



Home Education in Northern Ireland

*an introduction and discussion in the light of the
2014 Draft Policy on Elective Home Education*

HEANI

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We do not claim to represent or describe all home educators in Northern Ireland; however, we have attempted to gather the views and experiences of as wide a cross section of home educators as possible.

Summary

Intrusion and interference in home education is bad for children. Many home educated children have been deregistered from school precisely because they were **not** receiving a suitable education there. The parents of those children are therefore justifiably horrified that the very authorities who could not provide a suitable education may now turn and accuse the parents of failing their children.

Those who wrote the proposed policy appear to have worked from prejudice rather than evidence and to have done none of the research or preparation necessary for such a scheme. They either do not understand or wilfully misrepresent the law as written and the basic legal principles that underpin it.

To be clear:

- The duty to provide an education lies with the parents (Education Order '86, Section 45) - therefore the Boards have no duty to 'ensure' an education as they claim.
- The duty and powers of the Boards regarding home education are reactive only. Unless a concern arises they are not required or indeed permitted to act (Education Order '86, Schedule 13).
- Parents are the prime advocates for and protectors of their children. This role is recognised in law at every level, including the UNCRC. Compliance with the UNCRC requires respect for the role of the family, not arbitrary state interference.
- **Home education is not a welfare issue**, but simply one way of providing an education, and is on a par legally with school. Research (summarised below) on home education shows very good outcomes from a wide range of methods.
- No welfare related duties are created by legislation relating to home education; the Boards have the same safeguarding duty towards **all** children – to refer concerns to the appropriate agency.

Parents hold the duty to educate, and thus the power to make decisions about the form and content of that education. They are the best and only appropriate judge of the best interests of their child. Other than in



exceptional circumstances the Boards have no role in those decisions. Intrusion by the Boards inevitably harms children, causing stress and turning the parents' minds to the Boards' requirements rather than their children's needs.

All parents should be able to freely choose what is best for their individual children, whether it is a school of a certain type, religion or method, or whether it is home education. Like all parents home educators do their very best for their children, providing the education that is most suitable for them.

This pack is intended to tell you a little about home education, who does it, how they do it and why. For further information or if you have any queries, please do not hesitate to email info@hedni.org.

Law and Principle

Home education is a legal option in Northern Ireland equal to school; parents hold the duty to educate, and their primacy should not be usurped by the Boards (or whatever body replaces them), irrespective of the form of education they decide is best for their child.

“The Board has no duty to ‘ensure’ that any child receives a suitable education; that duty belongs to the parents.”

Education and Libraries Northern Ireland Order 1986 SI 1986/594 - Section 45

1. The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have, either by regular attendance at school or otherwise.

Education is the responsibility of the parent. The majority of families choose to meet their legal obligation by having their children attend a state school, but other forms of provision are available and permissible.

The Board is not mentioned in Section 45 and has no duty to ‘ensure’ an education, or to do anything to provide one unless the parent registers their child with a school. The following legislation is used if it appears that a parent is not fulfilling his or her obligations:

Schedule 13, Part 1

1(1) If it appears to a board that a parent of a child of compulsory school age in its area is failing to perform the duty imposed on him by article 45(1), the board shall serve on the parent a notice requiring him, within such period not being less than fourteen days from the service of the notice, to satisfy the board that the child is, by regular attendance or otherwise, receiving efficient full-time education suitable to his age ability and aptitude, and any special educational needs he may have



“The duty of the Boards is purely reactive; unless there is an appearance of failure there is no duty or power to act.

Routine state intervention in basic parenting decisions is not in the best interests of any child.”

The duty of the Boards is purely reactive; unless there is an appearance of failure there is no duty imposed, no power to act. Routine state intervention in basic parenting decisions is not in the best interests of any child. Parents are the best and only suitable judge of the best interests of their child. They hold the duty to educate and therefore the power to make decisions about that education. The Boards have no role in those decisions, other than in exceptional circumstances.

A government body attempting to establish a policy that deliberately over-reaches its legal powers should be of concern to everybody, not just home educating parents. The requirements in the draft policy are far beyond the legal duties and powers of the Boards and betray their

prejudice and their mistrust of parents, as well as their limited knowledge of home education. It is curious that in a time of financial constraint the Boards seek to introduce an expensive scheme (with unstated or unknown financial implications) which is unnecessary, prejudicial, unwanted and goes beyond current primary legislation.

Meet some home educating families...

Home education is not well known as an option. Some people don't even know it is legal and many have never knowingly met a real live home educating family. Home educators come from all walks of life and arrive at their decision in many ways; we have collected a few stories giving an idea of the range of possible styles and reasons for home education. These examples also show how interventions, monitoring and interference from boards harm families and especially children.

Some reasons families give for choosing home education:

- If their child was not receiving an adequate education in school because of their special educational needs, bullying or poor provision
- For reasons of religious conviction relating to their role as parent or the content of the curriculum
- For educational reasons; a desire to use a particular approach or curriculum, to allow a greater focus on their child's passion or promote a broad knowledge base
- Or commonly a combination of a few of the above

“Home educators come from all walks of life and arrive at their decision in many ways.”



There is often a false dichotomy imagined between either the 'structured' or 'unstructured' approaches; in fact there is a broad spectrum and families find their own place on it.

At one end you might have an 'autonomous' education and at the other a strict adherence to a particular curriculum; but the 'autonomous' home educator will provide ample structure in the form of opportunities and one-to-one support in research and exploration, while the family that follows a curriculum is very likely to provide for plenty of self-directed learning and play.

The advantage of home education is that it can be tailored to each individual child and need not fit a particular label or plan.

- Home educated children are out in the world
- They are finding things out for themselves with the support of their parents
- They make connections for themselves which will help them to grow and learn.
- They play sports, join clubs, meet friends, go to libraries, museums and parks, and attend meets and events organised by home educators, so are far from isolated.
- They do all the things school educated children do; they just don't attend school

However many have come under pressure to comply with unreasonable and intrusive demands from the Boards. Such demands and intrusion put great strain on families; they can then spend more time thinking about Board approval than should be necessary, leading to less time being spent on the actual education. Where the Boards gold plate their legal powers and duties they harm children.

“Where the Boards gold plate their legal powers and duties they harm children.”

Those families who have never suffered intrusion from the authorities constantly hear these stories and became ever more committed to defending their right to determine their children's education - rather than fitting in with what a local government officer, who met them once a year for half an hour, thought they ought to be doing.

Home education graduate – Autism; a traumatic experience at school and with the Board

“Conor, a shy and sensitive child was completely traumatised by his months in infant school where he was pressured to speak to meet the demands of aural testing. He ‘left’ school before he was 6, a changed child - terrified of anything to do with school and formal education. We tried to heal his trauma and then to run a child-led home intervention programme for autism.

We did not know we could de-register him. I welcomed many professionals into my home believing that they were going to help me, but they frightened Conor, and their one aim was to make him leave his only safe space, his home. In trying to protect him I was accused of causing him ‘significant harm’ and the family was put through a ‘preliminary investigation’.

Conor knows nothing of this but the stress affected everyone in the family. When he was 13 he stopped speaking completely, perhaps as a result of that stress. However, Conor still progressed in the protection of home where he could be himself, and with lots of resources for learning what he wanted to learn. From studying only dinosaurs, sea-life and birds,

he learned many valuable skills and lessons. He matured into a sensible, independent, but silent, young man passionate about wildlife. He was accepted into the Regional College at 18 without a single qualification. He graduated from UUC this year proving that neither a school education nor social skills is as important as being empowered to follow your interests and reach for your own future.” “



Conor tells us:

“Home education has been of enormous value to me, far more than I can put into words; as has the right to learn only about specific subjects. I could never stand the noise and crowds of school, or being forced to be around others I did not fit in with. It was an ordeal that so few people could understand, and this is such a pity.

Only by growing up away from this stressful environment, and choosing to learn only about natural history, could I gain the confidence to move forward in life.

