



House of Commons  
Education Committee

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**Support for Home Education:  
Government Response to the  
Committee's Fifth Report of  
Session 2012–13**

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**Fifth Special Report of Session 2012–13**

*Ordered by the House of Commons  
to be printed 12 March 2013*

## The Education Committee

The Education Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Department for Education and its associated public bodies.

### Membership at time Report agreed:

Mr Graham Stuart MP (*Conservative, Beverley & Holderness*) (Chair)  
Neil Carmichael MP (*Conservative, Stroud*)  
Alex Cunningham MP (*Labour, Stockton North*)  
Bill Esterson MP (*Labour, Sefton Central*)  
Pat Glass MP (*Labour, North West Durham*)  
Charlotte Leslie MP (*Conservative, Bristol North West*)  
Siobhain McDonagh MP (*Labour, Mitcham and Morden*)  
Ian Mearns MP (*Labour, Gateshead*)  
Chris Skidmore MP (*Conservative, Kingswood*)  
Mr David Ward MP (*Liberal Democrat, Bradford East*)  
Craig Whittaker MP (*Conservative, Calder Valley*)

Damian Hinds MP (*Conservative, East Hampshire*) was also a member of the Committee during the inquiry.

### Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk)

### Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at [www.parliament.uk/education-committee](http://www.parliament.uk/education-committee)

### Committee staff

The current staff of the Committee are Dr Lynn Gardner (Clerk), Geraldine Alexander (Second Clerk), Penny Crouzet (Committee Specialist), Emma Gordon (Committee Specialist), Jake Anders (Committee Specialist), Ameet Chudasama (Senior Committee Assistant), Caroline McElwee (Committee Assistant), and Paul Hampson (Committee Support Assistant)

### Contacts

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# Fifth Special Report

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On 18 December 2012 we published our Fifth Report of this Session, *Support for Home Education*.<sup>1</sup> The response from the Government was received on 19 February 2013 and is published as an Appendix to this Report.

## Appendix

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### Government response

Relationships between home educators and local authorities

#### *The role of local authorities in home education*

**Recommendation 1:** Local authorities have a responsibility to follow the law, and to be seen to do so. Considering evidence that only thirty do not currently have ultra vires statements on their websites, regarding home education, we urge all local authorities to undertake a swift review of their own material, and to ensure that their policies reflect the guidance available. (Paragraph 12)

We support this recommendation. Local authorities should ensure that their websites do not contain misleading statements about their powers.

#### *Tensions in existing guidance*

**Recommendation 2:** We believe that the case law definitions of ‘suitable’ and ‘efficient’ education are sufficient, and encourage local authorities to use these as required. However, some aspects of existing guidance require clarification, and we recommend that the Department for Education undertake a review of the guidance concerning home education, working with local authorities and home educators to iron out any tensions. (Paragraph 15)

We recognise the positive intent behind the Committee’s recommendation, but we have no plans to change the way the current arrangements operate and no plans to amend the guidance on home education that was published by the previous Government. We do not feel that the evidence presented to the Committee was sufficiently strong enough to warrant a Government review. Local authorities and home educators should work together to iron out tensions.

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<sup>1</sup> Education Committee, Fifth Report of Session 2012–13, *Support for Home Education*, HC 559-I

### ***Variation in local authorities behaviour and practices***

**Recommendation 3:** We are pleased to support innovative models such as joint local authority services and associations of home education officers, which aim to share best practice and to achieve more consistency between local authorities with regard to home education. We believe that these models have significant potential to lessen the ‘postcode lottery’ which was described to us, and we encourage more local authorities, especially smaller ones, to develop shared services, and to join existing networks of home education officers. (Paragraph 20)

Local authorities should consider the evidence published in the Committee’s report as it contains many messages about the variety of services offered by local authorities. However, it is not for Government to influence this. Local authorities must decide their own priorities.

**Recommendation 4:** The development of a more formalised professional association of, and/or annual conference for, home education officers, driven by those in the profession themselves, could be a welcome step in terms of sharing best practice nationally, and in turn might consider issues such as accreditation and improved training for local authority officers. (Paragraph 21)

We agree that local authorities have much to gain by learning from the experiences of others, and that officers with responsibility for home education should be properly trained. Local authorities will wish to reflect on the Committee’s view that they should adopt a more formal approach to sharing best practice nationally.

**Recommendation 5:** We recommend that the Department for Education carry out an audit of local authorities’ performance regarding home education, and the information they make available on their websites and elsewhere, and publish the results, ascertaining which local authorities are performing well with regard to home education. We consider that, far from damaging the Government’s localism agenda, this review would fit well with the Department for Education’s transparency drive. (Paragraph 24)

We do not think it is for Government to audit local authorities on their performance on home education. Local authorities must decide for themselves the services they offer to home educators.

### ***Placement of officers within local authority structures***

**Recommendation 6:** The team within which local authority home education officers sit can give out an important message about that authority’s view of home education. For example, it is inappropriate for such officers to be located with those working on attendance, children in care or safeguarding. Local authority officers dealing with home education ought to be situated within a dedicated team, or sit within a neutral location such as learning or library services. (Paragraph 28)

We agree that the way in which local authorities approach home educators in their area is an important factor in establishing good relationships. Local authorities will wish to reflect on the evidence provided to the Committee on this matter and on the Committee's recommendation.

### ***Financial support for local education***

**Recommendation 7: Based on the current state of the public finances, and the evidence we have heard from local authorities and home educators, we do not recommend any system-wide changes to financial support for home educators. However, where funding is available, central Government needs to explain better how this can be obtained and utilised. We cannot understand why some local authorities refuse to utilise or claim such funding, and urge those that have done so to change their position. (Paragraph 34)**

The written evidence provided by the Department to the Committee for its enquiry explained that a new school funding system is being introduced with effect from the financial year 2013-14, and that one of the effects of this is that local authorities will no longer be able to claim funding in respect of specific pupils.

