process. External monitoring, oversight or inspection inevitably involves conscious or unconscious comparison to school-related processes or end points/targets, which are not applicable or helpful outside of the school setting and are counterproductive to individualised child-focused approaches. The concept of families needing to be “checked” risks running counter to parent’s providing an education that is focused on the age, aptitude and abilities of the child that they know far more about, than any external council employee could, whatever level of training the employee may or may not have. The concept of home educating families needing to be “checked”, potentially reflecting a misunderstanding of lawful duties, of who is responsible for education, and of the way that home education “works”.

To clarify a little further, one of the most powerful features of home education is the diversity of approaches, that allow children to develop and learn skills when each individual is developmentally ready, rather than according to statistically derived standardisations. Home educated parents are actually held to a higher level than that of schools, as they provide an education that is appropriate for each individual child, not a group of children, according to each child’s age, aptitude and ability, including any additional learning needs the child may have. To attempt to compare learning trajectories of home educated children with school-based concepts and standardisations actually undermines the parent being able to fulfil such an individualised duty, as well as being counterproductive to the approaches and benefits of the wide range of pedagogy utilised by home educators.

- **Not to be discriminated against**. Home educators sadly can at times face prejudice and bias from people in various positions of "authority" because of preconceived ideas and lack of understanding, knowledge or experience, prejudice that would not be tolerated against any other demographic group in society. Discrimination, stigmatisation and dissemination of misleading information about any group of society is clearly unacceptable, but even more so when it relates to demographic groups that comprise of loving families that are making constructive and vital contributions to present and future society.

- **Not to be treated as something to be suspicious or fearful of.**

Home education is simply parents raising their own children. For home educating parents, education is a natural part of parenting. A society that is innately suspicious of parents raising their own children cannot be a healthy one. To quote Lady Hale in the Supreme Court’s ruling on the so-called “Named Person Scheme”, “*The first thing that a totalitarian regime tries to do is to get at the children, to distance them from the subversive, varied influences of their families, and indoctrinate them in their rulers’ view of the world.*” [Paragraph 73]. This is quoted here to demonstrate that it is only an unhealthy society that would seek to mistrust parents raising their own children, even if and when the influence of the parents may be different to the views held by others.

- **Not the same thing as "homeschooling"**, as experienced during lockdown. The “homeschooling” of covid times saw children learning from home with pre-defined

work and set timetables, online/ recorded lessons, no social interaction, overseen by stressed parents often also working from home. This is, of course, a completely different process from elective home education where families have made a conscious, informed choice and where the learning incorporates a wealth of different styles, stimuli, experiences, groups and activities based on each child's individual needs and interests.

- **Not necessarily school-at-home.** As mentioned above, a common misconception about home education is that it is an attempt to recreate school at home, as if parents are teachers, using the same methods required for large classrooms full of children of varying abilities. The beauty of home education is that it is personalised and flexible. Most home educators use a variety of different approaches, tailored to their child/ren. One home educating day may look completely different from the next and rarely features children sat at desks for long periods, instead learning often takes place in a variety of different settings and modes. The benefits of very low adult: child ratios, especially in comparison to 1:30 in classroom settings, as well as the profound positive outcomes of cultivating a wide range of learning skills, including increased capacity for self-motivated and self-directed learning, are just two ways that home education is not comparable to school-based learning.

In the light of the above information, we note with interest and concern the statements that:

“We should be doing a lot more to encourage them back to school”.

“It’s not doing the children any good, a lot of them are not being properly educated.”

“It’s very discouraging to see the numbers going up and up”.

As a scrutiny committee, we trust that comments to the committee must not only be non-discriminatory, but also evidence and fact based.

The statement, ***“it’s not doing the children any good”*** is of course an extremely generalised and sweeping one.

Home educators can testify that their lives are the very antithesis of this statement, seeing their children flourish and thrive when removed from a school environment where it has not been a beneficial environment or situation.

It would be helpful for the committee to consider what experience each member of the committee has, including the councillor in question, of engagement with electively home educating families and groups within their community, both before considering making any such statements and in consideration of how to address such a claim being made within a council meeting.