Forcing people into a curriculum is not respecting the differences between individual people, or the needs of the autistic; nor does it encourage people to make their own choices in life.

In spite of all the challenges I have faced, the right to be home educated has not cost me so many opportunities as one might think. After many years, I was willing to learn about more subjects, and eventually return to formal education.

“My life history has demonstrated that school is not essential for one to learn.”

I made it into college, and then university, and have recently graduated with a good degree. I have had opportunities to travel, and engage in numerous activities that were of pleasure to me.

Currently, I am starting on the path towards having my own job and home. Had I stayed in school, it is likely I would have failed miserably, and lost all confidence to grow up and move out into the world. My life history has demonstrated that school is not essential for one to learn.

If children lose the right to be home educated, it is for sure that some will suffer needlessly, as I would have done. I sincerely believe the world would be a much better place if it understood and respected the needs of those who are different."

Blossoming after suffering at school and bullying from the Boards

"I was excited at my kids starting school as I thought they would learn so much more than I could possibly teach them and make so many friends. I never thought I would home educate as I had no idea it was possible.



My second child had started year 4 and was still very unhappy at school. She told me she felt sick and trapped, and the school phoned us often to collect her from school which meant my husband or I frequently needed to miss work. I eventually moved into full time child-minding to accommodate having to collect my child from school so much - it was often once a week.

I spoke to the various staff members about her many times and we had tried lots of ways to help her settle in and to ease her sickness but nothing worked and the staff actually made things worse by on one occasion locking her into a store cupboard with another girl so they could sort out their issues! I bought a parenting book on helping children settle into school and it mentioned home education and Education Otherwise...

School wasn't working out so we decided to home educate our children. This began a very stressful and difficult time for us. The Board refused to deregister the children from school and pushed aggressively for a home visit, though they had no concerns other than my desire to give information about our education in writing.

"They abused their power as Education Authority in an attempt to bully me into compliance."

Education Welfare Officers appeared unannounced and demanded to see my children; when I refused I was threatened with referral to Social services for being a 'disagreeable parent'.

They carried out their threat and I received a letter from Social Services stating:

"Whilst it is your right to educate your children at home, your lack of co-operation raises concerns that the children's educational needs are not being met and, as a Trust we have a duty to protect children to ensure that they are being facilitated to their full potential."

Though I was supported by the Social Worker assigned to me as a child-minder (who wrote me a glowing report) and had support from my MLA and solicitor as well as from the home educating community, the

Boards continued to push for access to my home and children, not accepting any other form of evidence. They refused to detail any of their concerns in order that I could address them.

I was telephoned while away on holiday by a very aggressive social worker who demanded to see my children that day, or she would take them away for private interviews. Had we not been away I believe they would have been removed.

Finally my MLA was able to contact the Chief Executive of the Board and asked for a meeting; this produced a letter stating that it was no longer necessary to meet with us. We did meet with the social worker, having been advised that this would be sensible, and were surprised to see that she filled out the Education Board's forms for monitoring home education. She concluded by stating that we wouldn't hear from her again. Ultimately our case was resolved with the help of legal and political pressure, but we were amazed how far the Boards were prepared to go to win what was essentially a power struggle, and had nothing to do with assessing my children's education or any concerns about it.

Their only concern was that I did not give them access to my home - something they have no power to demand. They abused their power as Education Authority in an attempt to bully me into compliance.

We have now been home educating happily and successfully for several years and my children are doing very well. They have regained their confidence and love of learning, they take part in the community through Duke of Edinburgh and St John Ambulance where both have gained certs of first aider, radio communicator, health and hygiene, awards for fundraising, and most committed, and they did well in competitions too. They have both recently gained accreditation through Queens University.

“... in the same way home education is not suitable for our son, school was not suitable for our daughter.”



My eldest child achieved a life-saving badge in swimming, runs a half marathon every year to raise money for charity, and was involved in a living history display; he is studying computer game design and has a place in a desired course at college due to start in September. My second is currently studying animal care and volunteering in the community at an animal centre; she bakes, decorates and sells cupcakes to raise money for charity and makes animal treats for pets with allergies; she runs a dog grooming salon from home.”

[Dealing with speech difficulties; home education after nursery](#)

“Our seven year old was born with nodules and constriction of the throat and had almost no intelligible speech at three years old although she had been under intensive speech and language therapy for two years prior to school age. Nursery, with its identical Foundation Stage curriculum, provided an excellent grounding for her in a caring and well-staffed environment, but we felt that she would have become lost or left behind when she became old enough for formal schooling.

I had seen a documentary with a family who home educated in the USA and I began to look into home education in Northern Ireland. Luckily I came across Education Otherwise who put me in touch with other local families who had decided to go this route.

Initially my partner and I decided to try for a year and see how we get on; we figured if it all goes wrong we can enrol our daughter in school. We have an older son who attends high school and enjoys the structured learning of that environment, in the same way home education is not suitable for our son, school was not suitable for our daughter.

During our first few months we tried to create a school at home but that soon was abandoned and a more child-led approach adopted. After our trial year we had no intention of stopping, we had become more knowledgeable about home education, we were more confident and our daughter was thriving; she was showing herself to be independent, clever and enthusiastic about learning, her natural inclination for science and mathematics became apparent and we encouraged her to develop these skills.

Three years on and our daughter is an active and engaged child. She is immensely focused when she wants to achieve something and will often voluntarily sit at an activity for several hours and on successive days. Mandated “learning experiences”, however, are not so successful; she is well aware if she is being manipulated towards a certain goal and does not learn well under these conditions.

“I never knew home education was an option; I didn't even know it was legal.”



I think the biggest endorsement we can give for home education is our decision to home educate our youngest child too; she begins formal home education in September but she has already attended home education groups and meet ups with her sister. We've come to love home educating our daughters; they are friendly, healthy and active, they regularly attend kickboxing, violin, and Rainbow Guides and they mix with home educated and schooled peers alike.”

Rebuilding confidence after school

“I never knew home education was an option; I didn't even know it was legal. I didn't know anyone who did it, or even why anyone would bother when there are so many schools about. That changed after struggling through four years of primary school with my oldest daughter. She was a happy, bright, confident and fun little girl but had a June birthday and had to start primary one after just turning four. As her parent I knew she wasn't ready for P1 and spoke to the principal - I was told that she had to start then and it was illegal to hold her back.

She started school aged four years and two months. For the first week she was so frightened. Every time they left the classroom to go somewhere she would cling to the teacher; sometimes she would put her fingers in her mouth and make herself sick. This was very stressful for all concerned. She struggled with reading, so while her peers were progressing and enjoying learning new words she began to avoid learning activities.

In P2 she kept rubbing her ears saying she couldn't hear. We got her hearing tested at the doctors - nothing wrong.

“I just couldn't sit and watch her worrying and feeling more and more insecure, and I decided to remove her...”

She continued to struggle with reading and her academic confidence grew less; she learnt to copy others' work and ask others for answers. In P3 a different symptom, in P4 another one... She still wasn't able to read and constantly told me about her friends' achievements and how "stupid" she was. I went to the school three or four times a year and asked about holding her back, or getting her tested for dyslexia. The principal said she probably did have dyslexia but they never test for it until much later.

You can imagine my frustration seeing my beautiful girl losing her confidence daily and feeling like no one was helping. I just dreaded her going to high school and ending up in the special needs class believing she was, in her words, "stupid". I just kept thinking, can this change?



Then a friend told me about home education in conversation and put me in contact with a woman she knew. I did nothing about it for a while, just trying to persevere and hoping something would click. Then on the last month of P4 she gave me her school report (every subject D-). She never asked what she got and she just walked away from her friends while they talked about theirs. The next morning she crawled into my room crying at 5:30 am saying she couldn't go to school as she couldn't walk (she was supposed to be visiting her next year's teacher's class room).

That was the final straw! I just couldn't sit and watch her worrying and feeling more and more insecure, and I decided to remove her and her two siblings from school. I was so scared of messing up. I telephoned the girl in my village and I think interrogated her for hours (poor girl she was very patient). Then I went online and spent days researching and planning how I would educate the children!

