



Protecting and supporting SEND children who have difficulty accessing education and their families – presentation to the Children’s Wellbeing and Schools Bill Committee

At Children North East, we provide dedicated support to neurodivergent children and young people, through dedicated youth groups, mentoring and access to counselling.

Neurodivergent young people are not having their needs met in the education system, and some families see home educating as the only available option.

Many children we work with are struggling to access an education appropriate to their needs. Some are waiting for a diagnosis, others are waiting for an Education, Health and Care Plan. Additional support and accommodations in a mainstream school have not always been available or consistently applied. However no alternative placement has been made available for them.

We asked parents we work with how well they feel their neurodivergent young people are currently being supported at school. Of the 23 parents and carers who responded, 87% said they felt that neurodivergent young people were not well supported in school, 13% felt neutral about the support received in school, and none responded well or very well.

As a result, many families we work with feel they have no alternative but to home education their SEND children - we estimate that over 50% of our service users either struggle to attend school regularly or are educated at home as a result of having been failed by the system.

Waiting lists for autism assessments are growing in our region, and so is the number of children being educated at home

Latest figures show in the North East there are currently over 10,000 children and young people waiting for an autistic spectrum diagnosis, an increase of over 60% in a two-year period. At the same time, the number of children being electively home schools in the region has increased by 57% since 2022. We believe a significant proportion of this increase is driven by children with additional needs being home-schooled because of a lack of a suitable placement.

It is putting more pressure on parents, and the wellbeing of children is impacted

For parents, home educating can mean giving up or substantially reducing paid work. This is pushing many families into poverty. Parents feel ill-equipped to educate their children, and face additional costs to enter their children for examinations. The struggles neurodivergent young people face are also seen in our counselling and mental health provision, where we estimate 60% of the children we support are pre and post diagnosis for a neurodivergent condition.

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Protecting vulnerable children in the Children's Wellbeing and Schools Bill, and avoiding unintended consequences

Whilst we welcome many elements of the Children's Wellbeing and Schools Bill, we are concerned that it must improve support for families with SEND children, especially those struggling with school attendance, or being home schooled, and not be burdensome or punitive in its approach.

Provision for a Register of Children Not in Education

We welcome this provision and know it is needed, to ensure all children not in school are seen, safe, and receiving an education. However, for home educating families with children with additional needs, the implementation of the register must not be onerous and families must be properly supported to understand what they need to do to comply.

We are concerned that 15 days is a short period of time to pull that information together, and about what level of detail families will be expected to provide. Many families already feel under pressure in needing to home educate their children. Being expected to provide a large amount of evidence at short notice to the same education authority those families feel have failed them will cause significant stress for many. We would like scrutiny of the Bill to include a probing amendment to create a duty for Local Authorities to provide appropriate guidance and support with this process to those families who need it.

Provision for review of Home Education Placements

We agree that every child is entitled to an education, including those being educated at home. We also recognise the safeguarding perspective of ensuring all children and young people who are not in an education setting regularly are safe and well. We are concerned that many Local Authority teams will not have the resource or capacity to do so, and believe consideration and guidance needs to be given to this.

We know for many families home educating a SEND child, the family themselves do not feel they are able to provide the child with the standard of education they are entitled to, let alone prove this to the Local Authority, especially one which has not provided a school placements appropriate to their child's needs.

Where a child has a SEND diagnosis, or is on a waiting list for a diagnosis, Local Authorities should be required to take a 'support-first' approach to help families provide an appropriate education or access an education placement appropriate to their needs. There should also be clear, legal pathways for recourse for parents if the Local Education Authority mandates they send their child to a school they have reason to believe is not equipped to meet those needs.

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Provision for advice and information for Home Schooling Families

We welcome the provisions made in the bill that creates duties on Local Authorities to provide support for parents of children on the Register of Children Not in School. We note that this is to be provided in the form of advice about the education of the child and information about sources of assistance for their education.

For many families this does not go far enough. Where the Local Authority is unable to provide an appropriate education placement for a child with additional needs, families need to be actively supported to educate at home. This includes access to tutoring and curriculum resources, and covering the entry fees for national examinations.

We want this part of the Bill strengthened to create a duty for Local Authorities to create a 'Local Offer' for home educating families, and consider mechanisms to allow home educating families to apply to their Local Education Authority for funded resource including online learning, tutoring and mentoring.

Bringing forward SEND reforms

Ultimately, this issue is about the failures of the SEND system, which this bill is not looking specifically to address. We need to ensure provisions for children not in school contained in this bill achieve their purpose of protecting those children who are not safe or being properly educated at home. But in doing so it must not put additional pressure and sanctions on families home-educating out of necessity. At every stage, the approach should be support-led, to help families provide an good standard of education at home.

What we hear families actually want is a suitable education placement for their child. We urgently need reform of the SEND system so every child is offered a school placement that meets their needs, either in a mainstream setting which has the resources and accommodations they need, or in an alternative placement. Government needs to make this an absolute priority in achieving the wellbeing of all children.

Proposed Bill Amendments

1. A requirement to provide guidance and support to families registering their children as home educated to navigate the registration process
2. A requirement to take a support-first approach to ensuring home educating families are able to provide an appropriate education at home
3. A requirement for a legal recourse mechanism for families mandated through a School Attendance Order to have their child attend an education setting they believe is not suitable for their child's needs
4. A requirement for a Local Offer for home educated children and pathway for families to apply for funded resources to support their child's education at home

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