

**Draft Elective Home Education Policy**  
**A Response from the Special Educational Needs Advice Centre (SENAC)**

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The Special Educational Needs Advice Centre (SENAC) is a charity organisation supporting children and young people with special educational needs and disabilities and their families throughout Northern Ireland. We provide an independent advice, information and advocacy service on the current statutory framework for the identification, assessment and provision of special educational needs (SEN). SENAC is committed to ensuring equality of educational opportunities for children and young people with SEN and disabilities.

We welcome the opportunity to comment on this consultation. The opinions and comment in this response are based on our experience as an independent advice organisation and the experiences of the families who use our services seeking help for their child.

SENAC cannot support the implementation of this draft policy for a number of reasons and as a consequence we disagree with each point in the pro forma response.

**Our main concerns are:**

- The absence of any comprehensive reason for the need to draft this policy and to propose change. This is the fundamental expectation of any reform of policy or practice. The document does not outline what issue it is addressing or why is it needed.  
There is no research, data or statistics to help inform consultees as to the justification or need for this policy. Without this it is unreasonable to expect any positive agreement to any change in procedures and monitoring of home education.
- The legal duty of the Education and Library Boards in relation to home education has not been demonstrated satisfactorily. There is no legal duty quoted in the document that justifies the nature of monitoring proposed and inspection of the home in relation to home education.
- Concerns expressed that this policy will compromise and undermine many aspects of the UN and European Conventions relating to family life, freedom of choice and right to privacy.

- The policy outlines what could be perceived as intrusive powers and seems in contrast to those within other UK jurisdictions. No reason is presented to warrant the level of monitoring proposed comparable to other parts of the UK and no sound basis in law has been outlined for such a practice.
- The failure to demonstrate in the policy that the Education and Library Boards have the legislative power to act in the way they propose.
- The policy does not adequately recognise the right of parents to choose to home educate their child. It presents a perception that education is best when accessed within the state school system and makes no attempt to recognise or value parental or family choices or the individuality and wishes of a child and that for some children the state school system is not the environment that they need or want.
- The policy fails to demonstrate that the relationship between the education authorities and parents who choose home education should be founded in respect, support and positive communication.
- The absence of statistics and data relating to home education for example educational outcomes /attainment etc and breakdown of characteristics of this group of children, gender, disability etc.

There is another aspect to Elective Home Education that we wish to highlight within our response. The choice and decision by parents to home educate their child can also be as a result of the lack of access to the appropriate educational support and/or school placement to meet their child's special educational needs, a school placement cannot be sustained or the resources cannot be secured to provide an effective education within school and home education has been the only option.

SENAC supports hundreds of children and young people each year to access the education provision and interventions available to them within the statutory SEN framework. Having provided independent advice on SEN for over 11 years SENAC can identify the trends, common experiences and challenges faced by the parents and their children in the struggle to access the SEN provision required to enable learning and a positive educational experience. We are concerned that increasingly the nature of enquiry to our advice services is regarding children and young people not in school or parents considering home education because of the lack of the appropriate education support or school placement. SENAC currently has 12 active cases where the child is out of school, some long term. A high percentage of the children in this position are those with aspergers and autism experiencing anxiety in relation to school yet their needs are not being addressed effectively to sustain a school placement. These are children at greater risk and disadvantage of being progressively subject to exclusionary pressures culminating in home education as the only option.

There are critical perspectives on the relationship between home and state schooling which must be addressed, that is, how schools can operate as inclusive educational environments and communities without receiving the necessary support and resources from the Department of Education and the Education Authorities to deliver what is required to realise the rights of all children to have access to

schooling that meets their needs. In our opinion and experience as an independent advice agency the Department of Education's core Every School a Good School policy is falling short for children and young people facing challenge to their learning. The greatest obstacle is not disability but the lack of appropriate commitment and response to enabling educational environments to be inclusive, empathetic to diversity of need and effectively resourced for individual and complex needs. The principles of participation, inclusion and the removal of barriers within the United Nations Convention on the Rights of People with Disabilities (UNCRPD) underpins the need to address the inclusive capabilities of schools and the availability of appropriate school placements.

Educational reform and practice should take account of the diversity of children's needs and provide systematic equality of opportunity for children with disabilities within their educational communities while recognising the right to have options on how and where a child can receive their education including home education if that is the choice.