

# Professional Knowledge and Practice in Health, Welfare and Educational Agencies in England in Relation to Children being Educated at Home: An Exploratory Review

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*Discourses of child development hold that the experience a child gains from being at school is crucial to the child's development and well-being. The option of home education challenges such discourse. There is little practice-related literature specific to home-educated children. This article first describes a context and then reviews aspects of practice by professionals in health, welfare and educational agencies in relation to home education. Within the constituent parts of the United Kingdom there are variations in the legal context, and this article concentrates on the position in England. The nature and extent of home education are described and the significance of home education interest groups is acknowledged. There follows a review of the implications for home education of recent developments in childcare policy. The law relating to home education remains much as it was in the nineteenth century, but in the face of divided political opinion recent proposals to change the law have not been enacted. English local education authorities (LEAs) have expressed concern about their limited powers and duties under the current law. Evidence is presented that practitioners in health and welfare services may nevertheless hold exaggerated, falsely reassuring beliefs about the extent of LEA powers and knowledge relating to home-educated children. Debate about child protection in the context of home education has tended to be distorted by perspectives from entrenched positions. The article identifies some specific potentially harmful patterns of parental behaviour that may be particularly relevant in the context of home education. A debate is indicated about whether the risks inherent in the exemption of some children from the surveillance of universal health and educational services is an acceptable or*

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*even unavoidable price to be paid for maintaining parents' rights of choice in relation to their child's education.*

## **Introduction**

Going to school has come to be regarded as an essential component of the experience of childhood. Much attention is given to the enforcement of compulsory school attendance (Department for Children, Schools and Families, 2008). In the discourses of child development, child mental health and child protection, school attendance is inextricably linked with the achievement of successful personal and social development. For example: in their study of children known to a social work agency, Wilson and Herbert (1978) use the term "classroom competence" to embrace being able to get on with tasks with limited supervision, being reliable and being able to organise one's self. In a child mental health context, attendance at school is seen as a major element of every child's life, through which the child may learn to function in a complex social network (Place, Hulsmeier, Davis, & Taylor, 2000). A child who is not registered at school is regarded as being at risk of not developing into a fully rounded citizen (Lord Laming address at the National Social Services Conference 2003 as quoted in Griggs, Payne, & Bhabra, 2006).

Across child health and welfare services it is normal practice for professionals to use knowledge obtained from school staff to inform their work. Information from school contributes substantially to monitoring of children's health, well-being and personal development and to assessments of need and risk (Horwath, 2001). Information about a population of children may be more readily available from school than from other sources (Coles, 2003). In particular cases, information from school can supplement, confirm or disturb information given by the child's parent (London Borough of Brent, 1985). In circumstances where there is a discrepancy between a child's presentation at home and at school, or conflict, controversy or lack of trust between parents and some professionals, the availability of information about teachers' observations and conclusions can facilitate a more thorough understanding (Blyth & Milner, 1997).

The United Kingdom is one among many nations where it is legitimate for children not to attend school at all. In the United Kingdom it is full-time education, not school attendance, which is compulsory. One significant manifestation of education other than at school is home education. Home education essentially involves the child's parent taking practical responsibility for the child's education, in ways other than sending the child to school. The practice of home education has the potential to unsettle some established ways of thinking and of working in child health and welfare services.

This article seeks to illuminate the implications of home education for professional practice in health and welfare services. In the United Kingdom, legislation relating to education varies under devolved government; and this article will concentrate on the position in England, although much of the content has a wider relevance. Knowledge of home education may not be widely available, so in order to establish a context the article first describes aspects of home education. This includes reference to parents'

motivations for choosing home education, to the nature of home education and to what is known about the extent of home education in England. The influence of home education interest groups is acknowledged. Developments in childcare policy and debate about the law relating to home education in England have significant and sometimes contested implications for professional practice, so there follows some discussion of the current policy and legal framework. The article draws on a small research exercise to illuminate some aspects of the practice knowledge of practitioners in health and welfare services in relation to children being educated at home. Child-protection work forms one significant aspect of professional practice and aspects of child protection in relation to home education are identified.

### **Home Education**

This section sets a context. A brief account of the nature of home education is followed by reference to research evidence about what prompts parents to choose home education. The difficulty of establishing how many children are being educated at home in England is explained. Reference is made to a recent change in the nature of home education research in England. The influence of home education interest groups is acknowledged and exemplified.