So far as further education is concerned, the Department is moving to a new system of direct funding for places in further education colleges that are being taken up by 14-16 year olds, including home educated children. Rather than the local authority claiming funding from the Education Funding Agency, from the academic year 2013/14, the Department will be funding colleges directly for such provision. Therefore there will be no funding for local authorities to claim separately for home educated children. There will be interim arrangements for reimbursing local authorities for expenditure on such places in the financial year 2012-13.

For home educated children with special needs, under the new funding system from April 2013, local authorities will have an identified High Needs Block within their Dedicated Schools Grant to enable them to fund all children and young people in their area, including those home educated where appropriate, who have special educational needs or who require alternative provision from that in schools. The High Needs Block for the financial year 2013-14 is based on past expenditure by the local authority, not on the number of pupils funded.

The Department is writing to local authorities with an updated explanation of how funding works in relation to home educated pupils.

## *Provision of services and other support for home education*

### *Examinations*

**Recommendation 8: It does not seem reasonable to us that home educators in some areas have such a struggle accessing examinations centres for their children. We recommend that the Government place a duty on every local authority to ensure access to local centres for home-educated young people to sit accredited public examinations. (Paragraph 43)**

We understand that some home educators can find it difficult to access examinations centres for their children. The Department will continue to encourage maintained schools and further education colleges to provide facilities for young people who are home educated to sit their examinations. We will also encourage exam boards to continue to assist private candidates where they can by providing candidates with any information they hold on examination centres that are known to accept private candidates.

As well as this the Department also provides relevant training, advice and support to examination officers. Guidance to examination officers on tackling the obstacles associated with accepting private candidates is also available on the DfE website.

However, it is important to be clear that schools and colleges are under no obligation to provide examination facilities for candidates who are not on their roll. The Government believes that individual institutions are best placed to make decisions about how to manage their own examinations themselves. Therefore the Government does not plan to place a duty on local authorities to ensure access to examination centres for home educated students.

**Recommendation 9: As noted previously, we do not believe that the State ought routinely to finance home education. That said, many home educators do contribute to the education system through their taxes, and yet still have to meet the costs of sitting public examinations. We do not consider this to be fair, and therefore recommend that the costs of sitting public examinations be met by the State. The Department for Education should work to establish the appropriate level of entitlement, and to which examinations this ought apply. (Paragraph 44)**

The Government respects the right of parents to educate their children at home. It is possible for local authorities to provide financial support for home educators such as examination fees under section 19 of the Education Act 1996.

However, home educating parents have always taken on the financial responsibility for the education of their children and the Government is not seeking to change this principle.

### ***Transitions to further education***

**Recommendation 10:** We recommend that the Government monitor, as part of the audit previously recommended, local authorities' current provision of advice regarding transitions to further education for home-educated young people. The Government should ensure that local authorities are providing high-quality advice, through their home education services or websites, to those who request support. (Paragraph 46)

Local authorities are responsible for quality assuring any advice they give to home educators, and they will want to consider evidence presented to the Committee about the advice that many of them give. As with our response to recommendation 5, this is a matter for local authorities, not Government.

**Recommendation 11:** We congratulate the Government on giving further education colleges the power to admit 14 to 15-year-olds directly, and welcome this policy move, which we hope might benefit home educators as well as others. (Paragraph 47)

The Department is pleased that the Committee has welcomed the Government's policy move in giving further education colleges the right to admit 14 to 15 year olds directly. This will ensure that every child has the option of choosing to follow high-quality, specialised vocational courses as well as the critical academic core. From the academic year 2013/14, colleges will receive funding for these places from the Education Funding Agency just as they do for 16-18 year olds. Local authorities will cease to be funding gatekeepers so accessing further education courses should become easier for home educating parents.

### ***Local offers of support***

**Recommendation 12:** Whilst we agree with the Minister's view that local authorities, and not central Government, must be responsible for service provision in their area, we do not consider it acceptable that home-educated young people receive such different levels and quality of support dependent purely upon their postcode. Local authorities should be expected to produce a 'local offer of support' for home educators, stating what services are available, how these differ from those for parents of schooled children, and enabling home educators to compare with practice elsewhere.

**Critically, local offers must be developed in consultation with home educators and their families. We recommend that the Department for Education support pilots for such a scheme, and play a role in monitoring the quality of local offers and the adherence applied to them by local authorities. (Paragraph 52)**

We agree that home educators and local authorities should work co-operatively to shape the services that the local authority provides. However, it is not the role of Government to monitor those services.

### ***Home-educated young people with education needs and disabilities***

**Recommendation 13:** We are pleased that the Minister confirmed, in her evidence to us, that local authorities remain responsible for ensuring that provisions in Statements are met, and were equally pleased that she agreed the issues relating to home-educated young people with SEN or complex health needs, but without Statements, should be investigated. We look forward to the outcomes of the Department for Education's investigations in this area. In the meantime we urge local authorities to comply with statutory guidance and ensure that home-educated young people with SEN or medical conditions are not being discriminated against. (Paragraph 57)

The special educational needs (SEN) reforms that we are introducing with the Children and Families Bill aim to benefit all children and young people with SEN, including those who are home educated. Local authorities will remain responsible for ensuring that the SEN of children with Education, Health and Care plans, which will replace statements, are met. We are working with home education representatives to make sure that the statutory guidance in a new SEN Code of Practice, which will reflect the provisions of the new Bill, will promote appropriate support for children with SEN, whether they have EHC plans or not.