

## **Written evidence submitted by Anonymous to The Children's Wellbeing and Schools Bill Committee (CWSB37)**

I am writing to express my grave concerns about the proposed Children's Wellbeing and Schools Bill, particularly its implications for home education and the presumptive stance it takes regarding the safety and wellbeing of home educated children. As a concerned parent and home educator, I would like to share our personal story of why we came to home education and draw your attention to several key issues within the Bill that undermine the principles of fairness, human rights, and effective safeguarding.

### **Background**

I am currently home educating my daughter (aged 12) who has complex medical needs, physical disability and school-based psychological trauma (following an incident of serious neglect in school). Some of the proposals in this Bill will cause my daughter (and other children like her) unnecessary harm, significant distress and will infringe upon her right to a safe and private family life.

Our daughter is academically able, but required 1:1 support in school to manage her complex health conditions and to support her to safely access education. After an unnecessary fight with the Local Authority (sadly not uncommon), we eventually secured her an EHCP with funding for full day 1:1 support and she commenced the local primary school. Subsequently, the Local Authority consistently failed to conduct her annual EHCP reviews (a statutory requirement) on time, leaving her with unmet needs, unsuitable provision and in danger of harm. The most recent review was over 18 months late.

Throughout her school life, the school were consistently failing to adhere to our daughter's EHCP (a legally binding document). Her 1:1 teacher (fully funded by the Local Authority specifically for her) was often dispatched to other classes leaving her without the support she needed to keep her safe. They were failing to follow her mental health plan and were not properly carrying out her care requirements or acting on her health symptoms as specified in her EHCP, leaving her at risk of harm. They sometimes didn't allow her to go to the bathroom when needed, resulting in accidents in class, causing her embarrassment, emotional distress and opening her up to bullying. They often kept her in the staff room at lunch and break times because they didn't have a teacher available to supervise her in the playground, damaging her access to social opportunities and opening her up to more bullying. They denied her access to a whole-school science event because they didn't have a teacher available to support her so instructed us to keep her home that day, leaving her feeling less-worthy than her peers, discriminating against her on the grounds of disability and denying her an educational opportunity. On other occasions, she would be placed in a separate room with a child with severe learning disabilities to be supervised by his 1:1 TA for the day because her 1:1 TA had been sent to another class, despite her being perfectly academically able to participate in learning with the rest of her class. This unnecessary segregation caused her mental and educational harm. The list of neglect could go on. Not surprisingly, her physical health, mental health, attendance and educational attainment soon began to rapidly deteriorate.

These issues continued for quite some time and our efforts to have our concerns addressed were futile. Both the Local Authority and the school were dismissive and, at times, threatening. The school soon placed an attendance contract on us and threatened fines if our daughter's attendance did not improve without first addressing the causal factors. We were forced to send her to school against her will, where her needs were not being met. We felt trapped, unheard, threatened and fearful for our daughter's safety and wellbeing. This is not an uncommon story. Education Otherwise recently published a report which noted that 54% of

families new to home education in 2023 cited the primary reason for opting to home educate as being that school was not meeting their child's needs.

One fateful day at school, our daughter complained of significant medical symptoms relating to one of her health conditions. Her EHCP defines that in circumstances where these specific symptoms are noted, the school must contact the parents immediately since they may represent a medical emergency. The school opted to ignore our daughter's symptoms, her pleas for help, obvious pain and distress and crucially, the instructions in her EHCP which are there to keep her safe. The school made an assumption that our daughter was probably just trying to get out of school (she had never lied about medical symptoms before so there was no basis for this unfair judgement on her character). They made the dangerous decision that given that our child's attendance was already poor and she was subject to attendance monitoring, they would ignore her symptoms and the instructions in her EHCP and would keep her at school. Later that afternoon, our daughter collapsed. She was bleeding internally and required emergency treatment in hospital, followed by a long recovery period at home during which she missed education.