#### *The Nature of Home Education*

Home education challenges the understanding that education can be defined in terms of the respective roles of teachers and pupils engaged in an organised programme of purposeful activity. Home education can lawfully be very different from school-based education. Parents are under no obligation to follow a school-type curriculum or timetable, or to undertake formal teaching (Department for Children, Schools and Families, 2007). Such freedom raises questions about the very essence of education. What should be the relative importance for a child's learning of observation, modelling, social experience, play and deliberate instruction (Pitman & Smith, 1999)? Some parents adopt a formal approach, establishing a timetable and following a curriculum (Petrie, 1992; Webb, 1990), reverting, perhaps, to teaching practices that they experienced when they were children (Knowles, 1988). A tendency toward more informality has been observed as parents become more confident (Thomas, 1998; Webb, 1990). Some parents put into practice a belief that children might progress well without any formally organised teaching (Thomas, 1998). Home education is predominantly undertaken by mothers (Arora, 2002; Thomas, 1998).

In research that examines what parents say about why they choose home education, broadly similar factors have been identified in a number of UK studies (Arora, 2002; Hopwood, O'Neill, Castro, & Hodgson, 2007; Ivatts, 2006; Kendall & Atkinson, 2006; Petrie, 1992; Rothermel, 2002; Webb, 1990). A caveat may be appropriate: asking individuals, sometimes years after the choice was made, to identify, and therefore to have had, reasons for their choice may impose rationality on what was originally not a reasoned choice and obscure impulse and wishful thinking (Elster, 1989). A claim to

be educating a child at home may be made precipitately, perhaps in anger (Rose & Stanbrook, 2000), or perhaps retrospectively during or after a period of absence from school (Broadhurst, Paton, & May-Chahal, 2005). The choice of home education can be a well-considered act by a parent keen to promote their child's learning. The deliberate action, however, may be solely to claim the legal status that the child is being educated at home in order to avoid prosecution for non-attendance at school (Monk, 2009; Petrie, 1992; Rothermel, 2002). Some episodes of home education appear to have been precipitated through schools asking parents to remove their child from the school (OFSTED, 2010a, 2010b).

Some writers suggest that in the United Kingdom the range of home educators may now be too diverse for neat categorisation (Monk, 2009; OFSTED, 2010a; Rothermel, 2003). Nevertheless a useful distinction is made between parents who decide from the outset not to send their child to school and those who withdraw their child after a period of schooling (OFSTED, 2010a; Petrie, 1995; Thomas 1998; Webb, 1990). For the former, decisions may be associated with moral, religious or ideological convictions. Parents may disapprove of moral and social attitudes prevalent within schools; they may regard education as strictly the responsibility of the parent and value fundamentalist approaches to the curriculum. For children who have been at school, the choice of home education may be a response to a problem at school: including bullying or unhappiness, the child having particular needs different from the majority of their peers, or parents' concerns about the number of teachers or provision of equipment. A parent's own experience of school life, either as a child or as a teacher, or as both, may be significant (Knowles, 1988; Neuman & Aviram, 2003; Webb, 1990). There are few studies in which children being educated at home have been asked for their wishes and opinions (Broadhurst, 1999; Clery, 1998).

### *The Extent of Home Education*

How many children are educated at home in England? A Government-sponsored study concluded that no accurate figure can be determined, given that there is no absolute requirement for registration with the LEA (Hopwood et al., 2007). A comparison of successive estimates indicates a tendency for the number to have increased over the past 15 years (Arora, 2002; Bates, 1996; Ivatts, 2006; Lowden, 1994; Petrie, 1998). In 2009 about 20,000 children were registered with LEAs with a further number unknown to LEAs (Badman, 2009). This is not a static population: it is likely to include children in a variety of situations, from those educated at home for much or all of their compulsory education years, to those for whom education at home is but a brief exception to registration at school.

### *Home Education Research*

Until 2004 research about home education in England was characteristically undertaken by individuals working alone pursuing an enthusiastic personal interest (Arora, 2002; Lowden, 1994; Petrie, 1992; Rothermel, 2002; Thomas, 1998; Webb, 1990).

Their work reflects a positive disposition toward parents who choose home education: for example, one researcher who interviewed parents did not approach children for fear of offending parents (Webb, 1990). In general, such researchers have relied on home education support groups as a source of research subjects given the absence of comprehensive registration (Arora, 2002). Families who have tried home education and then had their children return to school are underrepresented in such research, and samples are more likely therefore to reflect those who have felt successful with home education.

