



EDUCATION OTHERWISE

# Home Education: Information for Social Workers

## SUMMARY

Education Otherwise is the charitable organisation which has been supporting home educated families for nearly fifty years. Our information sheets are based on our extensive knowledge and expertise, supported where appropriate by legal advice.

### Key Messages

- 1) **School is not compulsory:** Education is compulsory, but school is not.
- 2) **Home education is not a safeguarding concern:** Social workers must respond to genuine and reasonable concerns about any child, regardless of education status.
- 3) **Social workers need to deal with misguided referrals effectively:** Many referrals are made to Children's Social Care due to lack of understanding.
- 4) **Home educated children need not be seen by local authorities:** There is no requirement for a home educated child to be seen by local authority staff.
- 5) **Home educating parents are not required to register with their local authority:** Home educating parents do not have to inform their local authority that they are home educating.
- 6) **Home educated children are not hidden:** Home educated children are uniquely visible.
- 7) **Many children with special needs are successfully home educated:** Lack of special needs provision in schools is a common reason for parents choosing to home educate their child.
- 8) **Positive relationships build trust:** As with any members of the public, positive relationships with home educating families can help to build trust and confidence in social workers.

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## Introduction

Education Otherwise is the charitable organisation which has been supporting home education and home educating families for nearly fifty years.

It was previously the case that, for most parents, the choice to home educate was a lifestyle choice, one requiring significant commitment in terms of time and resources.

The decision to home educate can be made for a great many reasons, such as: protecting the child's mental health, or their physical health, wanting to travel widely, wanting to spend more time together as a family, providing for a child's special interests, a child having special needs, being bullied, or simply a child being less well suited to a school environment. However, in recent years we have seen a clear increase in parents coming to home education, not because they want to, but because they feel that their children's needs are not being met in school.



### Positive relationships with families benefit children

The choice of how to educate the child is that of the parent, provided that the education is suitable to the child's 'age, ability, aptitude and to any special educational needs (the child) may have'<sup>1</sup>. Parents can elect to discharge their duty to ensure that their child receives a suitable education, by registering their child into a school. Parents can and do decide to home educate their children at any, or all stages of the child's education.

Social workers naturally want to act professionally and appropriately in all circumstances. Home education is not something which is usually covered during social worker's training, which can make it difficult for social work professionals to know how to proceed, when they receive a referral for a home educated child in the course of their duties. Free, professional and very well received CPD in the field is available (contact [wcharleswarner@educationotherwise.org](mailto:wcharleswarner@educationotherwise.org))

This information relates to social workers in England and Wales and is intended to help guide those professionals in respect of the relevant responses to make when they meet a home educated child in the course of their duties.

<sup>1</sup> Education Act 1996 s7

## Education is compulsory, school is not.

Education is compulsory for all children in England and Wales from whichever date is soonest of the 1st January, 1st April, or 1st September after the child attains 5 years of age. Education remains compulsory to the last day in June in the school year during which the child attains 16 years of age, provided that the child is 16 prior to 1<sup>st</sup> September that year.

The duty to ensure that the child receives a suitable education is a duty upon the parent, regardless of how the child is educated and this derives from the Education Act 1996 s7:



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

This means that **home education is of equal status in law to school education** and a parent may elect to home educate at any point during the child’s compulsory education years. In fact, home education is the default position, as a child does not become a registered school pupil until such point as a parent elects to register that child in a school.

Parents of home educated children are not required to notify their local authority of their decision to home educate their child, nor are they required to register with their local authority at any point. Home educated children are not pupils at a school and are not required to follow school hours, school terms, or any set curricula.

There is no requirement for home educated children to be seen by ‘professionals’ and, unless there are other, reasonable safeguarding concerns, lack of meeting with ‘professionals’ is not cause for Children’s Social Care involvement.

## Initial referral

Education Otherwise is regularly made aware of members of the public, teachers, medical professionals and other professionals viewing a home educated child as if they are a child at risk of significant harm. This is almost always due to misunderstanding and lack of training, or awareness of home education law and practice. However, it can lead to referrals of the family to Children's Social Care for assessment under the Children Act 1989 s47.

These misguided referrals add to social workers' already heavy workload and can take time away from children in need of social workers' support. However, these referrals can be used as an opportunity to spread awareness of the fact that home education is not of itself, a safeguarding concern. It is important that referral made to Children's Social Care on the basis of home education, should be assessed in light of that fact.



### **Referral to Children's Social Services solely on the basis of the child being home educated, is usually misguided.**



The causes of misguided referrals are varied but can be created by negative media rhetoric which influences individuals to view home education as unlawful, or even abhorrent. This rhetoric can cause home educated children to be treated as 'outcasts', and lead to a culture of treating those children as 'at risk' results. Of course, most social workers will use their good judgement to recognise that media representation does not reflect their experience.

Another source of misguided referrals is the public perception of school as the norm and other forms of education as associated with lack of education, rather than a different form of education. Again, most social workers recognise that difference does not mean 'worse', or somehow less acceptable.

Of course, any referral to Children's Social Care must be followed up, but it is important to remember that research finds that families can feel deeply distressed as a result of contact by a social worker, particularly where that referral is solely on the basis of a legal and responsible parenting choice.