Our daughter has been left with severe school-based trauma following the incident of neglect at school. She feared that she was going to die that day and would never see her family again. She has experienced trauma-related symptoms including panic attacks (which compromised her existing heart condition), dark thoughts about death and recurrent nightmares affecting her physical and mental health. She struggled to leave the house for some time after the incident. Her home remains her safe space. NHS waiting lists for children's mental health support are currently up to three years in our area (a similar picture across the country), meaning that children are not receiving vital mental health support when they most need it. We removed our daughter from school for her safety and wellbeing.

Now that our daughter is home educated and her needs are continually being met, she is like a different child. Her medical team note a remarkable improvement in her physical and mental health. She is now largely back to her confident, happy self. She happily interacts with a range of people including other home educated children, children from her previous school and trusted adults. It has taken us time and patience to build her confidence and resilience back up. She is studying a rich age-appropriate curriculum and the improvement in her educational attainment compared to that at school has been nothing short of astonishing. After watching her deteriorate and struggle for so long at school, it is truly wonderful to now see her thriving physically, emotionally, socially and educationally. However, the effects of the trauma and neglect she faced in the school system remains and probably will for a very long time. Trauma is not something that simply disappears. Our daughter remains terrified of school and school-related / authoritative professionals, has nightmares of dying at school and fears knocks at the door in case it is somebody that will force her back to school to die. The trauma that she is left with affects her deeply and was so easily avoidable.

There are a number of very concerning pieces of legislation in this Bill that undermines my parental right to decide what is best for my daughter and opens our daughter (and the many children like her) up to harm and undue distress, many of whom have already suffered harm or neglect in the school system.

I have nothing to hide by not wanting to allow the Local Authority into my home to assess my child but I do have everything to protect – my parental rights to decide what is best for my child, my child's and my family's human rights to a safe and private family life free from intrusion as per Article 8 of the Human Rights Act, my child's right to be home educated, my child's mental and physical health. And yet the Bill automatically assumes guilt and can force a child back to school should a parent resist intrusion into their home in order to protect their child and their rights. This is extremely concerning.

The Bill will also prevent us from trialling our daughter back at school in the future. Despite doing remarkably well in home education, we are not opposed to the potential of trying school again in the future if our daughter feels able and wishes to do so. However, our daughter holds an EHCP which means that if she attended school and began to struggle for any reason, we would require permission from the Local Authority to remove her from school again. It is my parental right to decide what is best for my child. If we were to trial school in the future and it did not work out for any reason, it would be essential that I would be able to remove my child from school immediately and not have to wait for Local Authority permission. This would cause a danger to her health and potentially, her life. I simply will not be prepared to take the risk of trialling my child back at school and not be able to remove her immediately if she were to begin to struggle, or be blocked from removing her at all. Sadly, this Bill will damage my child's chances of returning to school if we ever felt that was an option in the future. This will be the case for many home educated children – parents simply won't take the chance of trying school again if there is a risk that they won't be able to remove their child easily and swiftly if their child isn't coping or faces harm.

The measures in this Bill are going to harm home educated children, not protect them.

### **Home education is not homeschooling**

School is a one-size-fits-all offering that best suits children who can sit still and quietly for extended periods, give attention to multiple different subjects, switch their focus multiple times a day according to a timetable, regurgitate information onto paper in a set format, perform under test conditions and socially interact with the same group of other children each day. This structured approach to learning is acceptable for some children but does not suit all.

Home education is not home schooling - it is not a replica of school within the home environment. Home educated children are not required to follow the National Curriculum, a timetable or complete school-based work (worksheets, workbooks, tests and assessments). Some home educated children cannot learn effectively in groups, cannot meet time demands, cannot sit still, need regular breaks or time outside to regulate and cannot cope with socialising in large groups of people. Some home educated children learn better by "doing" practical tasks rather than desk-based work, learn more efficiently and effectively when they hyper-focus on one or two topics at a time rather than switch between multiple subjects each week or learn better through interest-driven topics rather than studying multiple timetabled subjects at once. Some children can demonstrate their knowledge better through oral communication or practical demonstrations than they can through written work and assessments. Home education is not a one-size-fits-all provision, and purposefully so. The provision of home education is diverse and individualised to suit each child, taking into account their age, aptitude, ability and any special educational needs.

