

National Independent Safeguarding Board

Safeguarding Children and Young People Who Are Educated at Home

**Briefing for Welsh Government:
Cabinet Secretary for Health and Social Services
Minister for Children and Social Care
Cabinet Secretary for Education**

The death of Dylan Seabridge raised questions about whether existing safeguarding mechanisms are sufficient for children who are home educated. In February 2017 the National Independent Safeguarding Board (NISB) commissioned Cascade, Children's Social Care Research and Development Centre, at Cardiff University to explore the possible risks in relation to safeguarding, health and well-being of children and young people who are educated at home.

We are pleased to set out a summary of findings and four recommendations for your consideration.

Summary of Findings

Only a small proportion of children are home educated, perhaps 2-3,000 in Wales. There are signs that the numbers are increasing perhaps doubling over the last 6 years.

They are a diverse group of children, including those whose parents choose home education from birth and a larger group who leave school for reasons such as bullying, additional needs or other problems.

The overall approach enshrined across the legislation is relatively straightforward: children are usually best brought up by their parents, but the state has a duty both to support parents to do this and to intervene proportionately when children may be experiencing serious harm. It is this approach that should underpin policy and practice responses to children who are home educated.

Cascade's evidence suggests that this is not happening. Our duties as a society to support, protect and ensure the education of children do not end when they are home educated. The state barely supports home educated children or their families. Equally, there can be no confidence that the minority of children educated at home who are abused or neglected are being identified or protected.

A new approach for home education in Wales is recommended which reinforces the safeguarding responsibilities of education, schools and their

partners. This approach is based on the principles of the Social Services and Well-Being (Wales) Act 2014: with support to achieve well-being and encouraging people to become involved in the delivery of services. Such an approach would require information in terms of the numbers of children and confidence concerning their safety, well-being and education. The recommendations are aimed at creating this more constructive and transparent partnership between parents and the state when children are home educated.

Recommendations

Recommendation 1: A significantly enhanced support service for home educated children, to include:

- a. Clear duties for local authorities to support the education and well-being of children who are home educated.
- b. The Welsh Government and local authorities should ensure that funds are available to deliver this duty to support home educated children, for instance by providing a proportion of the per-pupil funding that is provided for school educated children.
- c. Professionals who understand the particular needs and circumstances of home educated children and their families should deliver this support service.
- d. Such support to be developed in partnership with the local home education community as consistent with principles of co-production.
- e. The proposed home education support service should fund the sitting of examinations as a right for each child in Wales not only those in school.
- f. Where children leave the school roll the family should have access to an independent assessment of their child's educational needs. This assessment would identify whether reasonable steps could be taken by education services to ensure the child remains in school and/or the support needed for the child to be educated at home.
- g. Schools should be encouraged to be creative in addressing the needs

of children who might become home educated where this is not a positive choice by parents, and in particular explore shared educational options. Inspection of schools and evaluation of attendance figures would need to recognise this as a valid option for some children, for instance by excluding them from attendance measures.

- h. Where a child is withdrawn from school and home educated the school and other professionals should assess whether this change might give rise to care and support needs or pose a risk to the well-being or safety of the child. If this is the case a referral to social services should be made.

Recommendation 2: Clearer assessment of the needs and well-being of home educated children, this requires:

- a. There should be a register of home educated children in a similar way to the school register.
- b. A more holistic assessment of the well-being and education of children educated at home should be undertaken at regular intervals. Such assessments would focus on ensuring that the child is thriving, their education is adequate and would help provide and plan for appropriate support services.
- c. Such assessments should involve children, as appropriate for age and ability. They should also take place in the child's home as their place of education.
- d. A key decision is whether registration and/or cooperating with assessment should be a legal expectation on parents. Making registration and assessment compulsory would create high levels of resistance from a significant proportion of home educating parents. Yet, a voluntary scheme would be unlikely to have protected Dylan Seabridge or other children known to have suffered serious abuse or neglect whilst home educated. We therefore recommend that registration and regular assessment should be legal expectations for parents choosing to home educate.

Recommendation 3: An improved response to children where actual or

suspected harm is identified and the child is or becomes home educated.

Home education is not a risk factor for child abuse or neglect. However, where there are concerns for a child's safety or well-being home education significantly reduces professional access and child safety monitoring opportunities. Responses to any risk of abuse or neglect identified about a home educated child need to take seriously this reduced level of scrutiny.

a. Failure to educate a child may harm their well-being and can in itself be a form of neglect. If there are grounds to believe a child is not receiving education, this should result in a referral to social services, either for an assessment of any care and support needs the child and family might have, or, where the level of risk is higher, as a child at risk of neglect.

b. Where actual or suspected abuse or neglect has led to a child being allocated either as a child in need of care and support or on the Child Protection Register, and that child is or becomes home educated, the plan should include as appropriate:

- i. Considerably more announced and unannounced visits than a child in school would have.
- ii. More frequent professional meetings and information sharing.
- iii. Joint visits with child protection and education staff.

c. Where actual or suspected abuse and neglect is identified professionals should assess whether home education appears to be an attempt to avoid professional scrutiny. Where there is evidence that this is the case it increases the risk of harm to the child. Appropriate legal action and statutory safeguarding procedures should be used to ensure the child is safe.

d. Where home education is considered to increase risks to a child, professionals should be aware that education legislation will *not* provide protection. The safeguarding provisions of the Children Act 1989 need to be used as appropriate for the child and their circumstances.

e. Each local authority should have a named individual with responsibility and expertise in relation to home education and safeguarding. This individual should provide advice and consultancy for the relatively small number of

families where home education and safeguarding issues arise.

Recommendation 4: We recommend that Estyn be given a duty to inspect the adequacy of local authority provision to support and assess home education.

Such inspections would need to include educational and social care expertise and knowledge of good practice in home education. This should include designing criteria for inspection that do not take a negative approach to flexi-schooling arrangements. Such inspections should also consider the adequacy of support and safeguarding for home educated children within each authority.

Conclusion

The National Board suggest that detailed consideration be given to Cascade's findings and recommendations. There is a safeguarding risk for some children educated at home and Cascade's research evidences that concern.

We would be pleased to discuss the findings and recommendations with you and your officials with a view to agreeing a way forward.

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