From 2004 onwards there has been a development of publicly commissioned research, undertaken by teams of researchers from established organisations (Atkinson et al., 2007; Hopwood et al., 2007; Kendall & Atkinson, 2006; Kendall, Johnson, Martin, & Kinder, 2005; OFSTED, 2010a). This research has considered aspects of policy and practice, including the positive contribution LEAs might make if they were to be seen more as supporters of home-educating parents. Ideally such support might include provision of information about appropriate educational materials and funding for such materials; and advice about tailoring activities and materials to the needs and abilities of an individual child. Under current arrangements, older children being educated at home may face disadvantage in getting access to public examinations, particularly those that require coursework or use of specialist facilities such as laboratories or music suites. Older children may also face disadvantage in getting access to alternative educational opportunities available to young people who are registered at school, such as admission to courses at colleges of further education.

### *Home Education Interest Groups*

Home education interest groups are active in promoting home education and in protecting the rights of parents to educate their children. For example, in the United Kingdom such a group has enjoyed direct access to civil servants, being consulted at an early stage of preparation of Government consultation and guidance documents (see, for example, Freedom for Children to Grow, n.d.). In Scotland, new draft guidance for LEA practice in relation to home education was published in 2001 that some found controversial and unwelcome (Scottish Executive Education Department, 2001). A coalition of interest groups emerged whose campaign included a march to the Parliament (Schoolhouse, 2002). Ultimately the guidance was re-written and the home education lobby claimed victory (Schoolhouse, 2004; Scottish Executive Education Department, 2004). Such a campaign resonates with the finding of Canadian research that home education interest groups emphasise three broad themes: parental freedom, choice and individual rights (Davies & Aurini, 2003). Such groups are likely to have a predominant membership of thoughtful energetic parents committed to their children's education. Their representation of home education and of the well-being of home educated children is likely to be confident and optimistic. Those who assert that the education provided at home for some children may be unsuitable, or even harmful, risk being accused of seeking to deny parental freedom and limit choice.

## Home Education—Policy and Legal Contexts

In the past 10 years the legal and policy contexts of home education in England have come under review. This section examines the position of home education in relation to recent developments in childcare policy. An account of the legal framework informs a discussion of the implications of the current law for practice. This is followed by a consideration of recent proposals, subsequently abandoned, for the law to be changed.

### *Recent Childcare Policy Developments*

In parts of the United Kingdom, from 2002 onwards a number of policy and practice initiatives began to be introduced that tend to imply that there might be something anomalous about home education. A significant impetus for these initiatives came from the death of an eight-year-old girl, Victoria Climbié, in London in February 2000. She was not protected from ill-treatment by her great aunt and the great aunt's partner. Her particular circumstances reinforced the notion that children of school age who are not registered at a school are vulnerable. (Victoria Climbié was not, in a formal legal sense, a home-educated child.) From 2002 onwards the UK Government has required LEAs to track children and young people regarded as missing from education (Department for Education and Skills, 2007a; Department for Children, Schools and Families, 2009). The guidance makes clear that a child being educated at home is not missing from education in the sense of having an irregular, inadequate or unlawful educational status (Education Otherwise, n.d.). Some LEAs, however, assert that children being educated at home may be unknown to the LEA and to any school, and thus in a practical sense are potentially as vulnerable as children who fall within the strict legal/administrative category of missing from education (Griggs, Payne, & Bhabra, 2006; Monk, 2009).

In 2003 the Government published a Green Paper, *Every Child Matters*, the first of a series of documents setting out the Government's aim for every child to enjoy good health and to live a healthy lifestyle; to be protected from harm and neglect; to get the most out of life and to develop skills for adulthood; to be involved with the community and society and not to engage in anti-social or offending behaviour; and to achieve economic well-being. This initiative put substantial emphasis on integration in planning and providing local public services. A common assessment framework for collecting and recording information about the development, circumstances and behaviours of a child or young person was to become standard across all local services in England. The sharing of information between practitioners was to be improved.

In the years following the launch of what has become known as the Every Child Matters (ECM) agenda, supporters of home education drew attention to discrepancies between aspects of the ECM agenda and perspectives valued by many home educators. Some detailed text within ECM agenda documents was seen to privilege school-based education. There was a misleading lack of differentiation between

children not registered at a school through neglect and children being carefully educated at home by a parent. Education of children at home by their parents was not in itself reason for concern about the child's welfare (Education Otherwise, 2003).