In terms of hours of learning, the law requires home educated children to receive a full-time education. The law is not defined beyond this. In a school setting, the typical school day is six hours. This does not mean that home educated children must receive six hours of formal tuition each day. Taking off break and lunch times, the time it takes for registration, pupils moving between classes, teachers dealing with disruptions in class, handing out work, collecting in work etc and the actual pupil learning time each day at school is significantly less than six hours.

A full-time education in school is based on teachers delivering learning to a class of 30+ children. It takes significantly less time to teach a child on a 1:1 basis or in small groups (as is often the case in home education) than it does to teach the same material to a class of 30 children. Thus, home educated children can often learn the equivalent of what a child is taught in school in much less time. However, it is also the case that

home educated children are typically continuously learning in some capacity – there are no set hours and the hours that they spend learning cannot easily be defined. Even those that do follow a timetable or structure (as is the case with my daughter), will often come across additional ad hoc opportunities each day that will not necessarily be planned or foreseen but will form part of their learning and development for that day. It can be difficult to quantify how long a home educated child truly spends learning each day.

There is a common misconception among Local Authorities and some members of Government that home education should replicate school, that children should follow the National Curriculum, should work to a timetable and be taught during school hours. This is not the case. The very reason that many home educators do not replicate the school structure or the National Curriculum is because that structure does not meet the needs of their child and the child would not reach their full learning potential being taught in this way.

Some aspects of the Bill (in particular the reporting of education providers details and hours of education) shows a lack of understanding of what home education is and how it is applied.

### **Safeguarding concerns within schools**

Education Otherwise recently published a report which noted that 54% of families new to home education in 2023 cited the primary reason for opting to home educate as being that school was not meeting their child's needs, with a further 37% citing their child's mental health as the reason. Many parents also report having specific safeguarding concerns relating to the school system including bullying, gang culture, unmet SEND needs and unsupported mental health needs posing a risk to their child.

Despite our daughter holding an EHCP which places a legal obligation on the Local Authority to ensure that those needs identified within her Plan are met by the school, our daughter's school consistently failed to meet her needs and the Local Authority consistently failed to address the issues or hold the school to account. This resulted in a rapid deterioration in her physical health, mental health, ability to socialise, attendance at school and ultimately her educational attainment. There is a SEND crisis in this country with increasing numbers of children suffering. Our Local Authority was recently served an improvement notice following a disastrous area SEND inspection by Ofsted. Our daughter is sadly a victim of this SEND crisis and of safeguarding issues within schools.

Our daughter was subjected to an incident of severe neglect in school that left her hospitalised and fearing for her life. The incident left her with school-based psychological trauma, recurrent nightmares and dark thoughts about death. She fears school and educational / authoritative professionals and felt unable to leave her home for some time after the incident. Her home is her 'safe space'.

It is extremely important to note that had the incidents of neglect that I described in my opening statement, occurred to my daughter at home rather than at school – e.g. had it been I that kept my daughter away from social opportunities, had it been I that neglected to supervise her each day and, crucially, had it been I that ignored her medical symptoms and her doctors instructions which resulted in her requiring urgent medical treatment in hospital – I would have (quite rightly) been scrutinised by Social Services who would question my ability to care for my child and keep her safe. Unfortunately, when parents have safeguarding concerns about the school environment, there are no comparable measures to scrutinise the child's immediate safety in that environment. In fact, families who have serious concerns regarding their child's welfare in school for any reason are still legally required and forced to send their child into school or risk prosecution under harsh school attendance measures.

Home education is the only mechanism for a family to immediately remove their child from danger where there is a safeguarding concern within schools or a risk of harm to the child - e.g. where a school is not meeting the needs of a child with SEND and it is posing a risk to their welfare, where a child is facing threats of serious harm from a bully or a gang and the school have failed to keep them safe or where a child is self-harming or suicidal and are not receiving support to keep them safe in school. These are all very real scenarios that are happening increasingly more in schools. Preventing some parents from safeguarding their children by requiring Local Authority permission to remove them from immediate dangers within schools is not in the best interest of all children – in fact, these measures will pose a danger to the lives of some children. If the problems of safety and neglect in schools is properly addressed, the numbers of children being de-registered for home education will most likely dramatically reduce.