So, whilst we could try to employ tactics such as asking what evidence the committee has to verify a statement that ***“It’s not doing the children any good”***, or that ***“a lot of them are not being properly educated”***, we do not intend to do so, as (a) we know there is no evidence to back up such a generalised stereotyping and, we regret to have to say, discriminatory statement, but also (b) because we would seek to work with the

committee to improve the narrative and ensuring a more healthy, accurate and respectful understanding is developed of home education and of home educators.

It would also, we trust, be helpful for committee members to note the importance of being able to substantiate any such claims, by considering how a judge recently ruled that the former head of Ofsted, Amanda Spielman, should not have made even a more temperate but unfounded statement than the assertions we refer to here without being able to provide evidence to justify any such claims.

You may find this article on the ruling regarding Ms Spielman interesting, indeed you may find many of the articles on the HE Byte site helpful in providing a window into the experiences and challenges home educators face in the UK at present. <https://he-byte.uk/england/spielman-must-try-harder-to-find-the-evidence-she-said-she-possessed/>

It is important to protect the reputation of the committee and each member, as well as the reputations of children, young people and families that only claims and statements that can be verified with accurate objective evidence, and that are not overreaching, inappropriate or inaccurate, should be made by committees within the council, especially when any such claims can have a profound impact on the well-being of children and young people.

“Properly educated” is of course a very subjective concept, so it is probably also helpful here to appreciate that whilst some home educators may take a more formal, school-like approach to their educational provision, many do not. As addressed earlier, many home educators find one of the range of benefits and strengths of home education is the varying and diverse approaches that are open to families. To those who are unfamiliar with EHE, a non-school like approach may not resemble what they are used to considering to be a “proper” education, but that does not mean that it is unlawful, inappropriate or a lesser form of education. This is appreciated and confirmed both in the Welsh Government’s 2023 guidance on EHE, and in the Department for Education’s 2019 guidance on EHE in England.

Indeed, many home educators who are also trained teachers, report that they have to “unlearn” much of what was taught during their teacher training as it is not only not particularly relevant or applicable to home education but because it can indeed be a hindrance to effectively home educating.

Whilst many children are thriving and benefiting from the diversity of individualised approaches available to home educators, it is obviously somewhat incongruent to consider that public servants should **“be doing a lot more to encourage them back to school”**. It would, of course, be highly inappropriate, for public servants to seek to undermine lawful choices of children, young people and families.

It is interesting to note that the member considered an increase in home education not to be a celebration of the involvement of parents and families in their children’s education, but rather something that they consider **“discouraging”**. **“Discouraging”**

would connote a phenomenon that runs counter to a personal opinion, expectation or agenda.

We do appreciate that one way that an increase in EHE could be considered to be “discouraging” is if it were considered a condemnation or judgement of education provided by the local authority. However, if this were the case, the appropriate measure would be to seek to improve that provision, rather than condemning parents for proactively ensuring their children receive a suitable education.

Indeed, parents would be failing in their lawful duty to ensure their children receive a suitable education if they knowingly left their child in a situation where a suitable education was not being provided. Parents who deregister children where suitable provision is not in place are thereby seeking to fulfilling their duties and thus are not parents to be suspicious of or consider to be a discouragement.

We fully understand, as stated earlier, that people may hold misconceptions or suspicions about areas of life that they do not have personal lived experience of, or members of society that they are not used to engaging with. However, it is vital for members of a council committee to be aware of the impact of their words and phrasing, including the impact not only on loving families, but also on the self-esteem and self-worth of home educated children and young people. Such stigmatisation is potentially very damaging for home educated children and young people and we would encourage the committee to reflect not only on the content but also the tone of such communications.

It may also be helpful for the committee to be aware that, whilst parents may choose to electively home educate for a very wide range of reasons, for those who have deregister because of shortcomings or failings within the school system, many will have wrestled against the “system” for a considerable period of time to try to improve school-based provision for their children, without success despite their best efforts. Such comments are likely to be damaging and discriminatory for any home educating family, but for such parents who have battled against a system and provision that had failed their children and caused their children to miss education often for a considerable period of time, these kinds of comments are particularly offensive and would reflect a lack of awareness and appreciation of their care as parents.