The difficulty of reconciling the current home education regime with the practice of a universal public service has been illustrated in the introduction in England from 2001 of the Connexions service. This was established as a universal careers-related service with a remit to identify all young people aged 13–19. Work with young people was to be differentiated within a three-tier framework: a basic service for a majority of young people; more intensive work for those at some risk of under-achievement; and an intensive service for young people facing severe and multifaceted problems (Coles, 2003). Connexions staff needed information in order to categorise each young person. There was a statutory requirement for schools to provide names and addresses of pupils and their parents. Unless the parent objected, the school might also provide further personal information about pupils. When these provisions were introduced individual parents and home education organisations objected to information-sharing without consent (for example, Family Education Trust, 2005). The Government defined what was described as an interim policy (Government Office, 2001). LEAs were not to disclose to Connexions any information about home-educated young people without specific consent of a parent, nor should Connexions officers make direct contact with those young people. This arrangement has meant that parents who educate a young person at home have been able to exercise a choice about whether any information is passed to Connexions: a choice not available to the majority of parents, whose children are registered at a school. Similarly, children being educated at home may escape the attention of universal child health services given that such services are delivered initially by school nurses (Enfield Local Safeguarding Children Board, 2008).

### *The Legal Framework of Home Education*

In England, statute law about home education currently remains essentially unchanged from 1870. The provision of the 1944 and 1996 Education Acts permitting education other than in school maintains a similar provision of the 1870 Elementary Education Act; a provision probably made to accommodate the use of private governesses by the wealthy (Monk, 2004). From time to time the courts have clarified aspects of the law; and both the central government department responsible for education and the local government ombudsman have made observations about LEA practice (Department for Children, Schools and Families, 2007; Monk, 2009; Petrie, 1992). But the law remains essentially unchanged from that formulated to suit social conditions of the late nineteenth century.

There is no absolute requirement in England for parents to notify the LEA of a child being educated at home. Parents should notify the head teacher when a child registered at school is being withdrawn in order to be educated at home: but this requirement is not relevant to children who have never been registered at school, nor to those who leave school as a result of moving to a different area or at a time of

age-related transfer, such as at the end of primary education. (More stringent requirements apply to a child registered at a special school.) LEAs do not have, and are under no specific requirement to maintain information about all home-educated children in their area. An LEA may have no information whatsoever about some children who are being educated at home.

### *Some Implications of the Law for Local Education Authority Practice*

LEA officers dealing with the practicalities of actual children whose parents declare they are being educated at home have to work against a background of confused values and practice requirements (Kendall & Atkinson, 2006; OFSTED, 2010a; Villalba, 2003). LEAs have no power to refuse to de-register a child when a parent gives notice that their child is to be educated at home. LEA officers are obliged initially to respect a parent's choice of home education even when there is strong evidence that it would be advantageous for a particular child to be attending school. Home education becomes an option only to parents who are aware of the option. Some advocate that in particular circumstances, such as sustained absence from school, LEA officers should invite a parent to consider educating their child at home (McIntyre-Bhatty, 2008). Indeed, between 2003 and 2008, when guidance was revised (Department for Children, Schools and Families, 2008), LEA officers at the point of issuing a school attendance order (an authoritative response to concerns that a parent is not making effective arrangements for their child's education) were required to inform the parent of their right to educate their child at home (Department for Education and Skills, 2003).

An LEA's power to intervene in relation to the education being provided is contingent upon it appearing to the LEA that the child is not receiving a suitable education. This passive language has been taken to mean that LEAs have neither the right nor the obligation to undertake active monitoring of home education (Rose & Stanbrook, 2000). A detailed comparison of this provision with other more recent enactments concludes that the existing legal framework is confused and open to different interpretations (Monk, 2009). The LEA is further constrained by having no right of entry to the home and no right of access to the child (Department for Children, Schools and Families, 2007). The constraints upon LEAs may be obscured because some parents willingly concede to LEA officers, and others do so under the mistaken belief that they have no option (Education Leeds, n.d.).

