

Meeting House of Lords 13th of March

This is my report on the meeting. It's far from a word by word minutes of the meeting and others may well emphasise other points, but I think this is a reasonable summary of the main points of the meeting.

The meeting it seems was arranged following contact between Lord Storey and Samia Tossio, who was present. Samia asked several people to attend, I was one of them, the others were Věra Broum and Ian Anderson (organiser of HEFF). Several others were approached before the final line up was met but were unable to go.

In any event Samia was working on the understanding that she could invite 3 or 4 others plus herself. Later information that has surfaced suggesting more could have gone came too late for anyone to respond to and was not information sent to ourselves. In addition to those Samia invited there was a HE local councillor for the LD's and Amber Hartman.

Present at the meeting, either from the Liberal Democrats or invited by them was Lord Storey and MP Layla Moran who between them are spokes persons for the Lib Dems on education. Storey had his advisor there, Mr Waterman, who is a one time EWO, among other things.

Lord Addington who has an interest in the subject as he's also chair or CEO of a large dyslexia charity.

There was a deputy Director of OFSTED with responsibility for unregistered schools.

A rep from the Humanists who have been lobbying the Lib Dems on the subject of illegal schools and HE rights.

A leader of one of the teaching unions, not sure which one though it may have been the NUT.

Anna Feuchtwant (?) chief exec of the National Children's bureau.

Professor Monk who has had a long-term interest in Home Education for over 12 years, we (long term campaigners are well aware of him, he has supported Badman and we believe supports Soley)

There were some others present but I was never clear who they were or why they were there, these people did not speak.

We have been told there will be formal minutes issued for the meeting, but that we may not publish them. This is outside our control, there was no option for us to object to this, it was simply what we were told. I did question them on the issue of reporting and no one raised objections to us writing whatever we wished about the meeting ourselves, provided it did not include publishing the minutes. One HE person wanted to record the meeting and was told that was not permitted. Due to parliamentary rules.

Meeting opened by Lib Dem education spokeswoman who raised several points:

1 the party was unhappy about the new policy passed last weekend – it seems it went ahead without the support of the education spokesperson, she firmly believes they can remove it during the next conference.

2 they believe there's a spike in HE numbers

3 they are very concerned with off rolling

4 they are concerned about the numbers of children disappearing from the system they had various numbers for this one was quoting 49000 another was quoting about 10000 but they had little confidence in any of them.

5 they were concerned about children being abused

6. They believe there's no serious way of checking children

7 there's no current policy for home visits, by that she meant that they did not want to do home visits, and she doesn't know where that idea came from.

8. She raised the issue of children's rights re parental rights.

9 illegal schools has a big concern to them

10 Lord Storey added the comment that 15% of home educated children are known to Social Services

11 there seems to be some difficulty in prosecuting illegal schools apparently even though illegal schools are well-defined there's apparently no legislation that allows anybody to seriously prosecute them which seems odd to me.

12, Lord Addington was insistent that the Soley bill had absolutely no prospect of becoming law under any circumstances what-so-ever. He added that if it was necessary, he would table amendments to the bill to ensure it did not get through.

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I started from my POV by trying to go through all the points they had raised to offer a different perspective, so I'll number them here.

1 – I thanked them for clearing that up, and hoped the policy would be reversed, it would be a relief to many home educators.

2- I explained there was no spike in numbers, that numbers have been going up year on year since the mid-1970s, the difference now is that a 15% rise in 1,500 children can be missed while a 15% rise in 40,000 children will not be missed. The only time rises in numbers were radically lower was in the period around 2007-9 ish. When A) CME policy was introduced and many HE kids were wrongly classified as CME instead B) there was an economic crash and so people were worrying about money, so giving up a job to HE wasn't so appealing. And C) the Badman review was underway so there was a lot of negative press about HE.

3 – I too said home educators also dislike off rolling and would like to see an end to it. I said I strongly believed Off rolling to be a violation of anti-discrimination law WRT SEN children and that I was surprised that no school had found themselves in difficulty over it.

4 – I tried to suggest that one of the reasons so many kids disappeared was because of the reversal of immigration from eastern Europe following Brexit, but I'm not sure many of the heard this. The discussion was getting quite heated at times.

During this discussion Anna Feuchtwang conceded that her organisation had little confidence in their figure of about 50,000 children who have disappeared from education each year. She says that while nobody knows what happened to them, she believed most them are not exiting schools to be Home Educated. They are much more likely to come from families with issues around deprivation.

Personally, I don't think they are taking into account the rise in migration. They should also account for travellers, many of whom may disappear from one school but could, perhaps after some time, turn up at another and the new LA and school fail to link that child to the child's previous school. This needs really to be looked at. At least the question, could this happen, should be asked.

5- I asked for evidence, because we don't have any, we've never seen any and the SCRs do not bear the allegation out. So until they come up with evidence we're not going to act on that. home educators cannot be expected to react on the basis of unverified or unsubstantiated claims.

