

Questions

1 The purpose of this guidance is to set out the relevant law, to provide advice on the roles and responsibilities for local authorities and families in relation to home education; and to encourage the development of trust, mutual respect and positive relationships.

No

2 The law does not foresee flexi-schooling, or make provision for it. Flexi-schooling is not the same as home education. Is this made sufficiently clear in paragraph 1.4?

Yes

Please give us your views:

As the guidance is not inclusive of flexi-schooling, we are unclear why comments about flexi-schooling are requested. Presumably the guidance will be solely related to home education?

However, many families of neurodivergent children and young people that we support are involved in part-time timetables/flexi-schooling, so we can comment as follows:

In our experience, we have had positive outcomes in regard to flexi-schooling examples. In some cases, neurodivergent young people who have chosen to flexi-school have done so to be flexible around their health appointments. Flexi-schooling has allowed them to be more independent in their learning at home. However, this is heavily based on the support from the school and use of technology. In one case, the school gave resources, PowerPoints, and text to speech platforms such as Dragon and Read&Write Gold. The child used this in school and at home, making it consistent across both learning environments. However, this is in comparison to another case where home educated time out of school was seen as 'down time' for the child. It is dependent on the school, the family and the child/young person how flexi-schooling is carried out.

Additionally, although part-time timetables should only be used with the full agreement of the family, Salvesen Mindroom Centre has experience of some schools informing families desiring a part-time timetable that the only way to access this would be to make a formal request for flexi-schooling (on at least one occasion in writing, giving reasons), rather than working collaboratively to create a plan that works for the child or young person. We also have numerous examples where a part-time timetable is operating without the agreement of the parents/carers.

The possibility of seeking a part-time timetable/flexi-schooling is not widely known among parent and carers.

3 How can local authorities hear the individual and collective voices of home educated learners?

Please share your examples here:

Case examples from SMC have consistently shown that the use of an advocate for the child has helped immensely in child planning meetings. Advocacy allows the child/young person to express their views on decisions being made that affect them. In one case where we supported a child, who was being home educated, the parents commented that our advocacy work with the child "gave him a much too rare experience of his views being taken seriously by adults other than his parents."

Examples of good practice from local authorities include an education officer who we found to be honest, helpful and willing to allow for open conversations with the families and young people.

Another example of good practice occurred in South Lanarkshire, where the local authority officer was seen to make home education a supportive process and was keen to hear about the child's views if they wanted to share them.

4 Please share examples of collaboration and involvement in the delivery of support and guidance for home educating families.

Please share your examples here:

A positive example includes a school providing opportunities for children leaving the school to leave in a more positive way, including offering time for children to say goodbye to classmates and teaching staff.

5 Do you have any comments on paragraphs 3.1 – 3.11?

Please give us your comments:

Paragraph 3.1 explains that parents do not need to give reasons about why they have decided to home educate. IWe are unsure, therefore, of the reason for providing a list of possible reasons at paragraph 3.2.

For neurodiverse families, the most significant statement is in paragraph 3.5, where the guidance states 'Home education should not be used as an alternative to the local authority providing a child or young person with the support they need to stay in school.' In our experience, this is an extremely common reason for the decision to home educate, and it is right that the guidance addresses this issue. However, the way this is worded is odd: the local authority (for whom the guidance is intended) cannot 'use' home education, as it is a choice that rests with parents and families. For too many parents, it is a choice forced on them by inadequate additional support for learning provision.

It would be preferable for paragraph 3.3 to be rewritten so that, if a reason is given that is about the failure to provide adequate support, then that should lead to a conversation about whether the family would prefer to continue with in-school education if the right support is in place – which the local authority must then be able to follow through and provide without delay. The emphasis within the guidance should shift so that the responsibility to

make 'adequate and efficient support' for additional support needs sits with the local authority – it is not the responsibility of children and families to try to get by with insufficient recognition of, and support for, the child's needs. The failure by local authorities to provide the right support is a failure to uphold the rights of children and families under the UNCRC, the UNCRDP and the ASL legislation, but in practice it is extremely difficult for families to hold local authorities to account for these failings.

While there is an adequate description in para 3.4 of the steps that families can take to try to 'reach a resolution' about their child's support needs, there is nothing in the guidance directing local authorities to do more or try harder. This is a missed opportunity and perpetuates the requirement of parents to 'fight' for the right support for their child.

The ASL Code of Practice comes in para 3.6 at the end of describing the steps that parents should take – it should come at the beginning, placing the emphasis on local authority duties.

6 Is it helpful for a local authority to provide a structure for parents to use to provide information on their education plans. For instance, broad questions or a template to support parents to think through their planned provision?

Yes

Please share your examples here:

Our answer Yes is qualified by noting that a structure being provided can be helpful for some families. It is very dependent on the child/young person and what their needs are and reasons for home education. For this reason, a broad template could be sufficient to allow families to have more information about what is involved in home education as well as supporting them to plan according to the needs of the individual child.

In our experience of supporting families who choose to home educate, home education is very much left to the families to structure for themselves as local authorities do not have to provide support materials, nor is there a requirement to monitor the education provided at home. This can leave families not knowing where to turn to for support.

7 Does 6 weeks provide sufficient time for a local authority to issue a decision regarding consent to withdraw a child from school?

Yes

Please provide details here:

6 weeks seems a reasonable period and gives families the prospect of certainty without waiting too long.

8 Do you consider in-person contact between the local authority and home educating family to be important?

Don't know

Please give your examples here:

Despite having many examples of families who have chosen to home educate within our current and recently closed caseload, we have no current examples of in-person contact to cite. Historically, this has happened in a few cases, but it is not currently happening for the families we support.

Where we have seen it happen in the past (in Fife), the family had regular reviews of the home education plan with the education officer. The education officer in this case was really helpful and the process was clear throughout which made such a difference. The child was also asked for their views from the beginning of the process and at each review. After 2 reviews following the first approval of home education going ahead, we were able to close the case as our support was no longer needed.

9 How can local authorities best keep general data on the numbers of home educated children and young people within their area?

Please give us your views:

There is no easy answer to this question as many families who home educate do not wish to have their data held centrally. However, without knowing the extent of home education, it is hard to make policy and plan for the education of all children equally.

In our service, supporting neurodivergent children, young people and their families, we would be interested to know the number of families who opt to home educate because schools have been unable to provide the right support for their child. However, as there is no legal requirement to give a reason for home educating, this data could only be requested on a voluntary basis.

10 What is your opinion of a national approach to information management, for example, a national register?

Please give us your views:

See our answer to question 9.

11 What factors can facilitate home educated learners to access qualifications? What barriers or solutions may there be to accessing qualifications?

Please provide details here:

The families we support who are home-educating have to take the initiative to allow their children to access qualifications. More could be done by the SQA, or its successor, to offer advice and support to home-educating families, including explicit information about special circumstances and additional assessment supports, such as scribes, longer time, or text to speech..

Please provide details here:

Through case examples within our organisation, one of the barriers that has been identified in accessing qualifications is the need to physically enter school or college buildings. One of the reasons that neurodivergent young people could be home educated is due to anxiety about the school/college building and this can add to exam anxiety depending on the environment. A solution to this could be providing access to qualifications online, which could be completed at home.