Recent Government guidance (Department for Children, Schools and Families, 2007) confirms that LEAs should respond if it appears to them that in a particular case home education may not be adequate. Legal measures available include the issue of a school attendance order and an application to the court for an education supervision order. The Children Act 1989 offers local authority social workers different legal options when there is reason to be concerned that a child's development, which may include intellectual or social development, may be at risk of impairment. These distinct legal and practice regimes reflect different balances between parents' and children's rights (Monk, 2002). Practitioners may not appreciate that the



different regimes may impede comprehensive understanding and cooperative practice (Whalley, 1993).

Questions have been raised about the professional background and training of LEA officers who deal with home-educated children. Such work may be undertaken by advisors, teachers, educational psychologists or education welfare officers (Kendall & Atkinson, 2006; OFSTED, 2010a). Petrie (1992) shows that dealing with home education requires knowledge and skill wider than the regular range of any of these roles. Some have questioned whether the primary focus for education welfare officers on absenteeism and family problems distorts their approach to home-educating families (Thomas, 1998; Webb, 1990). Others have cast doubt on the legality of judgements about children's home education made by education welfare officers who may not necessarily have a professional qualification related to education (Lowden, 1994; Petrie, 1998). Scottish studies found that in 2000 LEA officers undertaking home education work had generally received no training in approaches to home education and that by 2007 only one-half of the relevant officers had received training (Scottish Consumer Council, 2000, 2007).

There is evidence of ambiguity in conceptions of the role of LEA officers who deal with home-educated children. In particular this relates to questions (and sometimes assumptions) about how far their role can and should include responsibility for assessing whether a child is at risk of ill-treatment as well as their substantive responsibility for assessing the suitability of the education being provided (Department for Children, Schools and Families, 2007; Radford, 2010). It is only very recently that the feasibility of such an extensive role and the implications for training have begun to be examined (Badman, 2009; House of Commons Children, Schools and Families Committee, 2009).

### *Review of the Law Relating to Home Education*

Between 2005 and the dissolution of Parliament in 2010, the legislative framework for home education in England came under review. This process has shown a lack of political consensus that both reflects and exacerbates the background of confused values against which LEA officers and others must practise. A Government consultation undertaken in 2005 (Department for Education and Skills, 2005) was framed as an exercise in compiling practice guidance within the existing legislation. Many of the LEAs who were consulted argued for changes in legislation (HE-consult-UK, 2006). LEAs reported their inability to be satisfied about the education of all home-educated children. The absence of a registration requirement was seen as a serious constraint: there are children being educated at home about whom the LEA legitimately has no knowledge whatsoever. The requirement that further enquiries about a child's education should be made only when there is positive reason for concern begs the question of how the LEA can know material information without making any active enquiry. Even when an LEA is aware of a particular child, the absence of a right to see the child can make it difficult to reach a judgement about the suitability of the

education being received. Information provided by parents may be limited, lack detail and give no evidence of progression in a child's learning.

The Government indicated that new legislation was actively being considered (Adonis, 2007). In May 2007, however, the Government announced that there would be no change in the law (Department for Education and Skills, 2007b). This decision was certainly unexpected and perhaps precipitate (see Department for Education and Skills, 2007c; Nicholson, 2007). The decision not to amend the law soon appeared difficult to sustain. In January 2009 a further review was announced. This review was disadvantaged from the outset by being established so shortly after changes in the law had been proposed and then withdrawn. The subsequent report proposed compulsory annual registration of all home-educated children and recommended enhancement of the powers and duties of LEAs (Badman, 2009). If it is true that in 2006/07 the Government was close to introducing regulation of home education, then many of the recommendations of this report can be seen as resurrecting and adding detail to the Government's earlier thinking.

The Badman report failed to achieve credibility. Given the highly contentious nature of the subject matter it was never likely that a report written by a single individual, supported by a reference group that included no representative of home educators, would be accepted as an authoritative foundation for legislative and policy change. The exercise did not apparently consider the experience of other governments who had undertaken a similar task (see, for example, Department of Education [Queensland], 2003). The report was further undermined when research intended to support some of the report's claims was hurriedly undertaken after the report itself had already been published (Action for Home Education, 2009). After a subsequent enquiry, the House of Commons Children, Schools and Families Committee (2009) concluded that LEAs need better means of identifying those children who are being educated at home. While expressing support for registration the Committee suggested that a voluntary scheme should be introduced, subject to evaluation after two years. The Committee rejected the notion that, within a framework of an annual home visit, LEA officers should be given a more overt safeguarding role. Despite the views expressed by the Select Committee, the Labour Government included provision in a Children, Schools and Families Bill for a compulsory registration scheme giving LEAs additional powers and duties in relation to home education. But the provision did not have the support of the Conservative opposition. Given the limited time available to complete outstanding Parliamentary business before the 2010 general election, the provision was not enacted. The new coalition Government subsequently received a further recommendation for compulsory registration and for enhanced powers and duties for LEAs (OFSTED, 2010a).