What a difference it has made! Now they all just seem to be soaking learning up. A year ago I couldn't get her to even listen to a story - it was like she was allergic to learning. But guess what? Nine months into home educating and she has read 8 novels! What a change.

My daughter is learning about biology (at her request) and zoology and as my son has shown an interest in sea-life, we have studied marine biology. We've researched our family as a genealogical project and have interviewed family members, spilling into videography and journalism. We enjoy regular trips to the planetarium to do stargazing and last week I found my daughter sitting on a blanket in the garden reading a space book, for fun!! My children followed the 'Great British Bake Off' and now after seeing how they had to use vegetables for baking they want to spend a day as a wartime family- eating what they ate, dressing how they dressed etc... They even told me they wanted to go to the park and imagine what it would be like to spend the night there during an air raid (like Granny did). My daughter has been moved to the first team in her swimming club squad, joined a running club and I have to say we are all having a ball! My only regret about home education is that I didn't do it sooner!"

[An autonomous approach from the start](#)

"We started home educating our first child while we were living in Switzerland; now that we are living in Northern Ireland we home educate our four children aged 11, 9, 7 and 19 months. We take an autonomous approach to education as we have observed that children learn best when they are interested and engaged.

One of the advantages of educating children in such a small group is that we can tailor make the education to each child without over-stretching or hindering the others. Sometimes they are happy to explore a subject

together and at other times they want to do very different things from each other. This is something that we can easily facilitate.

Each child's education can change dramatically over the course of a year, moving from a hands-on, experimental approach to one more centred on books and reading or mathematics. For this reason it is impractical and undesirable to create a programme or curriculum and stick to it.



We have many materials for the children to learn with at home. An ever expanding bookcase, art and craft materials, science equipment, maps and atlases and of course access to the internet.

We make just as much use of facilities outside the home too; we visit the library regularly, go to museums, parks, sports facilities and go to the countryside to study nature.

Our children also take part in many activities. They are members of the competition level squads at Rathgael Gymnastics where they train up to 6 days a week.

They also take lessons in swimming, diving, group and solo violin, ballet and BSL signing.

We have continued their German since leaving Switzerland and we also learn French, Italian and Mandarin Chinese."

[An eclectic curriculum from the beginning; home educating for religious reasons](#)

"The Bible tells us that God has charged parents with the responsibility of training their children. Our desire is to see our children fulfil their God-given capacities and be a blessing to their community and to society in general.

Every parent is a home educator. Even children who attend public educational institutions do most of their concentrated learning at home, in the form of 'home work'. The main difference between school versus home education is the variety of choice, freedom and flexibility which the latter presents to the family. We have spent a great deal of time studying the way children learn and though our children do not have 'special educational needs', they do have unique needs, as every child does.

We chose to build an eclectic curriculum comprised of Montessori, Suzuki and Classical educational methods and materials. Some of our days are more structured than others, but every day the boys enjoy large chunks of time to play and be imaginative, as well as studying and exploring through the curriculum. Their Duplo constructions have developed from simple structures to complex, multifunctional systems, which have ranged from self-sufficient, sustainable towns to scale orchestral instruments. They always provide a detailed and entertaining narrative to accompany this.



"...we have observed that our children learn best when they are interested and engaged."

An example of the activities that we do was this archaeological dig during which the boys 'discovered' artefacts as if they were archaeologists a century from now. They had to theorise what the items were for and describe the type of people who would have used these things. It was great fun and a wonderful learning experience."

Different styles for different phases, including school

"We started to home-educate because our second child had an end-of-June birthday, and we felt very strongly that going into a classroom environment at the age of four and two months would damage him.

Our older son, then happily attending a small primary school, asked to be home-educated as well. We decided to give it a try over the school holidays, and it quickly became obvious that home-education worked well for each of our children and for all of us as a family.



Over the years our home-educating "style" has varied - sometimes it is formal, almost (but never quite) "school at home". Sometimes it involves very little planned or scheduled workbook-type study - but there has always been a huge amount of learning going on.

I have always felt that an enthusiasm for learning is the first and most important requirement - without it, none of the rest can be effective or rewarding, and while I sometimes glanced at the NI Curriculum, I never saw it as something to aspire too - rather, it seemed to me to be very limiting.

As well as involvement in Scouting, martial arts, gymnastics, trampolining, swimming, music, Sea Cadets and Air Cadets, we've visited libraries, museums, art galleries, castles, parks, friends, beaches and many other places. When at home, the children's interests and pursuits have been many and varied.

One child became fascinated by the Romans and learned everything he possibly could - including how to do arithmetic using Roman numerals, which led him, aged six, to email the BBC to inform them of an error on their website.

Two others became obsessed by the Second World War, and they used a wide range of books, websites and television shows (documentary and drama) as part of their learning, as well as spending hours chatting with an elderly neighbour who had been in the Army during the war.

We hosted four Japanese teenagers who were in NI for an International Scout Jamboree, and despite the Japanese teens having almost no English, and my children having almost no Japanese, they spent four days together teaching one another through demonstration, pictures and a great deal of laughter. Their visit and the gifts they brought us led to learning about Japanese history, culture, mythology and manga.

We became involved in a foreign exchange programme which led to us hosting children from France and Germany, as well as some of my children spending time living with their families, during which they became fluent in French or German (the programme involves spending up to six months abroad, with complete language immersion).

"I have always felt that an enthusiasm for learning is the first and most important requirement."

We still maintain and value our relationships with our children's "French parents" and "German parents" as well as our "French son" and "German son".

And then there was school... My eldest took his French GCSE at age 14, having returned some months earlier from his time in France, and used his A* result to convince the OU to let him register for courses. He continued to work independently towards other GCSEs during that time, and achieved As and A*s in all three

“Having never done even a spelling test, he took a grammar school entrance exam and ...was offered a place the same day.”

sciences and maths by the time he was 15, as well as picking up some BTEC qualifications through Air Cadets and getting various awards (e.g. for Youth Development courses) and running our local Explorers and leading a youth group through a multi-cultural organisation.

I gently pushed him towards going to school for his A-levels, as I felt he would benefit from that stage of school. More than one local grammar school was keen to have him, and he enjoyed sixth form and his continued A-level study.

Meanwhile his results with the OU led to the offer of a place on its OpenPlus programme, and through that he went to Loughborough University in September 2013 to enter straight into the second year of his degree course (having more than fulfilled the requirements for the first year through the OU). He has now switched to a Masters programme and will complete his MPhys in 2016 (unless he decides to take a year out and work or study overseas for a year, as has been suggested...) before a PhD in Mechatronics.

My second son leaned more towards art and drama, and as those are more difficult (though not impossible) to facilitate at home, he chose to attend school for his GCSE courses. Having never done even a spelling test, he took a grammar school entrance exam and did so well that he was offered a place the same day. He started a few weeks later, at the beginning of September 2011, and achieved 11 GCSEs, including 4 As and 2 A*s. He is now awaiting AS results for maths, physics, chemistry and biology and looking forward to his A2 year.

My third child thought about starting school when he was about 14, but a place came up sooner than expected and the school asked him to sit the entrance exam when he was almost 13. He sat the exam and was offered a place, which he accepted. Starting only six days after being offered a place was a bit "in at the deep end", but he thrived, and within his first few days he was entered for the Junior Maths Challenge, and achieved a Bronze Certificate as well as a Certificate for Best in School.

He is now part-way through his GCSE courses and predicted to achieve almost all A and A* grades. When asked a few months after starting school if there was anything he'd missed by not going to school sooner, he thought for a moment and replied, "Well it was only when I started school that I learned about spit-balls!"

This is just a fraction of what we've spent our time doing - a full picture of our home-education would take chapters and more months than I have available!"

Settling in to home education

“As a family of five (three children, two adults) and with a background in primary education, in the short space of three school years, we became very disillusioned by the education provided for our children in school settings.