Deciding to home educate a child is a legal choice, almost always made in the best interests of the child and gaining understanding about home education as a legally valid option, can help social workers to ensure that their contact with families creates minimal distress to those families.

Home educated children are considerably more likely to be referred to Children's Social Services, yet no more likely to be subject to a child protection plan

## Safeguarding facts

Frequent calls for close oversight of home educated children continue and use the suggestion that those children are 'invisible', or 'unseen', to make them our modern day 'Folk Devils' of Cohen's seminal work (Cohen 1972). This view has perpetuated and led to a process of othering of home educating families, who feel stigmatised and demonised by the process.

In 2016, research found home educated children to be approximately twice as likely to be referred to Social Services as at risk, at 9.39 – 10.19%, than were children aged 0-4 years at 5.24% and children aged 5-16 who attend school at 4.93% (Charles-Warner 2016). Yet those home educated children were considerably less likely to be subject to a child protection plan. This makes clear that social workers had received misguided referrals which they dealt with appropriately.

In 2019, follow up research looking only at referrals of children said to be at significant risk of harm (Charles-Warner 2019) found that 4.2% of all home educated children were referred on that basis, compared to 2.3% of under five-year-olds and 2.0% of 5-16-year olds, giving a statistically significant higher referral rates for home educated children than other children. Alarming, one local authority reported a nearly 40 per cent referral rate for home educated children, yet only 3.0% of under 5s were referred for assessment and 2.3% of 5-16 year olds. In that local authority, no single home educated child was subject to a child protection plan, despite such high level of scrutiny.

Of course, if the higher rate of referral was justified, we would see a corresponding higher rate of child protection plans amongst home educated children, but that is simply not the case. In fact, only 0.4 per cent of home educated children were subsequently subject to a child protection plan, compared to 0.7 per cent of children under five and 0.4 per cent of children aged five to 16. The rate for conversion from s47 assessment to child protection plan was 11 per cent for home educated children, 35.4 per cent for under five-year-olds and 26.8 per cent for children aged five to 16 years.

Given that the rate of child protection plans amongst home educated children is close to that in other children aged 5-16 years and yet the referral rate considerably higher, it seems clear that a significant number of referrals under the category of the child at risk of significant harm are unnecessary, or misguided.

Home educated children are neither hidden, nor invisible, but are uniquely visible. This is because they socialise in a very different way to school children. School children spend most of their term time with the same 30+ children and a small number of adults in a classroom, whereas home educated children socialise in the community, with a wide range of age groups.

## Myths dispelled

A great many myths abound in respect of home educated children and the following are the more common ones that Education Otherwise hears:

### Home educated children must have professional oversight

Although children on a child protection plan, or subject to a supervision order, are required to have professional oversight, other children are not. This includes home educated children.

Children with special needs are also home educated successfully.

### Home educating families must meet with the education officer.

There is no legal requirement for a home educating family to meet with the local authority education officer, although they may choose to do so if such a meeting is offered.

### Home educated children must follow the National Curriculum

Only state schools are required to use the National Curriculum and home educating parents may educate their child by any method they choose, provided that the education is suitable.



### Home education must be regularly assessed by the local authority

There is no legal requirement for home education to be assessed, although the local authority may make an annual, informal enquiry of the parent, to ascertain that education is suitable.



### Home educated children must meet school levels of attainment

There are no set attainment targets for home educated children and education must be suitable to the individual child's age, ability, aptitude and any special needs they may have. Home educated children learn in many different ways. They may also learn about subjects excluded from the National Curriculum, such as forestry, geology, mechanics, floristry, medicine, forensic sciences, dance and performance art. This is because home education is often child centric, as opposed to curriculum centric.

### Home educated children must follow school hours

There are no set hours for home education to take place and in fact, it can be a 365 days a year holistic form of education.

### Home educated children must be indoors during school, hours

Home education takes part in many different ways in many different venues. It can take place at home but is also able to take place at the beach, on trips, in a forest, at sea, up a mountain, in museums, in clubs, in groups, in galleries and wherever the child's needs and imagination takes the family.

### Home educated children must take GCSE

There is no legal requirement for any child to take GCSEs, or any other form of examination. Home education is often a route to vocational careers and self employed entrepreneurship.

## Home educated children are social misfits

Home educated children are found to be better socially adjusted on average than are school children.

## Positive relationships

Of course, as with any other children, some home educated children may need support from Children's Social Care. As with any families, relationships between home educating families and social workers rely on trust and the professionalism of the social workers concerned. Building positive relationships with any family can help to increase trust in social workers and help them provide a better service to those families.

Social workers can build positive relationships with home educating families by:

- **Treating home educating families with respect, showing an interest in their decision, without being intrusive and by reacting in a positive manner to being advised that the family is home educating;**
- **making opportunity to learn about home education and sharing good practice with colleagues;**
- **offering services to home education families, such as facilities and advice available to other families;**
- **championing home educating parents in order to obtain the services they require and**
- **maintaining a balanced perspective of home education as a valid and child centred choice.**

Meeting social workers should not be a negative experience for families and how those social workers deal with home educated children can make a significant difference not only to the child's view of the profession, but also how those families are treated by other agencies and their local community.

## References

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