### **Professional Practice in Health and Welfare Services in Relation to Home Education**

In this section a discussion of professional practice in relation to children being educated at home is informed by findings from a brief piece of research. This is

followed by a discussion of issues related to child protection in the context of home education. The section concludes with an acknowledgement of the limited amount and range of relevant practice literature.

### *Health and Welfare Practitioners' Knowledge of Home Education*

In a modest piece of research the author explored practitioners' knowledge and experience of home education (Jennens, 2007). Questionnaires were completed in 2007 by professionals working in a city in northern England: six senior social workers involved in child-protection work; five personal advisers working in Connexions; eight clinical medical officers in the child health service; and 21 practitioners in Child and Adolescent Mental Health Service (CAMHS) out-patient teams. Information from these 40 questionnaires was supplemented through interviews with six practitioners: two clinical medical officers, two CAMHS practitioners, a Connexions worker, and a senior social worker.

The research gives an indication of how far professionals in health and welfare services appreciate the distinctive circumstances of children being educated at home. Individual practitioners may accumulate little or no experience of work with children being educated at home. This is not surprising given that in absolute terms the number of home-educated children is small, and many have no reason to come to the attention of particular health and welfare services. Some respondents quite reasonably said they had had no reason to become knowledgeable about home education. For some respondents who encountered a home-educated child, the parent or carer became the respondent's principal source of specific practice or legal knowledge. Thus, a clinical medical officer said: "Actually, following your questionnaire I then spoke with the granddad and sort of said 'Do you have to follow the national curriculum and how many hours does she have to do a week?'" There was room for respondents to be misinformed. For example, another clinical medical officer said: "If a child is allowed to have home education then there should be someone from education checking this. I thought there's always somebody checking for home education, if I remember what that mother told me". Where a practitioner depends on a parent or carer in such a way, the reliability of information obtained and a practitioner's ability to base their work on a confident authoritative view of the child's rights and interests may be compromised.

Respondents significantly overestimated the extent of LEAs' power and knowledge. Only five of the 40 respondents were aware that (in England) a parent wanting to begin home education could do so without obtaining LEA approval. A majority believed that LEA approval was essential. Further, only two of the 40 respondents were aware that the LEA did not keep a register of all home-educated children in the LEA's area; 29 of the 40 believed definitely that there was such a register. Predominantly, then, the respondents held inaccurate beliefs: that every child being educated at home will be known to the LEA and that the LEA will have approved the

arrangement in every case. Such mistaken assumptions can extinguish misgivings: one personal adviser in the Connexions service remembered:

I was surprised by how little was done in the way of checking that a suitable education was being provided and again surprised by the lack of monitoring after it had started. Not a criticism of anyone—I presume the legislation and guidance were being followed.

If this extensive lack of knowledge and misunderstanding is representative of practitioners in general, this would suggest that practitioners in health and welfare services are likely to believe that the LEA has comprehensive knowledge of children being educated at home, and is undertaking reliable oversight. They may be unlikely to recognise instances where they may be in a unique position to identify a child whose education or other circumstances may be unsatisfactory.

### *Home Education and Child Protection*

During the past 25 years the work of schools in identifying child abuse and supporting children has been given increasing emphasis (London Borough of Brent, 1985; Gilligan, 1998; Webb & Vulliamy, 2001). Members of school staff may make a substantial and sometimes crucial contribution to a child's welfare and protection: in other words, school and LEA staff are regarded as a part of a child-protection system. While children are being educated at home they remain outside such work. Home education is at times presented as providing an opportunity for child abuse to go undetected (see, for example, BBC News, 2004; Radford, 2010). When the invisibility of some children is put forward as an inevitable consequence of home education, some respond as though an accusation is being made that home-educating parents are more likely than parents in general to abuse their children and should be trusted less. For example, in the United States a news report about the potential vulnerability of children being educated at home included an acknowledgment that the overwhelming majority of home education was undertaken by parents who had only the best interests of their children at heart (CBS News, 2003). In response came a challenge that rejected the CBS report on the grounds that it asserted that home education was responsible for parents battering their children (McCluskey, 2003). In the United Kingdom in 2004 representatives of some LEA officers expressed, in measured language, concerns about aspects of home education. In response, a spokesperson for a home education support group said she was appalled that people might think that the majority of home educators were child abusers (BBC News, 2004). Such distortion limits productive debate.