We wanted it to work and we tried hard to make it work but there came a point where we started to consider viable alternatives and home education. The greatest contributing factor that led to our decision was seeing a radical change in our children when in the school environment: these changes included exhaustion, stress, and absolute boredom.

Home Educating has been amazing but not always easy; the decision was not made in haste. We gradually realised that school, by its very nature, could not provide a full and enriching education for our three unique, diverse and individual children. As a teacher, this was a tough admission for me to make.

Our concerns were as follows: Our children were being taught inappropriately for their age and ability; they were denied basic needs such as access to regular drinking water or toilet facilities; they were not properly looked after by the adults who were responsible for their care; their work was not valued; homework was excessive; learning objectives were unclear; teaching and learning was repetitive; their day was spent inactive in a crowded classroom with an insufficient adult to pupil ratio and there was a distinct lack of learning through play for an early years class, to name but a few.

As a professional I could see clearly that the teaching and learning they were experiencing was totally inadequate.



“... we have seen our children’s natural desire and ability to learn emerge.”

We researched and discussed the legalities of home education, we read books, we joined online forums and we met with other home educating families. Then we sat down one evening and drafted a de-registration letter.

Despite initial reservations, the Head Teacher was very supportive and he informed the SELB of our decision. Other than an initial letter from them (to the wrong address) we have had absolutely no contact since other than to discuss the draft proposals.

This is a transitional time where we have not engaged in formal learning. As a teacher, it was a great challenge to embrace that concept in itself. As adults we have had to unlearn: to let go of our own expectations and taught perceptions, to let go of the desire to formally teach and to learn how to be more responsive and to facilitate. As we have sought out new experiences and new friendships we have seen our children’s natural desire and ability to learn emerge.

It has been a joy to see our children rediscover their own interests, to take ownership of their lives, to thrive with responsibility for their own learning, to set their own challenges and to rise far above them. Ironically, since leaving school, our children have learnt much more than ever before!

Life is noisier, more diverse, more colourful, much more exciting!”

Classical curriculum from the start

“We decided early on that we would home educate our children.

A number of our friends were home-educating their children and it seemed so natural and inspiring for both our children and family life. We use a set curriculum, which includes the subjects Maths, Language Arts, Literature, English, Science, Geography and History. Our three children are aged between 8 down to 4. The curriculum is based on a classical education, where in the early years lots of facts are presented to the child, memorized sometimes by song, but also repeated every four years in the curriculum.

Our children’s knowledge of the world at age 8 and 5 is far superior to any education we received ourselves. So far we have looked at different civilizations around the world and throughout history, including Egyptians, Greeks, Romans, Incas, Vikings, Medieval, and this year American history from Columba to the Civil War.

The nice thing about following a curriculum is that you know exactly what you are covering each week, and subjects like history and geography are reinforced with the carefully selected novels and fiction that we read together.

For science we cover a range of topics from biology to nuclear energy, receiving a box of materials for experiments throughout the year. We spend on average 1-2 hours a day at the kitchen table covering

“We spend on average 1-2 hours a day at the kitchen table covering written subjects, and much more time ... learning life skills you can’t be taught from a book!”

written subjects, and much more time snuggling on the sofa with great books, out in the garden doing experiments, or learning life skills you can’t be taught from a book! Knowing our children, knowing their interests, and knowing their strengths, education becomes a much more organic thing which occurs at all moments of the day.

Formal education is covered in 4 mornings a week, leaving one day a week flexible for educational excursions and fun with friends. We meet with a few other families once a fortnight for Spanish and Art, as well as many informal meet ups with our network of both home-educated and schooled friends.



The children are also involved in many activities outside the home including church youth activities, tennis club, piano lessons, Irish dancing lessons and football.”

... and some groups they attend

There is always a lot going on in the home educating community – from casual meet ups to regular groups. The local groups change and develop all the time to meet people’s needs, while HEdNI and the online community act as umbrella organisations to bring everyone together, facilitate new ideas, provide peer support and keep the local groups in touch.

People from all sorts of backgrounds and communities home educate - there is so much they can all bring to share and help others. A huge amount of help, support and advice is available from the first moment new home educators get in touch to the time that their children complete their education. Here are brief stories about two groups currently doing exciting things in Northern Ireland. One is well established, the other just starting out.

North Down Home Education Co-Operative – an established group

“The North Down Home Education Co-operative was started in April 2013 in response to a growing need for more local meet ups for home educators near Bangor. We meet twice a month in a council run hall in Bangor and arrange additional outings and social gatherings throughout the year.

Members come from all sorts of backgrounds and all over Northern Ireland, and we are able to draw on their different skills and expertise. The group is an opportunity to meet other home educators for those starting out, and get support and advice.

We are in the process of constituting the group in order to take advantage of the discount offered to constituted groups by the council and in order to apply for funding. Up until now the hall and any additional materials and facilities have been paid for by the parents themselves.

Each co-op meeting takes a different theme, and families pool resources and expertise in order to present the subject in as interesting and engaging a manner as possible. At each meeting there may be a mixture of presentations, hands on experiments, craft activities, baking, reading and writing and play. Sometimes we

“Last year we produced our own (pirate) Christmas play with music and dancing”

invite experts to make a presentation or take a workshop.

We have covered subjects as diverse as The Planets, China, Ceramics, The 1940s and World War II, Chemistry, Poetry and The Sea. Last year we produced our own (pirate) Christmas play with music and dancing and created everything for the production ourselves, from costumes and props to scenery. It was a great success and a fantastic experience for the children.



We hold a sports day once a year with both fun and competitive races for the children, as well as opportunities for children to demonstrate and teach the sports and skills that they are good at and enjoy.

Nearly 40 families are members of the co-op and between 5 and 10 families attend each event.”

South Down Home Schooling Co-Operative – a new venture

“New groups and new ideas appear all the time in home education – they form, change and reform according to the needs of the local home educating families as they grow. The South Down Co Op is relatively new, growing out of online communities and concern over the Draft Policy...

Like most good things in life, The South Down Co-Op began with a coffee! Two home educating families found each other through the online community and decided over a cappuccino to support each other in educating their children, and make contact with other families in the area. We want to provide regular opportunities for our children to get together for fun and friendship, as well as education.

When we started to hear about the Draft Policy there was a lot of discussion and concern about the impact that the proposals would have on our children. When the time came to meet with the SELB consultation panel we found ourselves and three other home educating families in the South Down area all in the same room!

There was a fantastic buzz when we all came together and found we had, despite different experiences, so much in common. It was a few days later that we decided to connect more officially and in a more inclusive way that would enable all families to be part of all discussions and meet ups.

It is so encouraging to hear other people’s stories, to connect with others on a regular basis and to see our children flourish in a shared environment. We have a feeling that what started with just one coffee will involve a whole lot more in the future!”



Why home educators are wary of the Boards

The Children's Law Centre has suggested that parents have no need to worry about the draft policy, since it does not change the law and therefore cannot mandate home visits and inspections.

There are two reasons why this is not comforting:

- First, when the Department and the Education Authority agree to bend and twist the law then families suffer. An individual family has little chance of keeping the Boards within their legal powers.
- Second, there is a history of misrepresentation and harassment leading to a deep mistrust of the Boards amongst home educators.

We know from experience that the almost certain consequences will be:

- The Boards will exert considerable pressure to gain access to family homes and interview children.
- Parents who succumb to the pressure to have a home visit and/or their children interviewed have as much reason to fear as those who refuse. The Boards have already shown themselves to see home education from a position of prejudice and mistaken assumptions
- Initial 'pastoral' visits will develop into more formal testing and controlling relationships.
- Unfounded referrals to Social Services will increase.



Each individual family will have to choose between submitting to the scheme, sending their children to school and undertaking a long and costly legal battle. Some poor family will ultimately be forced into becoming the sacrificial lamb, if they have the resilience and resources to pursue a judicial review. It should be noted that Data from Freedom of Information reveals that almost all registered home educators are asked for home visits and work samples, and there is a correlation between refusal to comply and referrals to Social Services.

