

A critique of the data presented to the Enquiry into the 2009 Review of Elective Home Education in England

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STATISTICAL EXPOSE

1. There are an estimated 20,000 Electively Home Educated (EHE) children registered with Local Authorities (LAs) in England¹. There may be another 40-60,000 EHE children not registered with Local Authorities. There is currently no obligation for families to register in this way. Under current law and guidelines parents have a duty to ensure their children receive a suitable education, not Government.
2. If a Local Authority has reason to believe that a suitable education is ***not*** taking place, they then have a duty to intervene. The recent Review into EHE did not concern itself with asking why many Home Educators choose not to register as electively home educating. Any data discussed in this document is referring to those EHE children known to the Local Authorities, through registration or otherwise.
3. The Badman Review on Elective Home Education (EHE)² was commissioned by the Department for Children Schools and Families (DCSF) used 3 questionnaires.
4. The first questionnaire was not used to extract data but was used to inform the type of questioning that came in the second questionnaire. 90 Local Authorities (LAs) responded.
5. The second questionnaire was answered by only 25/152 LAs and only 20 of these 25 LAs gave figures that could be used. It appears that the data from this questionnaire has been disregarded for the statistics used in the Impact Assessment used to inform the Children Schools and Families Bill
6. When home educators questioned the provenance and the robustness of the data used by the review author to draw conclusions and make recommendations to the Secretary of State, the author asked the Star Chamber for more time to conduct a further supplemental data gathering exercise, which was completed by Local Authorities *after* the Review was published³.
7. It is this supplemental questionnaire, to which 74 LAs responded, that has been used to inform the Impact Assessment^{4&5} and in turn the actual Children, Family and Schools Bill⁶.
8. Home Educators submitted Freedom of Information requests and obtained the raw data from 62 of the 74 LAs that the DCSF say provided supplemental data, and also a further 14 LAs who say they participated but were not on the DCSF list. This raw data shows the exact answers of the LAs to the Supplemental Questionnaire⁷.

It is the supplemental questionnaire that is being critiqued in the following pages:

CHILD PROTECTION PLANS

9. Supplemental data about the number of Child Protection Plans (CPP's) (CPR3 Part B Child protection register) on 31st March 2009 revealed 51 care plans in 11,700 EHE 5 to 17 year old children (0.4%).
10. In the Review authors' letter to Barry Sheerman, Chair of the Select Committee⁸, this figure was compared to a national figure taken from the Statistical First Release 2009 of 5-17 year olds.
11. The Statistical First Release for 31st March 2009 shows that the national figure for all children age 0 - 18ⁱ is 0.31% which is 34,100 CPP's in 11 million children.
12. Nationally for children aged 5-17 there were **18,590** CPP's amongst 7 201200 children which is 0.26%.⁹- table 3B.
13. Only 20 of the 74 responding Local Authorities had any EHE children with child protection plans.

1 LA had 8 CPP's	2 LAs had 3 CPP's
1 LA had 6 CPP's	8 LAs had 2 CPP's
1 LA had 5 CPP's	6 LAs had 1 CPP's
1 LA had 4 CPP's	
14. The 0.4% statistics of EHE children with CPP's do not take into account that one large family could account for all the CPP's in some of the figures mentioned. When dealing with small sample sizes the figures become skewed - for example, a small LA such as Sunderland (38 children) with one CPP is 3.7% of its known EHE population with a CPP whereas Essex with 733 children and one CPP is only 0.14% of its EHE population with a CPP. Sunderland appears to have almost 20 times the national average whereas Essex has approximately half the national average.
15. The comparison national figure given of 0.2% does not include children taken into care. The LAs had an opportunity to mention EHE children taken into care and so far only 3 cases were mentioned. Nationally there were 17600 children aged 5 - 17 who were taken into care for the first time in 2009.¹⁰
16. According to the Laming report, for the entire year 2008, across 11 million children nationally, there were 29,000 CPP's in place (0.26%) and a further 37,000 Care Orders (0.34%)^{11&12}.
17. On 27 March 2009, home educators submitted Freedom of Information requests to all 152 LAs to obtain data on **substantiated abuse or neglect** cases within the EHE community. Analysis of the returns shows that the total rate for 129 Local Authorities who provided data was 0.31%¹³.