At this point I was stopped from talking as I'd taken quite a bit of time and I think they believed I was rather contentious, perhaps they were hoping for more conciliatory message from our side, I don't know.

I did get in the point about children's rights vis parental rights. My argument is that children have the right to parents and parents can only be parents if they have the powers to act as parents enabling them to carry out their duty. So parental rights are really children's rights. One cannot, or should not, be offset against the other.

Monk repeatedly stated that local authorities had far more powers than were currently being exploited this was reiterated by the humanist Society representatives who seem to think that local authorities had no power to intervene in family's who HE, and that HE families just stated that they are home educating Lord Storey said that social services departments had no power to intervene even where they were concerned about a family just because they were home educated.

Lord Addington at one point 'defined' a suitable education as being an education which enabled an individual to be independent, The Humanist representative was concerned about what is a suitable education, neither apparently knew there was a working definition from case law (paraphrasing it's an education which equips the child live within the community in which he finds himself while not foreclosing the opportunity to learn how to live within the broader society). I explained this and suggested it was, basically, a somewhat more elaborate version of what Lord Addington had proposed.

I explained that section's 17 and 47 of the Children act 1989 applied to all children, whether or not they were home educated. Social workers most definitely have the same powers with HE kids as with any other children.

The Ofsted officer was the dep director said clearly that Ofsted had no interest whatsoever in inspecting home educating families.

They seemed to be offering funding or support from local authorities in return for monitoring and inspection.

I said that home educators have never campaigned for funding, Lord Storey pointed out that he had home educators asking for that and Ian (HE parent) spoke about wanting funding for exams. All of which were fair comments, but I was thinking about mass campaign, not individual actions. However, exam funding is a particular case and I should have made myself more clear on this point.

Ultimately, I think the Lib Dems very much want and expect registration at the very least and appear determined to get it. I explained that even if they got registration I can guarantee they will still not find the families they are searching for. Travellers are notoriously elusive and others simply won't register regardless of any compulsion. The only families they will find are those of the home education community over whom no concerns will be raised.

Someone raised the point that there was an issue over registration of travellers who are very wary to say the least of any form of registration for obvious historical reasons.

Ian discussed HE concerns over registration and it is becoming a license to HE. And inspection being a tool for LAs to remove the right to Home Educate. He was concerned that we should retain the right of appeal. He raised the issue of LA's bullying families and acting beyond their powers. This was discussed at length. Though I still don't feel they fully understood the effect this can have on families lives and the education of their children.

Ian also asked why there had been no prosecutions of unregistered schools. He expressed that he felt it had nothing to do with HE.

There followed, what was to me, a revelation regarding 'illegal' schools and what follows is I think a key to understanding the authorities' problem. It's not immediately apparent, but it's worth reading carefully to understand. In my opinion the following paragraph could be said to be the takeaway exchange of the meeting.

The OFSTED director said that schools claim to provide lawful supplemental education. However, where the children are not registered in school and are HE'd there may be no further education happening in the home. So, while Ofsted can inspect the school, it cannot trace the pupils, and this is why registration is seen as a solution.

The point they are making here is that many of the so called 'illegal' schools (at least by the press), are not actually illegal in the sense that they may well be following the legislation with respect to registration. They are in effect alternate faith versions of Christian Sunday schools. Perhaps a little more involved than the average church would offer, but still broadly operating within the law in terms of what is required for not being required to register.

There may however, be compliance issues with respect to things like safety checks on the adults working with the children, the health and safety of buildings, or perhaps other things like the use of corporal punishment, and one may note that in many of the newspaper reports these issues have been emphasised when alleging they are illegal. While any or all of these issues being present in a school may make them illegal, they may well not be illegal in terms of their being unregistered schools.

It would be far more accurate to talk about them being a part of the legally unregulated school sector which may be failing to comply with other regulations. The problems relating to these concerns the health and safety issues of the 'school' environment, the behaviour and safety of the adults working with the children and that this may be the only education some of these children are getting, or rather that

it is claimed by the authorities that this is the only education these children are getting. OFSTED are unable to then obtain the identities of the children and trace them to determine if any education is taking place since the inspection of home educated children is no business of OFSTED.

This helps understand why they can't close them, because if they did, they would also have to close (or register) many of those Christian Sunday schools and that would be politically suicidal, it would get no cultural support and of course it explains why they are so determined to create a register.

On reflection there are a number of questions we failed to ask. Most of all is why are inspections not undertaken as a multi agency inspection? If, for example the identity of the children is in question then surely the Local Authorities should be present, likewise for fire safety etc.

In conclusion, particularly Lord Addington tried to establish that there was a consensus regarding registration between the politicians and the Home Educators. That didn't fly of course, and in the end the only thing we did agree upon was that dialogue was useful. We also agreed that there were some LAs which were examples of good behaviour and that these should be shared.