The cascade of interventions

This is a narrative composed from difficult events which have happened to a significant number of children and families in Northern Ireland under the present policies of the various ELBs. The author knows the original stories from her experience as a long-time volunteer at branch level with as volunteer telephone support for home educators in Northern Ireland with Education Otherwise and also with Autism NI. It also includes her own story and the experience of her own family.

“The story usually begins when a child becomes distressed in school. They may be enduring bullying, or they may suffer the discomfort of extreme social isolation or repeated failure, or the sheer noise and turmoil of an average classroom may be overwhelming for them. The parent is quickly aware that the child is in distress, although it may be some time before the child can tell the parent exactly why.

“The child becomes increasingly distressed and the parent soon loses all faith in the school system to care for her child.”

Part of a parent's role is to protect his/her children. If she finds a reason for complaint, such as the child is being bullied, she will gather her courage, contact the school and ask them to fix the matter so her child can continue with his education in a happy manner. The school does not like parents who complain. Teachers and principals are under great pressure over standards,

academic attainment, being in *locus parentis*, and spotting child abuse; they can often feel squeezed in the middle when parents then complain to them as well. For whatever reason the response to the complaint may be inadequate to the needs of the child. An opportunity for collaboration has been missed and the story goes downhill from here.

The child becomes increasingly distressed and the parent soon loses all faith in the school system to care for the child. Absenteeism increases as he gets more hysterical or sick, and the parent is no longer able to watch her child's distress or to force the child through the necessary procedures to arrive at school ready to learn. Education Welfare Officers may be involved at this stage, and the parent will be seen as the source of the absenteeism, instead of the school and the problem the child has there.

At this stage it is unlikely that the parent will have been offered any choices or services other than the return of the child to school in a phased fashion. She may have been threatened with 'further' action against her if she does not accept this proposal. The parent and the child are now afraid of the continuing pressure to attend, along with the veiled threat to the family, while the initial problem has not been dealt with. The only choice in a situation where no one is listening to the child's needs, except the parent, is for the parent to choose to home educate – if they know that they legally can, but few do. If the parent finds out about home education and attempts to de-register her child, the school may see it as the parent becoming more difficult and may attempt to put her off with wrong information; the EWO may continue to see this as a

'welfare' case; and the child may have a Statement so other professionals involved will all be informed about the difficult behaviour of the parent. The decision to home educate will be seen as a parental evasion rather than a viable alternative and the free choice of the child, and the parent will be blamed.



“There seems to be a policy...that a ‘difficult’ parent should be persuaded to comply with requests for access by frightening her about the possibility of court and/or her child being taken away”

By the time the EHE officer is seeking a visit there may well be an extensive file on this parent which gives a prejudicial image. The parent is most unlikely to have seen the documents about her, and the processes she is being carried along in will not have been explained to her. With her back to the wall the parent may de-register anyway or take the child out of school without any knowledge of the de-registration protocol – not a good idea! The child has been severely traumatised by the events in school, and the palpable stress building within the home now because of the external pressure adds to his distress and confusion.

The parent, understanding the child's distress and the reasons for it, tries to protect him from the stress of

further intrusion from professionals such as Board Officers which she does not see a purpose for, or she has discovered that she is not legally obliged to accept. Both the parent's 'stonewalling' and the child's behaviours as they come to light are seen as proof of the parent being a problem.

There seems to be a policy (not in writing anywhere) that a 'difficult' parent should be persuaded to comply with requests for access by frightening her about the possibility of court and/or her child being taken away¹. This threat has the parent so terrified that she increases her efforts to protect the child by keeping the intruders away. This is further seen as the parent having something to hide.

Still more professionals from DHSS may want access, and a multi-disciplinary team may be set up, and the family may be referred to Social Services and put on a line (Gateway) that leads possibly to support but can also lead to Child Protection proceedings. The parent feels that she is under some kind of suspicion and needs to prove herself innocent of something she has not been clearly charged with.

As the parent becomes more stressed by more professionals checking her out, and more evidence of distress in her child, her behaviour will mirror that of someone emotionally disturbed. She is desperately pleading her innocence at the same time as having to ensure that these intruders do not do things to her child which she knows will cause him further mental and emotional harm.



Unfortunately the professionals may not recognise the difference between the effects of their immediate stressors on the parent and real emotional-mental health issues.

The parent is now known to the staff of the Board and DHSS as someone who is not capable of making sound judgement and who needs to be watched. Every argument she makes for the best care of her child will be dismissed. Every emotion she shows will not be seen as mother love or righteous anger but as hysteria.

If the child gets a chance to air his opinion to the professionals and states his desire to be home educated the parent will be accused of having influenced the child to her own ends, whatever 'ends' might be imagined by them.

Angry conflicts dominate every meeting, with the over-wrought parent proving again that they are correct in their labels for her by her heated and disordered behaviour. The parent may now be accused of causing 'significant harm' even though there are no clear issues of 'concern'. Even in the absence of real evidence of abuse, it cannot be guaranteed that investigations will result in the revelation of the truth and the restoration of the family.

Finally, after the immense trauma to the whole family of going through an investigation and possibly a court care order, the child will be returned to school, with or without force, but without the consent of either the parents or the child. Worst of all the child and other children may be taken into care if the distressed mother cannot hold herself together throughout the proceedings.

“The parent feels that she is under some kind of suspicion and needs to prove herself innocent...”

¹ See 'Blossoming after bullying from the Boards' on page 7 for one family's experience of this.

“...the parent will be accused of having influenced the child to her own ends, whatever ‘ends’ might be imagined by them”

If the child is later found to have severe emotional disturbances the parent is again blamed and no responsibility is taken by the authorities for the effects of their actions and inaction. And if the mother’s mental and physical health breaks completely (and parental suicides do happen where care burden and stress have been too great) the professionals can feel vindicated as the parent is now proven as not having been equipped to raise her own child.

In this story the children have been vulnerable children to begin with and they did not have their needs met within the education system. They were not protected when they needed it. Instead their problems were made worse by the efforts of professional personnel to tick just one box in their believed ‘duty of care’: the box that ensures they cannot be sued for missing a case of child abuse by a parent. This constitutes abuse of these vulnerable children.

If, like in my own story, the parent manages to eventually escape this spiral, then children’s confidence can be rebuilt, a love of learning can develop and children can receive the education they deserve. No family should have to go through all of that simply to be able to give their children an education.”

Assumptions of the Boards

This story is underpinned by a number of unspoken and unquestioned assumptions which send the professionals down the wrong paths, wasting resources and damaging young lives in the process.

- **That home education is a welfare issue.** These families are not in need of welfare involvement before the intrusions begin. They are simply trying to do their best to fulfil their duty of care, emotional, physical and educational, for their own children. The involvement of welfare has been without base from the start.
- **That professionals know better than parents what is good for their child,** even though those professionals have only met the child briefly and in an artificial situation, have not had any in-depth education in trauma psychology, and have had no training in home education. The parents have had many years of experience in parenting their own child: they know his strengths and challenges, they see him in his natural every day self and they support him in his inner vulnerable self, struggling to cope with the world.
- **That parents are choosing home education for their own reasons which do not take consideration of the child’s needs.** What those reasons are is not made clear (apart from their religious persuasions which are allowed under anti-discrimination codes) but it is generally



“The parents have had many years of experience in parenting their own child: they know his strengths and challenges”

assumed to be satisfying to the parent and damaging to the child. Many parents did not choose home education but came to it as a last option in caring for their child. The rest have chosen on the basis of firmly held and passionate beliefs that education and loving care for a child is best achieved in the home, where both are aspects of one process. Besides, most parents actually take time to discuss educational methods with their child and get their opinion.

- **That home educated children are isolated;** and also that the cure for introversion (is it right that someone should be cured of their introversion?) is to put them into crowds of peers in a classroom. Home is the ideal place for sensitive children who find socialising difficult. From the home they can take small steps into the community, gradually building up confidence as they mature at their own speed.
- **That proper education takes place seated at desks and consists mainly of prescriptive exercises and rote memory practice.** This methodology, and the National Curriculum's narrow range of study subjects, are just one corner of educational theory and practice. Many other subjects and methods are practised and continuously debated, and all have validity.