Like increasingly more families, our decision to home educate was borne out of fear for our child's safety and wellbeing in the school system. As her parents, it would have been irresponsible of us to allow our daughter to continue to face the neglect that she was experiencing at the hands of the Local Authority and school system. We simply had no choice but to take responsibility for our daughter's education and put plans in place to home educate her. Whilst it wasn't a decision borne out of free choice as it should be, it has turned out to be the best decision we have made for our daughter and she is now thriving physically, emotionally, socially and educationally and her mental health has dramatically improved following the trauma she was subjected to at school.

### **Concerns and questions regarding the Bill**

I would urge the committee to consider the following points:

**1. *The Government should actively seek input from a cross-section of home educators to ensure fair representation given that the proposed changes remove large sections of parental rights.***

I am concerned that there appears to be an assumption that children are safer in schools and sadly, for increasingly more children, that just isn't the case. I urge the Government to actively speak to home educators and address the very real and very concerning safeguarding problems in schools that are driving the increase in many parents feeling little choice but to remove their children from physical/ mental/ social/ educational harm in the school environment. Home education should be a free choice, not a choice borne out of desperation because the school system cannot meet their child's needs and/or safeguard them. If this Bill is truly a Wellbeing and Schools Bill, it would recognise and address the significant safeguarding and welfare issues within schools, would properly address the SEND crisis, put more robust measures in place to address the children's mental health crisis, deal with bullying and gang culture in schools and put in place a mechanism whereby parents can easily raise safeguarding concern's about schools and/or raise concerns about Local Authorities and remove their child from harm swiftly.

**2. *This Bill infringes upon the human rights of innocent children and families and will cause harm to the huge numbers of innocent home educated children who are suffering school-related trauma / mental health issues / neurodivergence and who simply won't cope with a Local Authority figure intruding into the child's safe space (their home).***

The Bill gives power to Local Authorities to enter family homes to assess the suitability of the home environment and the child's education. The Bill poses the home visit as optional but goes on to say that should a parent decline a home visit, the Local Authority may use this as a reason to issue a

School Attendance Order and force the child back to school. Thus, a home visit is not optional at all – it is mandatory by threat.

Forcing one's way into a family home by threat is an enormous overstep of power, goes against the legal assumption of innocence and infringes upon the human rights of children and their families to have a private family life. Article 8 of the Human Rights Act protects a person's rights to respect of their private life, family life, their home and their correspondence. Unless there is an immediate safeguarding concern, Local Authorities should not be given powers to contravene human rights legislation and force their way into a family home by way of threat of serious action if they are resisted.

In the case of the many children like my daughter who has severe school-related trauma after facing serious neglect at school, imposing on her "safe space" will cause her a great deal of prolonged distress and harm. My daughter fears authoritative figures (particularly those concerned with education), as a result of the trauma she was subjected to by an authoritative figure that caused her neglect and harm at school. She simply will not cope with a meeting with the Local Authority.

The Bill does not legislate intrusion into the homes of other children. For example, children go through their biggest learning phase under the age of five. There is no legal requirement for a Local Authority to enter the homes of the under fives to assess the suitability of their home environment. There is no legal requirement for a family to permit access to health visitors or any other professional despite the under fives being at the highest risk of neglect and abuse. This cohort do not have the alleged protection of school, they are not on a register with the Local Authority and their home environments are not being scrutinised. Their human rights are not being infringed upon.

The threat of an automatic School Attendance Order if the parent does not permit the Local Authority access to their home, undermines parental rights for a parent to decide what is best for their child. In the same scenario for under fives (e.g. if a parent declines entry to a Health Visitor, which they are entitled to do), they are not afforded the same harsh treatment, not automatically assumed to be guilty of any wrongdoing and their children are not forcibly removed from them for part of the day. I feel extremely concerned that the Government are targeting home educated children disproportionately without sufficient basis to do so and have not considered the harm that these measures will cause innocent children and families.