Regarding the report that was being discussed in this meeting – “Safeguarding Performance for Social Services... and Education”, at present we only have access to the summary. The references in the summary report to elective home education appear to be misleading or confusing if taken out of context and certainly raise a number of important and concerning issues, so we request a full copy of this report before commenting in detail further, to ensure there is no misunderstanding by any party.

In the meantime, members of committee may find it reassuring to realise, in the context of references in that report summary, to a perceived need for a register of home educated children, that the council, will automatically already have all the contact details of every child who has been deregistered from school. Not only will the school

and the LA already have these details, but each school is obliged to forward these contact details to the LA and specifically inform the LA if a child is deregistered.

Regarding the comments by the interim director of education, Luisa Munro-Morris, as reported from the People Scrutiny Meeting of 2nd July, the most notable is, of course, **“Our ultimate aim is for all of our young people to be in school”**.

Again, we appreciate that there is the potential for any comments reported to be quoted out of context. There is the potential that this could be a reference to aims for improved school attendance for those on the school roll. However, given that this is taken from a discussion about elective home education, that clearly is not applicable or relevant. Low attendance in school is a very different issue to elective home education, although again there can at times be a misleading conflation of the two issues.

This comment certainly appears to demonstrate an openly expressed bias and discriminatory attitude towards elective home education provision.

It is highly questionable how a head of department could be appointed to or remain in post if they hold a biased and discriminatory attitude towards a subgroup of society that intersects their remit. We ask the local authority to consider the importance of staff who support and validate all forms of education without discrimination when making future appointments and to examine the appropriateness of this present appointment, if modes of education that are of equal worth in the eyes of the law are treated as lesser or to be discouraged. It would be clearly inappropriate for a director of education to discriminate against a lawful and beneficial mode of education, if this is the case. Likewise, it is vital that any person in such a post does not make statements that can give the inference or appearance of any such attitudes or personal opinions, if they are held. It would be clearly inappropriate for a person to hold a position that can allow them to exert authority over a group of society if they have demonstrated such discriminatory attitudes and lack of respect for a lawful and beneficial form of education.

We also note the reports of comments by Dr Munro-Morris, that schools were asked to keep a place open for children for 20 days after they are taken out of school so that the education department can **“work with the family” to get the child back into school**. This is concerning on two levels. Firstly, *IF* this is an accurate report of the comments made, it reflects a belief that children are “better off” in school than with parents. Secondly, lawfully, deregistration is an instruction and not a request. If there is an “offer” of keeping a school place open to enable a time of reflection, this must be conveyed as an “offer” and not as a required process, to be lawful. There is the risk of local policy giving the appearance of a practice that would be contrary to the law, unless it is made extremely clear to all parties that any such holding of school places is simply a voluntary option and not a lawful requirement. We are aware that false and misleading information has previously been given on deregistration by education welfare officers in Blaenau Gwent, including conveying requirements that do not lawfully exist.

The appearance of an anti-home education bias would seem to be perpetuated, *if* reporting is accurate, in further comments attributed to Dr Munro-Morris that,

*“We are concerned and are monitoring those figures. We’re doing lots to **try and bring them down**, equally this is a **problem** all local authorities are experiencing and is something the Welsh Government is very concerned about it and are trying to develop a national steer”.*

Parents choosing the lawful, fulfilling and effective default option of elective home education is not a “**problem**”. To describe it as such would be a clearly inappropriate comment for a head of education, as would be a desire to “**try to bring ...down**” the numbers of parents doing so. Such statements, in relation to a lawful mode of education, give an appearance that would be incompatible with the position of head of education or a role of public servant.

Endeavours to improve provision of state education are most certainly in the remit of a head of education and the local council. Any attempts to coerce or criticise parents and families for making lawful and beneficial choices for their families most certainly would not be. As explained, we do not say this as a criticism of the committee, but rather as feedback that we trust will be helpful and constructive. We look forward to engaging further to help improve the narrative. If you have any questions or would like further information on any of the points or issues raised here, please do not hesitate to contact us.

In the meantime, we look forward to receiving a transcript of the meeting of 2nd July 2024, and of the full report that was discussed in that meeting, alongside any relevant communications and correspondences regarding elective home education in Blaenau Gwent.

Kindest regards
Home Ed Cymru