Why are the Boards worried about home education?

Though the rhetoric of the Department of Education and the Boards has been about the rights of children and welfare, there is no evidence that there are any grounds for these concerns. There seems to be a deep and unexamined conviction that home education simply must be bad for children, and that home educating parents must therefore have an ulterior or suspect motive for choosing that path. In fact the presumption should be that parents care for and educate their children in compliance with the law.



The needs of the adult and not of the child

The Minister has raised a concern that

“... the majority of Members who have spoken on the matter have spoken about the needs of the adult and not of the child”

(Ministerial Answer 23rd June 2014)

But those who are concerned about this Draft Policy are worried about the impact on children, not on parents. The policy threatens their education, their welfare and undermines the work of Social Services to provide a safety net for all children.

We believe that by usurping the duty to educate, the Boards will undermine parents' ability to provide a suitable education according to their children's age, ability and aptitude – not only for those children who are home educated but for all children.

Whether parents choose a certain school, curriculum or educational philosophy, or home education, they are best placed to assess what is right for their own child.

To replace this subtle judgement with the crude assessments of the Boards could deprive children of the education that would be best for them – and make the Board liable for forcing parents to fail in their legal duty to provide a suitable education.

Parents should be focused on their child, not on the requirements of the Boards.

The Minister raised the following points as unarguable:

“I understand that the boards' draft home education guidance document does not include any reference to the inspection process but proposes that each board will undertake monitoring that will focus on a child's welfare; ensure that a child has access to education suited to his or her age, ability and aptitude; and provide advice to parents on educational resources.”

(Ministerial answer 23rd June 2014, Hansard)

The distinction between inspection and the monitoring process described in the Draft is at best a fine one, and is entirely meaningless to those faced with the prospect of such intrusion. Taking each of the points individually, we will explain why we *do* object to the principles raised.

“...each board will undertake monitoring that will focus on a child's welfare”²

Objection: The Boards have no power or duty to monitor the welfare of home educated children. They have a duty to refer any concerns that may arise to Social Services, as we all do irrespective of educational provision.



The Education Order does not mention welfare in respect of the Boards' duties with regard to elective home education. Home educated children benefit from the same protection as all children, registered with school or not; the same mechanisms exist to protect them and respond to any concerns.

If the Department wishes to create specific procedures applying only to home educated children, they must create primary legislation to do so, and in order to justify this they must produce research to demonstrate an increased risk for children educated outside school, and also that school is a protective factor. If the Department cannot do this then they are merely operating on prejudice.

“The law does not require that parents listen to Board ‘advice’ over their conscience.”

To confuse welfare responsibilities with educational assessments is to put children at risk - not only home educated children but those in need, who need the resources being wasted on healthy families. The Boards should take children's welfare seriously enough to refer concerns to the proper agency as they have a duty to do. This is no area for them to turn vigilante.

“...ensure that a child has access to education suited to his or her age, ability and aptitude”³

Objection: This is the parent's duty, not the Boards'. The section of the relevant legislation creating the duty does not mention the Boards at all - they merely have a reactive role if it appears that a suitable education is not being provided.

² Ministerial answer 23rd June 2014, Hansard

³ Ministerial answer 23rd June 2014, Hansard

Setting aside the apparent and offensive assumption that parents are pursuing their own agenda rather than the wellbeing and education of their children, parents are the people who know their own children best and are best placed to assess their ability and aptitude. The Boards have a duty to provide an education to registered school children; we are not convinced that their record in this is so spotless that they should dictate to those outside school.

“Parents should be focused on their child, not on the requirements of the Boards.”

Many families came to home education precisely because schools were unable to provide a suitable education to their children – because of their special educational needs, because the schools dealt ineffectively with bullying or other issues, because they failed to stretch and encourage - and so the parent realised they could only fulfil their legal duty to educate by de-registering.

“...provide advice to parents on educational resources”⁴

Objection: We have no evidence that the Boards are willing to, or capable of, providing useful advice. The record of Boards’ interactions with home educating parents is littered with misinformation and even harassment. We have no reason to trust the Boards’ advice. Every evidence we have suggests that there is no expertise in the various methods used in home education. The Boards’ officers are untrained in home education and display a notable prejudice against it, not least in the draft policy before us.

Home educating families are obliged to receive the advice of the Boards under this Draft Policy, as part of compulsory monitoring. The law gives parents the duty to educate, but this scheme asks parents to accept the Boards as their line-managers, making the ‘advice’ far closer to an order. The law does not require that parents listen to Board ‘advice’ over their conscience.



“In what way do you reassure yourself that a child ... is being properly home educated?”

“Can everyone in the Chamber reassure themselves? In what way do you reassure yourself that a child who is being home educated is being properly home educated? How do you reassure yourself of that? I ask that because it appears to me that everyone who has spoken on the matter thus far is completely reassured — they have no hesitation whatsoever in endorsing the current guidance and saying, ‘Yes, children are being properly home educated. We can reassure ourselves, 100%, that, in every case, the children are being properly home educated.’”

(Ministerial Answer 23rd June 2014)

Many home educated children have been deregistered from school precisely because they were **not** receiving a proper education there. The parents of those children are therefore justifiably horrified that the very authorities who could not provide a suitable education now turn and accuse the parents of failing their children.

There are sufficient safeguards and powers in place to react to cases where there are concerns or problems. We know of no research or evidence to suggest that there has ever been a single case where a child would

⁴ Ministerial answer 23rd June 2014, Hansard

have been saved from educational neglect if they had only been registered and monitored once a year. We are aware of many stories of children being failed by schools and we suggest that Boards focus on these areas where they have legal responsibility.

The motivation for the policy

The origins of the policy have been very difficult to discover, but through the use of Freedom of Information (FOI) requests and persistence we have been able to discover something of its origins.

It all seems to come down to protecting the Boards from liability which they do not have, overlaid with a veneer of unsubstantiated concern about children and extensive but selective quotes from the United Nations Convention on the Rights of the child.

If the Boards wish to give due weight to the Convention, then they will respect children's right to their parents' *"appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention"* (Article 5) and the *"rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child."* (Article 14(2)). They should protect the child against *"arbitrary or unlawful interference with his or her privacy, family, or correspondence"* and *"unlawful attacks on his or her honour and reputation."* as required by Article 16, and respect the principle that *"Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern."* (Article 18).

In the last days of the consultation a flood of FOI responses arrived that reveal a deeply disturbing prejudice in the Education and Library Boards and the Department of Education against home educating families. The record shows a deeply held belief among the Boards that Elective Home Education is risky or wrong for children. Pejorative language is used, such as "missing children" as a term for home educated children who are quite legally not registered with the Boards, and parents' mental health is called into question simply because of their educational choices. This sense that they just "know" that home educated children are at risk has apparently prompted them to lay claim to powers that they know, or suspect, they do not have, in order to "protect" EHE children from the unnamed threat of their parents.

What is this lawsuit that the ELBs and the Minister keep referring to?

It has been stated many times that there is a case which exposed the liability of the Boards for the education of home educated children. **Under current law this should be impossible.**

The duty lies unequivocally with the parents, and any attempt to usurp this responsibility can only lead to *increased* liability for the Boards. If there really is a relevant case then it must be produced and used to show how the proposed changes would address the current policy failings, and not vaguely referred to as justification after the fact. An appeal for more information has been filed due to the number of public statements made about this case and the central role that the Boards and the Department of Education have assigned to it in the development of the Draft Policy.