**3. *There is a significant risk that Local Authorities could make misled or wrong decisions on a child's wellbeing or suitability of education based on non-typical observed behaviours - most likely to be viewed in children with school-related traumas, mental health issues neurodivergence and/or other SEND needs (which make up a large proportion of home educated children).***

An unwelcome visitor imposing on my daughter's safe space (our home) will trigger her trauma response. She will likely be unable to communicate with the Local Authority representative and may appear in distress, frightened and/or distant. This is her trauma response and not indicative of her typical behaviour. She is typically a relaxed, happy and confident child at home but may not display this to strangers and/or non-trusted individuals, particularly where those individuals are imposing on her personal safe space and judging her and her environment. For many children, there is a danger that a display of non-typical behaviour (directly caused by the stress of Local Authority intrusion) may

be misinterpreted and trigger a concern of welfare in the home environment and/or a misguided belief that home education is not in their best interest. As a child with a severe heart condition and previous episodes of dark thoughts triggered by the trauma she was subjected to at school, it would not be in the best interests of my child to put her through the stress of a Local Authority visit which may exacerbate her heart condition, increase her anxiety levels and trigger her panic attacks and dark thoughts. This Bill undermines my parental right to decide what is best for my child. It also undermines our human rights for respect of our private life, family life and our home. My child is not "hidden" and is regularly seen by multiple medical professionals and other professionals with safeguarding responsibilities, whom are aware of her education status and whom have no safeguarding concerns. There is simply no need to subject a child to distress and harm caused by an intrusion into their private lives, particularly where they are already viewed by other safeguarding partners.

Unless there is an express safeguarding concern, parents must retain the rights to decide what is in the best interests of their child, over a Local Authority representative who does not know the child at all. It is acceptable for a Local Authority to request a home visit (current home education guidelines allow for this) but parents must retain the right to refuse without punishment.

At best, if the Local Authority impose on my child's safe space against her will, they will cause her mental, physical, social and educational harm. At worst, the Local Authority could misinterpret her trauma response as being her typical behaviour and raise a safeguarding concern and impose a School Attendance Order, forcing her back into the school system that neglected her needs and caused her harm in the first place. We would have no mechanism to remove our child from school again and this could pose a serious threat to her wellbeing, and potentially her life. Local Authorities are not qualified with the expertise required to properly and fairly assess children in their homes. Giving them this power is dangerous. We have seen in recent cases of severe neglect to children that many of these children were already known to Social Services and even a qualified Social Worker failed to make the correct judgement.

Many home educated children would be terrified and harmed by the Local Authority enforcing entry into their homes. Local Authorities do not intrude on the homes of children under the age of five, school children during the holidays, children who are off school on long-term sick, children who are flexi-schooled or those receiving EOTAS. Abuse and neglect happens in all of these cohorts too whilst they are not under the assumed protection of school (some significantly more so than in home educated children) so it concerns me greatly that the Government are actively targeting and singling out home educated children without sufficient basis to do so.

**4. *What measures are the Government putting in place to ensure that the Local Authority representatives tasked with assessing a child and their home environment are highly qualified in the relevant areas?***

Children with SEND and/or mental health needs make up a significant proportion of the home educating community (mainly because these are the children whose needs are not being met in schools). If this Bill is passed and I have no option but to allow a Local Authority representative to enter my home and inevitably traumatise my child against our human rights, it would be imperative that the individual is highly qualified and experienced in assessing children with school-related

trauma, is highly qualified in children's mental health and is qualified to assess education provision for home educated children and children with SEND.

Parents must have the right to seek assurance and evidence of qualification and experience from Local Authority professionals before subjecting their child to an assessment and have the right to refuse an individual without sanction if they are not sufficiently qualified in the fields relevant to their child. Parents will also need to know exactly what an assessment would entail, what would be asked of the child, what aspects of the home and education will be viewed etc. There must also be a mechanism for holding the Local Authority to account for any disproportionate or unnecessary trauma or harm caused to the child or family during the visit and/or any unjust or incorrect decisions made. Placing unqualified Local Authority representatives into a position of significant power is an enormous danger to children and their families.