ⁱ Ages 0 to 18 includes children aged 17 - i.e. up to 18th birthday

SUITABLE EDUCATION

18. In his letter to Barry Sheerman of the Select committee dated October 2009, the Review author states that 1.8% of EHE children on the LA lists were considered as not receiving any education - a figure that comes from the supplemental questionnaire data from the participating 74 LAs.¹⁴
19. In this letter the Review author details a further 5.3% were not receiving a suitable or a full time education. The raw data returns show that the rate for education considered 'not suitable' was just under 2% whereas 'not full time' was 3.35%¹⁵
20. The guidelines on Elective Home Education specifically state that 'full time' school hours do not apply to EHE¹⁶. However the initial questionnaire sent to Local Authorities at the start of the review stated full time to be 20 hours per week¹⁷. Therefore, included in the 3.35% 'not full time' data are answers from Local Authorities who are redefining guidelines and law. Many home educators cannot and do not segment their child's learning experiences into timetabled units. However many home educators consider their children to be learning 24/7.
21. The above 3 categories, 'no education', 'not full time', and 'not suitable' when added together make a 7.1% figure where the LAs state some concern about educational provision.
22. The review author goes on in the letter to the Select Committee to detail a further 5.8% 'not co-operating' with monitoring and 9.3% 'not yet assessed'.
23. The Impact Assessment (page 85) however states that **8%** are receiving no education and has added figures from all four categories above (bold and underlined percentages), and has rounded them down stating that there is a total of '**20%** not receiving a suitable education.' These figures are inaccurate and yet have been used to inform the rationale behind the CSF Bill Dr Ben Anderson has completed an analysis of the provenance of the data used to create the Impact Assessment, as well as a cost/benefit analysis.¹⁸
24. The parents 'not co-operating' are not necessarily families who have refused to have any contact with the LA, (it is considered unwise to do so) but are those who may submit written plans and philosophies. Many LAs, **in keeping with current law and guidelines**, would not consider such families to be non co-operative. However, many LAs do consider families who do not wish a home visit to be non co-operative.
25. The 9.3% who were 'not yet assessed' are also included in the DCSF Impact Assessment as '*not receiving a suitable education*'. The supplemental data was requested at the beginning of a new academic year, and most LAs had numerous children they had not yet processed. It is not good practice or statistically robust to include the un-assessed children in the data for those apparently '*not receiving a suitable education*'.

26. Weeks previous to the supplemental questionnaire being sent out to LAs, Home educators themselves submitted 152 Freedom of Information requests asking LAs to detail the educational concern rates they had and the reasons why there were concerns. In total a 6.06% rate for 142 of the responding LAs was gathered and this included some LAs who 'redefine' guidelines¹⁹.
27. From Home Educators own Freedom of Information requests and the supplemental questionnaire it is evident that LAs are not using the powers they already have when they have educational concerns i.e. by issuing School Attendance Orders. Only approximately one in ten 'concerns' have SAO's issued.

MISSING CHILDREN (runaways)

28. Based on the 62 FOI request returns of the raw data that we have received to date, 53 LAs gave data returns in this category. 25 of these 53 LAs had zero missing children (runaways). 16 LAs quote numbers of missing children but also commented that these were not actual runaways, ***merely families that had moved without providing a forwarding address***. 7 of the 53 LAs quoted numbers of missing children but did not qualify that number or differentiate between actual runaways and those that had moved with their families. In total LAs mention 226 children in this category. However in his letter to Barry Sheerman, the review author only mentions 125 'missing children'.
29. If a ***school child*** moves home to another county, the family is not under any obligation to inform their LA of their new address. Similarly, a family who home educates does not have to inform their LA of a house move.
30. Of the responding Local Authorities, ***not one*** indicated in the supplemental questionnaire that they had *any* previous concerns about any of these 'missing' children in the comment box alongside the data.

NEET (Not in Employment, Education or Training)

31. The review author uses the Statistical First Release data²⁰ to compare the answers given by the Local Authorities who use the regional Connexions data (CCIS) for Electively Home Educated leavers. The SFR rate is lower than the CCIS rate.²¹ The CCIS rate spikes during the summer period as young people leave school and await placements that start in October. The data from the supplemental questionnaire which informed the CSF bill were collected in September and therefore will be higher.
32. The figure quoted by the Review author of 5.2% is the SFR data for 16 year olds only, and does not take into account the seasonal spike. Therefore any EHE young people who were no longer of compulsory education age and who did not care to inform Connexions of their plans may have been counted as NEET.

33. Many EHE young people do go to college to take GCSE exams and would also be counted as NEET while they were awaiting placements. A proportion of EHE young people would simply continue learning at home. They too will have been counted as NEET.
34. In the supplemental returns only 36/74 LAs answered this question. No regional comparisons were made for these 36 LAs to see if they were comparable to the CCIS national averages.
35. Most of the responding 74 LAs did not know about many of the Electively Home Educated leavers as it is not compulsory for EHE families to register with Connexions. Those who chose not to register with Connexions or who were simply continuing with home education were not counted into the total number of leavers. The LAs therefore only commented on those they knew about. For example, Kent had 184 EHE young people no longer of compulsory education age. They asked all families and only 73 responded (40%) - of these responders 10 were NEET (13.7%). The data entry will therefore be 10/73 and not 10/184. This in itself could account for a NEET rate that appears to be up to 4 times higher than the national rate.
36. To highlight the lack of professionalism that forms the backbone of the reasoning behind the CSF bill, one LA commented that 23% of its 4 leavers were NEET²². This is 0.98% of one young person. Percentages are covered in year 5 by the National Curriculum (which Home Educators do not have to follow).

References

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- ²¹ For a full explanation of all the different definitions for NEET see -
<http://www.dcsf.gov.uk/rsgateway/DB/STR/d000870/>
- ²² http://www.whatdotheyknow.com/request/further_call_for_the_evidence_65#incoming-53829