"...there are sufficient safeguards and powers in place to react to cases where there are concerns or problems"

If research and data have not informed the policy, what has? Minutes released at the eleventh hour show:

1. A key proponent of the policy in WELB/SELB felt parents were choosing home education for the “wrong reasons” - e.g. the breakdown of their relationship with the school. **The same person states that some parents choosing home education have mental health issues.**
2. A senior staff member in NEELB made erroneous statements about a non-existent tribunal case as a reason for a policy.
3. There were multiple references in minutes over a two year period from all the Boards and the Department about child safety in home education – yet no data of any kind has been shown to validate that concern.
4. The Boards and the Department were aware that they do not have the legal right to assess a child without parental consent. Yet they made this a mandatory part of the policy.
5. The Boards were in doubt that the Children Order of 1995 applied to home educated children, yet chose to make it a key justification for the new powers in the policy.
6. **The Boards and the Department chose to label unregistered home educated children as “missing children” with implications of risk of harm,** though there is no legal requirement to register.
7. The Department encouraged the Boards to seek confidential data on nonregistered home educated children from the DHSSPS and the NHS without seeking parental consent.
8. The Department and the Boards had plans to create a regional database of all EHE children, with serious implications for data protection and the right to privacy.
9. The Boards believed that children not in the public education system have “opted out” of the Special Educational Needs (SEN) Statementing process, yet chose to include an invasive and mandatory SEN process in the policy.
10. The Boards sought to involve the Education and Training Inspectorate (ETI) to inspect home educating families and were unable to do so as the remit of the ETI only applies to children in schools.
11. The Boards and the Department were aware that they were encroaching on the role of the DHSSPS in the area of child safety in the home, yet proceeded to lay claim to those powers in the policy.
12. There were multiple references in the minutes of the need to “manage”, “monitor”, and “assess” home educating families, despite the fact that the Department and Boards were aware that they do not have such powers.
13. A senior staff member of the Western and Southern Boards circulated the Home Education Policy for the Republic of Ireland to all Boards as guidance for the development of the policy. But the model cannot simply be adopted or understood in the Northern Irish context, because the system in the Republic of Ireland is underpinned by a constitutional right to home educate and uses completely separate primary legislation.

The FOI response that completed the picture arrived a week before the end of the consultation, revealing that there is **no data and no research behind the policy.**

1. The ELBs had issued no School Attendance Orders to EHE families.
2. Only one family has been referred to Social Services and it is unknown for what cause or whether that family was already known to Social Services.
3. All ELBs report that no study was done nor data referenced that indicated risk to children in EHE.
4. Almost all registered home educators are asked for visits and work samples, and there is a correlation between refusal and threats of referrals to Social Services.

Research

Home education and Autonomous Learning – Alan Thomas PhD and Harriet Pattison PhD

This brief was prepared by Alan Thomas PhD, FBPS and Harriet Pattison PhD of the Institute of Education, University of London.

Our joint and separate research projects have covered over 400 families with a wide geographical net including the UK, USA, Australia, Ireland and Europe. Our work has included a range of home educating styles and philosophies, from the highly structured to the very unstructured and autonomous styles of education. Our research has been conducted via a number of research methods, including observation, participant observation, interviews including group interviews and family interviews, case studies, discourse analysis, and questionnaire analysis.

We acted as advisors to the all-party Parliamentary Group on home education in 2010. We submitted joint Uncorrected Evidence to the Select Committee Inquiry into the Badman Review (Uncorrected Evidence 16 www.publications.parliament.uk), and subsequently assisted in compiling the University of London, Institute of Education invited response to a Government White Paper relating to home education in 2010. We co-authored an invited written brief on home education on behalf of the Institute of Education for David Cameron when he was leader of the Opposition. Alan Thomas has been consulted prior to home education legislation in Australia (Victoria and Tasmania) and Ireland. We have also spoken extensively nationally and internationally about our research.

Key Findings

1. Home education covers a wide variation in educational styles which families are likely to adapt over time in accordance with a range of factors. Some may wish to use a structured approach similar to that used in school. Other approaches may depend more on the child's own interests and wishes, the age of the child, the family circumstances, the number of years the family has been home educating, the age of the child and the desire to sit external examinations. The result is that structure, including the making of advance plans, can vary greatly not only between families but within families at different points of their children's education.
2. Children who have been withdrawn from school after difficult experiences frequently require a period of rest and recuperation before being emotionally able to embark on school style learning programmes.



“...structure, including the making of advance plans, can vary greatly not only between families but within families at different points of their children's education.”

3. Learning does not necessarily follow the linear progression indicated by school programmes. A consequence of this is that children frequently do not adhere to the age related norms and targets used in schools; they are able to progress at their own rate. Progress towards age related norms is often characterised by fits and starts rather than a smooth continuous process. Thus a child who may appear to be behind at a certain point may well catch up and overtake school bench marks in the future. Many home educated children learn to read 'late' by school standards but are not disadvantaged in anyway by this and go on to become proficient readers in their own time.
4. Some key areas, including the basic skills of literacy, numeracy and computer/IT skills, are often learned not by having lessons in these areas but during the course of everyday activities at home and in the wider community. For example, in our research we have found many children who have learned to read with very little if any of the kind of teaching which may be necessary in a school setting.
5. Subject matters addressed at home can vary widely and often encompass skills and areas of knowledge not included on the school curriculum. We have found that some children follow passionate interests for years, going deeply into their subject matter. Sometimes these interests peter out; sometimes they form the basis for higher, formal education and careers. We have come across children with deep subject knowledge, sometimes in uncommon areas; to name a few: the Russian Revolution, computing, aeronautics, cookery, jewellery making, creative writing, Japanese culture, boat design and a wide variety of craft and technical skills such as spinning, weaving, bee keeping, welding and rabbiting. We also found children pursuing music and sports to quite high levels as well as for recreational purposes. Whilst the subject matter may sometimes be unusual we have found that children are able to develop thinking skills such as critical analysis, problem solving, logical and creative thinking and self-expression in a variety of forms through their interests.
6. School pedagogy tends to be based around direct transmission styles of teaching and to employ reading and writing as its chief methods. Home education is, in general, in a better position to make use of a wider range of learning media; for example, conversation, exploration and observation. At home, play continues to be an important learning experience often well into the age range at which it would be considered purely recreational in formal education. One of the results of this diversity of learning modes is that there may be a less than conventional audit trail of children's learning in the form of written work.
7. Parents do not need to be subject matter experts themselves in order to enable their children's learning. Parents often learn alongside their children or are able to offer practical and emotional

“Home education is, in general, in a better position to make use of a wider range of learning mediums; for example, conversation, exploration and observation.”



support to their children's own learning projects and interests. Children can become independent learners, able to pick their own projects and set their own goals. This has been noted as a particular strength of home educated children joining higher education; they are much more used to the independent styles of study required by universities.

8. On a social level, home educated children tend to mix with a wider age range of children than do school children where social life is often within age determined classes. Home education groups tend to include children of all ages and in some instances (e.g. at clubs or evening classes) children learn alongside adults. Time spent with siblings is often seen as an advantage of home education.

“On a social level, home educated children tend to mix with a wider age range of children.”

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Independent research into home education – Dr Paula Rothermel

I am a Chartered Educational Psychologist and one of the leading academics in the field of home education in the UK. My doctoral thesis on home education (1996-2002) remains the largest and most in depth and authoritative independent study of home education carried out in the UK. I am also the only expert witness specialising in court cases where home education is an issue. In 2009, I was invited to meet with Graham Badman and contribute to the Badman Review on Elective Home Education in England. I further submitted evidence to the July 2009 Children, Schools and Families Committee (the Parliamentary Select Committee with oversight of the work of the Department for Children, Schools and Families) which had announced its own inquiry into the handling of the Badman Review. My work has been discussed in two Westminster Debates.

“...the existing guidelines and safeguards are often not used efficiently”

In the absence of any stated research in the draft policy, I can only speculate that the Northern Ireland Education and Library Board has made assumptions about the overall wellbeing of home educated children.

My 2002 research involved 1099 children and remains the largest and most in-depth and authoritative independent of home education carried out in the UK. The research involved 419 survey questionnaires to families and 238 targeted assessments (with 196 different children) to evaluate the psychosocial and academic development of home-educated children aged eleven years and under. I received in excess of 1000 responses to my survey request and interviewed, in depth, in their own homes, 100 families. Through my work as an expert witness and my research activities, I continue to meet and study home educating families throughout the UK. Results from the psychosocial instruments confirm the home-educated children were socially adept and without behavioural problems. Overall, the home-educated children demonstrated high levels of attainment (though formal teaching was minimal).