Some Local Authorities also have a negatively biased view of home education and there is a danger that they will make biased decisions against home educators in order to return children to the school system whether or not there are genuine concerns. Sadly, such misjudgment, prejudice and abuse of power already exists among Local Authorities around the country. There are multiple cases of Local Authorities misjudging home education and/or children's behaviour and returning children to school without fair justifications and against the best interest of the child. Some Local Authorities simply believe that all children are better off in school, some simply do not understand what home education is and how to assess its suitability and some are not experienced in how to assess children with specific needs or challenges such as PDA, suicidal thoughts, trauma and other SEND needs etc leading to misjudged and uninformed decisions being made. The Government will need robust measures in place to prevent this happening.

The stress that unnecessary (and potentially incorrect / unfair) judgment from intruding Local Authorities will put on home educating families, many of whom will have already faced significant trauma in the school system, needs careful consideration.

**5. *It is of great concern that the Government appears to be acting discriminately by singling out a minority group by imposing unnecessarily harsh legislative measures on innocent home educating families.***

The Bill creates a presumption of guilt by effectively penalising families and removing parental and human rights of those who have committed no wrongdoing. I fear that introducing a mandatory register will, unfortunately, not locate any truly missing children who may be at risk of harm. Local Authorities already hold registers of home educated children. No other group of children are forced to allow authorities into their home unless there is evidence of an immediate safeguarding concern. Is the Government going to legislate visiting the homes of all children under five, for example? This is currently the largest cohort whom experience neglect and abuse and yet nobody is legislatively assessing the homes and wellbeing of these children.

Equally, in the interest of fairness and non-discriminatory practice, are the Government going to be legislating the Local Authority to enter the homes of all schooled children during the school holidays? There is research to suggest that child abuse, neglect and exploitation is higher during school holidays so these children will not always have the protection of school. There is also plenty of evidence to

suggest that attending school does not necessarily protect a child from serious abuse. There are many cases of missed abuse in children whom attend school. I am concerned that the Government are using the recent tragic case of a murdered child to imply that she was murdered simply because she was home educated and she'd have been safe in school. In fact, the child was abhorrently murdered in August – the middle of the summer holidays – and even if she were still enrolled at school, would sadly not have been under their protection at that time. In addition, it has been revealed that the child was already well known to Social Services and other authorities who failed to protect her. In the majority of case reviews where neglected and abused children were home educated, Social Services and/or other relevant authorities were already aware of the child.

Whilst it shouldn't be the case, it is a despicable fact that child abuse occurs in all settings regardless of the child's educational status. This Bill does not address child abuse in other cohorts. Serious cases of child abuse and neglect have been reported in the under fives, in schools among school teachers, sports coaches, tutors, youth workers etc and some of this abuse goes undetected / unpunished for many years. Are the Government going to be legislatively investigating all settings and all professions where child abuse has taken place, regardless of whether or not individuals have been suspected of committing abuse? This is what the Government is proposing for home educators. Whilst the Bill gives parents the right to refuse a Local Authority visit, it also instructs Local Authorities that they may use a parents refusal of a home visit as a reason to issue a School Attendance Order, thus removing parental choice by threat.

In the recent case of child abuse which resulted in an innocent child losing her life, she was well known to Social Services, there were multiple reports of concern prior to her being removed from school, she was already on a register, authorities had already visited her home – she was already subject to the measures proposed in this Bill and they still failed to protect her.

In the interest of fairness and non-discriminatory practice, if this is truly a Children's Wellbeing Bill, if the Government is going to be legislating that Local Authorities should assess the home environment of home educated children, then why are they not doing so for all children? Child abuse happens everywhere and is missed in all settings and at all phases of a child's life. I am deeply concerned that the Government is singling out innocent home educating families with no substantial justification for subjecting this minority group to harsher treatment and sanctions than other families and infringing upon their human rights.