Child welfare legislation applies equally to all children, irrespective of their educational setting. Some argue for a clear differentiation between education and child protection. Any failure to protect a child being educated at home should be seen as a failure of agencies with statutory responsibility for child protection, not as an indicator that there is something suspect or risky about home education (Education Otherwise, 2007). Arguably this view ignores the fact that some home-educated

children may remain remote from adults able to observe warning signs of ill-treatment by a parent. In many instances, such observation by adults depends crucially on children being in regular contact with adults consistently over a period of time. Warning signs may emerge only through subtle changes in a child's demeanour or appearance, or through repeated unobtrusive aspects of a child's behaviour. Children educated at home may be isolated from adults in whom an ill-treated child may confide: one boy had been subject to cruelty for four years before he ran to a police station (BBC News, 2001; *The Times*, 2001). The development of a child's trust to enable a disclosure may depend crucially on regular contact with consistent adults who have learned to understand the child's ways of communicating, which may be clear and precise, but may also be hesitant or oblique. The frequency and content of visits appropriate for monitoring and supporting home education may not be adequate for safeguarding purposes. In Enfield, London, in 2007, the body of a 16-year-old girl was found at her home, where it had lain, apparently undisturbed, for about four months following her death (Enfield Local Children Safeguarding Board, 2008). She had been educated at home for about two years, during which time LEA officers had made three visits to the home, the most recent about five months before the probable date of the girl's death. The LEA officer had had no concerns about the family circumstances and had been satisfied with the educational programme. In this case the mother's full cooperation with the LEA's monitoring did not prevent a tragic death.

### *The Range of Potential Child Abuse*

The use of broad terms such as "child abuse" or "significant harm" can obscure different forms of child abuse. Abuse can be regarded as involving essentially abuse of the child's body, through physical or sexual abuse or neglect of the child's basic physical needs. Such abuse threatens or damages the basic developmental needs of the child, which are more easily objectively defined even in a society where there may be conflicting views of what constitutes a child's best interests. A broader, but more contested view of child abuse might include parental actions that impede aspects of a child's cognitive and social development. What is known about what motivates some parents to educate their child at home suggests that particular children may be subject to something closer to indoctrination or segregation than education. A parent may seek to control the child's education and perhaps their social experience so completely as to instil total belief in the parent's worldview, or unquestioning obedience to the parent's authority. Writing in an American context, Reich (2002) argues that children are owed, as a matter of justice, the development of a capacity to adopt values and beliefs different from those of their parents. The state may need to intervene to ensure that a particular child develops such a capacity. Such a view resonates with a judicial ruling given in an English court in a case involving home education (*Harrison and Harrison v. Stephenson* 1982 QB [DC] 729/81, cited in Taylor & Petrie, 2000).

Some potentially harmful parental actions proposed as identifiable patterns or syndromes may be relevant. Achievement by proxy spectrum considers how parents

bring up children who are precocious achievers in fields such as elite sport, academic excellence, and virtuosity in music and other aspects of the world of entertainment (Tofler, 2000). Some such parents are driven by their own wishes and ambitions. They lose sight of the child's individuality and physical and psychological integrity. The parents' own well-being, both emotional and financial, may come to depend on the child's achievement or performance. Parents may make life decisions (about housing, financial matters or the child's education), based on promoting the child's single, defining activity. Home education offers licence to parents who see the constraints of regular school attendance as incompatible with the demands of onerous schedules of learning, practice, travel and performance. Masquerade syndrome considers parents who experience a compelling difficulty in allowing their child to leave home in order to go to school. The child's absence from school is then hidden by repeated or sustained claims of minor sickness (Waller & Eisenberg, 1980; see also OFSTED, 2010a). While Waller and Eisenberg do not discuss home education as such, they do suggest that plans for a return to school may be resisted through requests for some form of education at home. Developmental stifling is proposed when a parent persistently seeks professional help by exaggerating or fabricating behaviour problems and/or deficits in their child's development (Elder & Kaplan, 2000). The child's attendance at school may be unwelcome to the parent because teachers' observations of the child's abilities and attainments may contradict the parent's insistent account of delayed development and/or disability (Coard & Fournier, 2000; Elder & Kaplan, 2000).