I find that the policy recommendations regarding mandatory monitoring and supervision of home educators in Northern Ireland are arbitrary, unjustified, unwarranted and open to misunderstanding. The proposals are likely, in my opinion, to add a new layer of complexity and widen the scope for misunderstandings to arise. Over the years there is just one problem that I identify with the state oversight of home education and it is that the existing guidelines and safeguards are often not used efficiently. **This is because of poor, or the total absence of, Local Authority Staff training.**

“This Draft Policy will, potentially, leave children open to abuse by the very system set up to protect them.”

This Draft Policy will potentially leave children open to abuse by the very system set up to protect them. This is to say that there will be even more staff lacking in training and not knowing what to do, leaving the door open for delays, false accusations and a lack of a response where there is a problem. I would recommend that the Education and Library Board instead concentrate their funding and resources on supporting home educators through voluntary and non-intrusive schemes. I recommend that the state pools energy into better staff training and efficient use of existing legislation and guidelines.

The future

Since **we believe the current proposals should be scrapped**, what *should* the Boards (or the body that will replace them) do about elective home education instead? We believe that Northern Ireland has an opportunity to lead the way within the UK in forging a constructive, flexible and cost-effective model for relationships between the Boards and home educating families.

A scheme that is legally justified and supportive of families

If there is to be a policy on Elective Home Education then it must state explicitly the limited scope of the Board's responsibilities and acknowledge that parents are advocates for their children – not a risk to them.

If a child has been in school then the problems with the Board can start before they are de-registered. The Education Welfare Officers need to treat children who are refusing school with compassion and without prejudice. They should consider the possibility that the school may be failing and advise them on meeting their pupils' needs properly. The possibility that the child might not return to school soon, or ever, should be seen as a real possibility for the benefit and welfare of the child. Flexible options should be offered by the Board professionals to the family where the child has been suffering, and should include flexi-schooling, Elluminate, the Home Tuition Service, and home education.

The policy on home education must represent a strict interpretation of the Board's legal duties without any ad hoc additions to enforce their own limited view of educational provision; if the Boards would like to be involved in the lives and the education of home educated children, then they must build relationships of mutual respect and trust with families individually, on a foundation of respect for the law.

1. The **Boards can offer services** such as home visits and advice, but it must be made clear that these *are* services and not a condition of home education or an opportunity to evaluate it. It must be clear that no adverse conclusions (regarding welfare *or* education) will ever be drawn simply as a result of parents declining such services – even if they have previously been requested.
2. It should be stated that **home education is not a welfare concern** and that the duties of the Board with regard to welfare are limited to referral to the appropriate agency. It should further be emphasised that declining home visits is not a cause for welfare concerns and that it is inappropriate in the extreme to use Social Services as a threat or means to gain information on a child's education.
3. **Home education officers should not also have responsibility for truancy** or other educational problems – this tends to encourage a view of home education as a problem for which the ultimate and best solution is school.
4. **Proper training should be provided** to officers who work with home educators. This should make clear the limits of their legal powers and duties, and inform them about the many and diverse forms

“... they must build relationships of mutual respect and trust with families individually, on a foundation of respect for the law”



of home education - from the National Curriculum, to alternative programmes, and autonomous education in its many forms.

5. The procedures which the Board officers will follow in the following circumstances should be clearly laid out along with any forms, leaflets or template letters to be used at the following possible points of contact:

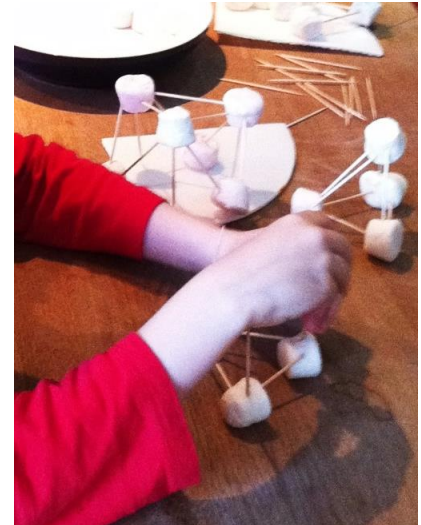
- a) When they hear that a child has been deregistered or is being home educated

No action is legally required at this point. However, it would not be inappropriate to provide some links to local home educating groups or resources, and offer whatever services the Board has available. Bearing in mind the potential stress on families, this contact should be made with tact and reassurances. The simple decision to opt for home education is not a cause for concern or a trigger for Schedule 13 duties, nor should this mark the start of a regular contact schedule unless this is requested by the family.

The Boards should acknowledge the importance of a settling in period – in which little progress or formal learning may occur.

- b) When the ELB is voluntarily invited into a family home, met with elsewhere or supplied with information

Again, this should not be the start of regular contact unless it is requested. Officers should behave with respect and tact, undertaking no assessments or inspections unless requested. All records should be accessible to the family and the refusal at any point of such contact (even when previously permitted) is not a reason for welfare or educational concern.



- c) When any educational concern is raised

The concern should be explicitly stated in writing and the options for responding made clear. It should also be stated that these initial informal enquiries are not the beginning of legal action, and efforts should be made to minimise the stress on the family and the children.

A simple enquiry if satisfactorily responded to is not a justification or trigger for ongoing monitoring.

- d) When the Board has concerns

Again the process must be made clear to the family as well as the options for them at every point. The formal nature of the enquiry should be made clear and all concerns should be clearly stated as well as the ways in which the family can respond. The process from that point on should be explained, as well as the appeal and complaints procedure, and all records should be easily accessible by the family.

- e) When the Board decides to issue an SAO

Families should be advised of their options, including legal advice. It should be made clear what concerns have precipitated the Order and what actions would be required by the family in order to halt the procedure. The structure of the whole process should be clearly explained.

6. Boards should provide full and clear instructions on the complaints procedure for those who are not satisfied with the conduct of the procedure or any person involved in any dealings with them or their children. This should detail their existing legal rights and protection within the law and the codes of practice for the Boards and HSS Trusts.
7. **Proper training should be provided** to officers who work with home educators. This should make clear their legal powers and duties, and inform them about the many and diverse forms of home education - from the National Curriculum, to alternative programmes, and autonomous education in its many forms.

Families should be empowered to interact with Board officers under a clear understanding of the processes and legal obligations involved, with full information. The policy should also give officers of the Boards a clear understanding of their powers and duties, and allow them to direct their resources effectively under the law.

Any routine contact between the Boards and families must be based on trust built with those individuals and on the needs and priorities of that family. There are low cost services that could be provided to promote interaction and constructive engagement; these must not be at the cost of registration or monitoring.

- Access to exams through local schools or centres
- Low cost hire of available rooms for events and groups

Focus on building trust

Home education is an option which is as legally valid as registration with a school. Home educators currently advise each other not to engage with the Boards unless it is unavoidable. This is for two reasons. The first is the history of misinformation and abuse of power; the second is the fact that at this moment they have very little (if anything) to offer.

The 'services' they provide are a thin disguise for inspections and do not often assist parents in providing an education; further interactions are perceived to have a tendency to become more and more controlling over time. It is clear that Board officers currently have no specific training in home education; indeed their background in school based education may make it difficult for them to recognise and appreciate the learning taking place in an informal setting.

Currently contact with home educating families is often made by officials who also deal with children having problems in school or with poor attendance. Therefore they often view home education as another problem or avoidance strategy, for which the ultimate solution is school. Far better support and information is available for free (and without risk that the children's education will be disrupted or the children placed under stress) from other home educators and home education support organisations online, via telephone helplines and in person.

It will take time, but with positive engagement from the Boards, rather than suspicion and threat, we can build a constructive relationship that genuinely puts the needs of children first.

For further information or if you have any queries, please do not hesitate to contact info@hedni.org.





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