- 6. Local Authorities already hold registers of Home educated children. Creating a new register is a waste of money and resources that could be better used elsewhere to improve the wellbeing of children including addressing critical issues within the Children's Social Services function, addressing the children's mental health crisis, addressing the increase in bullying and gang culture in schools, addressing the increase of safeguarding concerns relating to schools and addressing the SEND crisis.***

When a child is de-registered from school and commences home education, the school are required to report the child's details to the Local Authority. The Local Authority holds a record of home educated children in their district and uses this information to make informal enquiries (usually annually) into the suitability of the child's education as per the current Government guidelines. I fear that the introduction of another register is not going to identify missing children, nor will it protect

children from abuse. Like all parents, genuine home educators are committed to safeguarding children but I fear that it is unlikely that the measures in this Bill are really going to protect the most vulnerable individuals. Instead, I fear it places undue and unfair strain on genuine home educating families and unnecessary stress on children, with some facing significant distress and harm as a result of these measures.

The significant funds required to implement this register and other measures targeted towards innocent home educators would be better used to address the critical issues that are posing a risk of harm to increasingly more children – the concern that schools are failing to safeguard increasingly more children, the concern that Social Services are failing to protect some of the most vulnerable children already known to them, the enormous SEND crisis, the children’s mental health crisis, the lack of suitability of the current outdated curriculum and the increase in teachers leaving the profession. It is all of these things that are leading to more and more families facing little choice but to home educate their children to safeguard and protect them from the failing school system. Perhaps if the Government fix the issues in schools, significantly less families will feel forced into home education. If this Bill is truly about children’s wellbeing and schools, it needs to address all aspects of all children’s wellbeing fairly and it needs to address all issues parents are facing in regards to school. So far, the Bill does little to address the main threats to children’s wellbeing.

**7. *The level of reporting required of parents is unnecessarily burdensome and will impact the time available for the parent to plan and deliver the child’s education.***

The level of reporting required by the Bill is unrealistic, shows a lack of understanding of home education and is extremely burdensome. The Bill obligates parents to report the names, address etc of any person, other than the parent, whom provides the child with education. This part of the Bill requires a significant re-think. First and foremost, it is a parent’s right to choose providers and activities that suit the needs and aspirations of their child without oversight from the Local Authority. The Government trusts parents of school children and the under fives to freely choose a tutor to provide their child with maths tuition, or a piano teacher, or a swimming instructor or an online language class teacher, for example. Parents of schooled children are not required to report these educational activities to the Local Authority and providers are not required to report details of schooled children to Local Authorities. Home educating families must be afforded the same level of trust. There is no good reason that Local Authorities should distrust home educating parents to choose education providers without their oversight - it is a massive overstep, unfairly stigmatises home educated children and their families, and undermines parental rights. This measure is going to cause genuine home educators and Local Authorities significant work and not actually protect anyone.

Secondly, home education generally happens continuously – that is that there is education value in all activities – there are no set hours, children do not necessarily have a set timetable, nor do they necessarily have set education providers. The Bill, as it stands, gives no definition on what it assumes to be a person that provides an education. This means that home educators will constantly be having to update local authorities with (probably daily or weekly) information on every single person that provides educational interaction with their child including family members and members of the public. Local Authorities are unlikely to be set up to receive, process and safely store the sheer level of information that the Bill appears to be asking of parents.

The Bill requires home educators to report the number of hours each parent spends teaching the child. This is completely unnecessary. To give an example, if one parent needs to attend a hospital appointment meaning that the other parent or a family member takes on the responsibility for delivering the child's education for an afternoon, parents would be required to report this as a change. They'd then be required to provide another report the following day when the other parent takes over the education of the child again. It is common for parents and other family members to provide and oversee the child's education on a changing basis depending on availability and other family responsibilities and needs and this can change frequently meaning that parents will be required to constantly report changes to the Local Authority.

Equally, there are some weeks where my child spends less hours formally learning than others. This does not mean she has learnt less – it simply means she has completed her work quicker. For example, we follow an online maths program consisting of a video followed by a two-page worksheet. My daughter completes a video and accompanying worksheet daily. Last month, the topic was fractions and percentages. My daughter struggles with this topic and it typically took me an hour each day to teach her and for her to complete the required worksheet. This month, the topic is algebra. She has a fantastic grasp of algebra and is completing the video and worksheet significantly faster – within 20-30 minutes. She is not learning less – she is still doing one topic and worksheet per day - she's just completing it faster because she understands it better. This will be true for all children. Under the Bill, I would have to report a reduction in the number of hours she's spent learning. This might be misconstrued out of context. I urge the Government to remove this reporting requirement from the Bill since it will provide no useful information as to the suitability of a child's education and is unnecessarily onerous.