One view of the ultimate worst outcome of such cases is provided by a retrospective study of three families where the generally healthy only child was from early childhood put to bed by the mother and treated as if ill, dependent and incapable (Meadow, 1999). Each of these children died as disabled adults, having experienced what Meadow describes as abnormal mothering throughout their lives. Meadow presents information about one of the individuals that suggests her absence from school was legitimised as home education. Such cases raise profound questions about interpretation. A child may be seen from some viewpoints as overprotected and stifled and from others as ill or delicate. Webb (1990) discusses the case of a boy who was provided with a home tutor by the LEA because he was too ill to attend school. Later this tutor was withdrawn because, as the boy's mother put it, the school doctor would not confirm that the boy was ill. The boy's mother began to educate the boy herself at home. Webb concludes that the LEA was clearly unwilling to provide home tuition if there was any way in which it could be avoided. Webb's narrative appears to ignore perspectives other than the mother's. An alternative dimension might be that the school doctor found that the boy was in evident good health but that the mother found the implications of this difficult to accept.

### *Practice Literature Relating to Home Education and Child Protection*

Practitioners are unlikely to find helpful resources in the literature. No reports have been found of constructive, successful interventions with home-educated children at risk of harm or disadvantage, nor will practitioners in health and welfare services find

any official document offering comprehensive guidance. References that imply that home education may have been a feature in circumstances related to the death or serious ill-treatment of a child can be found in summaries of some serious case reviews (Bristol Safeguarding Children Board, 2007; Cameron, 2005; Enfield Local Safeguarding Children Board, 2008; Isle of Wight Local Safeguarding Children Board, 2009; Lock, 2007). The summary nature of such publications, however, severely limits the value of the information for practice development. Exceptionally, as this article was being finalised one serious case review relating to a case involving home education was published in full (Radford, 2010). Occasionally cases of sustained ill-treatment of a child being educated at home enter the public domain when criminal trials are reported. Two cases, in Cambridgeshire and Plymouth respectively, in which parents were imprisoned, appear not to have generated a review to identify lessons for practice (*The Times*, 2001, 2010).

Some documents may be misleading. Despite press and broadcast reports of the conviction in Peterborough in 2001 of a mother and stepfather for cruelty toward a home-educated child (BBC News, 2001; *The Times*, 2001), one author reassures readers and a second repeats that by 2004 there had been no reported case in Britain of a home-educated child being bullied or otherwise harmed within their family (Arora, 2006; Gabb, 2004). Some practice guidance is flawed. One serious case review has recommended that all home-educated children should receive regular monitoring visits (Bristol Safeguarding Children Board, 2007). This is a requirement that, under current legislation, practitioners are not empowered to implement. National guidelines for healthcare practitioners about recognition of child maltreatment include a misleading reassurance that individual home education arrangements are subject to a safeguard of formal approval (National Institute for Health and Clinical Excellence, 2009).

## Conclusion

The nature of the legal framework for home education in England means that the work of LEA officers remains both enabled and constrained by nineteenth-century legislation. Children and young people being educated at home are the concern not only of LEAs. A debate has hardly begun about the implications of home education for the practice of health and welfare services as they respond to the notion that every child matters to the State. The question of what constitutes an appropriate legal and regulatory framework for home education in England in the twenty-first century needs to be considered by a group widely representative of the diverse opinions that this subject generates. It can be anticipated that such a group, while illuminating the issues more comprehensively than has been achieved up to now, may well not achieve unanimity in its recommendations. But if the breadth of representation and thoroughness of the group's work is sufficient to command respect, then the report of such a group may offer a basis for the Government to reach firm conclusions about a new legal framework.

While for many parents educating their children at home may be associated with idealism, it is important that the regulation of home education and the practice of health, welfare and educational agencies in relation to home-educated children are not based on an assumption that every child's experience of home education is ideal. Perhaps a wider debate is indicated about whether the risks inherent in the exemption of some children from the surveillance of universal health and educational services is an acceptable or even unavoidable price to be paid for maintaining parents' rights of freedom and choice in relation to their child's education.

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