

Written evidence submitted by an individual who wishes to remain anonymous to The Children's Wellbeing and Schools Bill Committee (CWSB64)

To whom it may concern

I am responding to this call for evidence in my capacity as

- a) a trained primary school teacher with several years experience of
- b) a SEN parent whose 10 year old SEN (PDA, ASD and ADHD) child has an EOTAS (education other than at school).
- c) a parent of a different child aged 6 who is EHE (electively home educated) and has never attended school
- d) a provider of alternative provision to SEN children not in school

There is a narrative within this country that school automatically = good and anything else = bad.

I started off as a parent wanting to have both of my children in the school system. However, at the age of just six my son became totally unable to attend school due to spiralling into a mental health crisis. This was after years of me constantly trying to get staff at my son's nursery and then his primary school to listen to the fact that he was struggling. He was not presenting the same way a school /nursery as he was at home and he was eventually diagnosed with autism, PDA profile (pathological demand avoidance) and ADHD and numerous other diagnoses. His difficulties had gone totally under the radar at school due to poor understanding of masking /pathological demand avoidance and an unwillingness to believe me as the parent.

After a brutal and cruel battle including two tribunal hearings, an LGO complaint, pre action judicial review protocol. Throughout this process, we were treated horrendously by our local authority. Their conduct included a brutal and unfair tribunal officer who lied consistently, horrific gaslighting, weaponised incompetence, data breaches (where they hounded our GP for information). This went on for two years until we managed to secure our son's EOTAS package as the judge rightly recognised that there was NO school which could meet his needs due to his profile but also due to his school trauma.

At no point did the Local Authority state that my son couldn't have the specialist provision he needed as it was too costly. What they did, however state was that he did not need it. This was despite reams of professional evidence to the contrary. In short, they carried out a sustained campaign of gaslighting us.

With the right educational and therapeutic support, my 10 year old child has thrived both academically, and socially/emotionally. He also healed from the horrific school trauma caused by unmet special educational needs and inadequate support deriving from a one-size-fits-all approach. He and many others testimony to the fact that it is not always school = good and child out of school = bad. I am very certain that the outcome for him in school would have been severe mental health crisis leading to suicide attempts, and or a life of crime. I do not say this as hyperbole, but I am incredibly well informed about his profile and know him deeply. As his parent, this is something I feel almost certain of.

I am also in touch with hundreds if not thousands of parents, who report this hugely positive transformation when they take their child out of school (either to be home educated, or because they require an EOTAS package).

When my second child was school age, I decided to exercise my right to home educate her from the start. This decision was borne out of my experience as a teacher, where I viewed a system that does not view children as individuals or nurture them in a way I would want for my child. My second child has a different profile but she has flourished with home education and her drive to learn and enthusiasm which is innate in all young children is as strong as ever. This is a drive that so frequently disappears when children endure a rigid and non personalised education in school; I have witnessed this first hand as a teacher. Due to her love of learning and a personalised approach, she is making excellent progress.

The local authority has shown itself time and time again, in my case and thousands of others not to make decisions with children's best interests at heart. Children have committed suicide and coroners have found this local authority to be partly to blame for those. Issues which have been cited are things such as not properly updating children's EHCP with crucial health information such as 'risk of suicide.' I have experienced first hand the LA willfully refusing to update my own child's EHCP during my latest annual review. I had approached this statutory process in good faith and the professionals working with my child and I had removed school related wording to my child's EHCP to make it more up to date. The wording changes would have made the document which is designed to be a live, up to date and relevant document more useful for those working with him. The change in wording didn't cost anything, it just required someone to realise the importance of the document being up to date. ALL of those changes were ignored.

My experience with the Local authority's behaviour causes me to be extremely nervous about a bill that gives them more authority to make bad decisions for large groups of vulnerable children. The issue with changing legislation is that it will be changed forever more and therefore that any government in the future will hold that additional power. This legislation represents a significant shift in the level of control, and control that cannot be challenged. We are handing over to Local authorities in the name of safeguarding.

How capable are Local authorities at carrying out the duties specified in the bill?

This question needs to be considered both in terms of

a) logistics of carrying these out but also

b) in terms of the context of Local authorities' current performance.

To clarify further; these local authorities are the ones losing 98% of tribunals against SEN families, because their decision making is so poor. The judges in these cases are there to uphold the law, so the dreadfully poor success rate of local authorities in tribunals demonstrates unlawful decisions the vast majority of the time. Moreover, they are actively attempting to disavow the child's right to the correct education, in full knowledge that it is the right thing for them. That implies a willingness to compromise the well-being of a child that makes it deeply irrational to say that they are best placed to make decisions about the well being of children.

Additionally, the fact that this bill is aimed at 'getting more children back into school,' deeply worries me. Thousands of children are removed from school every year due to horrific mental health difficulties CAUSED by school.

A further point is around the 'protective factor of school,' this is a red herring. Take the case of Sara Sharif, she spent 95% of her short life in school, and social care did not intervene to stop the abuse she was receiving daily. Moreover, she was murdered during the school holidays. In this case, the failures of social care are being conflated with home education.

Both my children have been nurtured and educated by small independent learning communities. These have been a total lifeline in providing my children with a peer group and giving structure and routine to their week. The thought that these settings may no longer exist, which is a very real possibility if this goes through as it stands, is devastating and will ironically damage their wellbeing.

I urge you to reconsider aspects of this bill, which is being touted as something that will protect children but could potentially harm so many families.

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