In another example, our daughter recently had a hospital appointment. A doctor (who was aware of my daughter's education status) asked what she was learning at the moment. My daughter explained that she was about to start a topic on the heart. The doctor then brought out an anatomical model of the heart and began to educate my daughter on what each chamber does. This was an unexpected but welcome learning experience. According to how the Bill is currently written, I'd be required to ask the doctor for her full name and address, time the length of the educational interaction and report it to the Local Authority.

Similarly, my daughter attends a music group with a number of children from her previous school. She is the only home educated child. This forms part of her weekly music topic and the Bill would expect me to single her out and ask the tutor for his personal details to pass on to the Local Authority whereas the parents of the other children are able to exercise their parental rights to choose their child a music tutor without Local Authority oversight. The same would be the case for her swimming group, trips to the museum or zoo, visits to family where she might undertake baking, reading or help build a bird table. These are all ad hoc educational provisions that we'd be required to report because they form part of the child's education. This is unfair and stigmatises home educated children in their community.

I fear that the effect of these onerous reporting requirements on both parents and providers will negatively and severely impact home educated children. Some parents will need to reduce the

number of educational interactions they are able to take their child to in order to reduce the reporting burden. The burden of having to constantly report changes to the Local Authority will impact on the time the parent has available for the important tasks of planning and delivering their child's education, not to mention their other care duties towards their child and the unnecessary stress this will cause parents. I also fear that vital education providers (such as music tutors, museums, science centres etc) will stop offering sessions for home educated children as they will not want the burden of having to meet the bureaucratic requirements of this Bill such as having to report personal details and changes to the Local Authority. This will cause unnecessary educational harm to home educated children.

**8. *How will the Government ensure that children's personal data is safe?***

Our Local Authority already struggle to maintain the database they have. They recently sent out mass emails to home educating parents which contained incorrect information relating to children and their education. There have been issues of families receiving sensitive information about children that do not belong to them, domestic abuse victims having their data leaked putting them in danger and many other serious breaches of data protection. The Bill asks for even more highly sensitive data to be collated and stored in one place and there will be a constant stream of data coming in from parents as a result of the proposed onerous reporting of changes. How will the Government ensure that children's data is safe? There have been similar proposals in the past for registers and collation of children's data and these have eventually been shelved due to data protection concerns. How is this different?

**9. *The Bill is unnecessarily punitive and damages a parent's access to justice***

Under the current system, if Local Authorities act unreasonably, parents can challenge them in court. By increasing penalties to jail time, the Bill removes a crucial check on the actions of Local Authorities, leaving families at risk of unjust punishment simply for exercising their right to provide a suitable education to their child. What assurances are the Government putting in place to ensure that Local Authorities are not acting unfairly or outside of the law? Many local authorities already operate outside of the law when dealing with home educating families, providing incorrect information, threats and punitive action that is not within the current legislation subjecting children and families to significant distress and harm. I feel very concerned about giving these (already incompetent) Local Authorities increased power. In addition, throwing a parent in jail is not in the best interest of a child. jailing a parent for non-compliance with a School Attendance Order, for example, is not only traumatic for the family but will likely result in further harm to the child. Removing a parent from the home is likely to exacerbate the very issues the Bill purports to address, making it harder for the child to attend school or receive a suitable education. It feels that the Government is conducting itself to be unnecessarily threatening towards genuine home educators.

In conclusion, I urge you to address these very real and significant impacts that the Children's Wellbeing and Schools Bill will have on home educating children and families in its current form. The proposed legislation will create a range of negative consequences for children and families who choose to home educate, and does little to address the real issues of child protection and welfare. I urge the committee to advocate for a more balanced, effective, and respectful approach to child safeguarding and oversight.

Thank you for taking the time to consider my concerns.

***January 2025***