

Background

Perth and Kinross Child Protection Committee (CPC) is the local inter-agency strategic partnership, responsible for the development of child protection policy and practice within the public, private and third sector services and agencies across Perth and Kinross.

Most children and young people get all the help and support they need from their parents, carers and families, in addition to the universal services of education and health. However, on some occasions, some children and young people may need further help and support to ensure their needs and rights are met, to ensure their health, development and well-being is secured and to ensure they keep themselves safe from, harm and / or abuse.

National Consultation and Submission

On 4 July 2012 the Scottish Government published *"A Scotland for Children: A Consultation on the Children and Young People Bill"*. The consultation period ran from 4 July 2012 until 25 September 2012. Perth and Kinross CPC made a submission to this national consultation, noting that the proposed, wide ranging Bill, was both ambitious and challenging.

Within Chapter 2 of the Consultation document at paragraphs 105 to 120 inclusive, the Scottish Government set out their legislative proposals for the Named Person to be supplemented by further detailed guidance. These proposals are aimed at ensuring all children and young people in Scotland, from birth to 18 have a Named Person, whom they or their carers can approach regarding support and who will have a responsibility to ensure if needs are identified, they are responded to.

Consultation paragraph 118 specifically stated that *"there will be circumstances when the above arrangements would not work. For certain groups of children and young people whose pattern of involvement with education services would make the above arrangements difficult to implement, the Bill would set out alternative arrangements, to be supplemented in guidance issued by Scottish Ministers"*.

Home Educated Children

Perth and Kinross CPC recognises the right for children and young people to be educated at home and acknowledges that in the majority of such cases parents do so very effectively. The CPC also recognises that the vast majority of children and young people educated at home are successful learners and are safe, healthy, achieving, nurtured, active, respected, responsible and included.

However, Perth and Kinross CPC also recognises that the current Scottish Government legislation, regulations and guidance for home educated children has some limitations in respect of children's rights which are more widely proposed in the Children and Young People's Bill. The Scottish Government itself acknowledges that there will be a need for alternative arrangements and guidance, if certain aspects and provisions of the Bill are to be equally applied to **all** Scotland's children and young people.

Response

1. To which "recent SCR's" in relation to electively home educated (EHE) children (the appropriate definition being "children of compulsory education age whose parents elect to fulfil their direct legal responsibility, not the council's, to educate their children outside school") is the CPC submission referring? Please provide links to all of the SCR's, recent or otherwise, which (according to the CPC submission) provide "evidence" of the (already disproved) claim that EHE children are at disproportionate risk.

Three recent cases in the UK and Scotland (where children and young people have either never been involved with education services and / or have subsequently been withdrawn from education services, to be educated at home), have identified situations where the vulnerabilities and risks posed to children were not evident because they were being educated at home.

These cases include the three Riggi Children (Died) Edinburgh 2010; Khyralshaq (Birmingham SCR 2010); Sion D (Flintshire SCR 2012). Two previous cases include Danielle Reid (Died Inverness 2002) and Victoria Climbié (Died London 2000).

The Perth and Kinross CPC submission did not suggest that any children and young people educated at home within Perth and Kinross were the subject of any previous SCR and did not suggest that children and young people educated at home were at a 'disproportionate risk'.

The Perth and Kinross CPC submission did set children and young people educated at home within a much wider policy and / or practice environment commonly defined nationally as 'Hidden Children'.

The Scottish Government term "Hidden Children" refers to all those who may not be visible, rather than implying a deliberate attempt to obscure them from view. However the lower level of oversight does allow for this where there is an intention to do so.

2. In relation to the "research into this entire area of hidden children" which was cited as "nearing completion" in September 2012, please provide a list of all the consultees who participate in this research and a copy of the document which was to be shared by the CPC with the Scottish Government.

Perth and Kinross CPC is currently reviewing and evaluating the single and inter-agency child protection policy and practice guidance where a child or young person could become hidden and / or unseen. A Short Life Working Group of local child protection managers / practitioners continues to carry out this work. This did not

require external consultation, participation or engagement, as it is a process of updating our guidance in line with National Policy and Guidance. Therefore, in terms of section 17(1)(b) of the Freedom of Information (Scotland) Act 2002, this is formal notice that this information is not held.

The report in question is still being compiled and therefore a copy cannot be provided at this time. In terms of section 17(1)(b) of the Freedom of Information (Scotland) Act 2002, this is formal notice that this information is not held.

I have been advised that it is expected that the report will be presented to the CPC on 5th March 2013.

3. Given that EHE children were specifically referred to as "Hidden Children" in the above submission, which home education organisations and home educating families did Perth & Kinross Council's CPC consult with before coming to this inaccurate, misleading, discriminatory and deeply insulting conclusion in relation to a minority group of children and young people who are educated "by other means" in accordance with the Education (Scotland) Act 1980?

I have been advised that no home education organisations or home educating families were consulted in the CPC response, as this was, in effect a review of local practice and guidance. There was no requirement for external engagement. In terms of section 17(1)(b) of the Freedom of Information (Scotland) Act 2002, this is formal notice that this information is not held.

The findings put forward by the CPC in its response to the Children and Young People's Bill consultation are an update to previous extensive national consultation and academic research and relate to the national context and not, as outlined in the response to Q2, to Perth and Kinross specifically.

It would have been remiss for the CPC not to make a collective response in terms of the issue of Hidden Children taking into account the wide ranging proposals contained within the Children and Young People's Bill, the limited illustrative examples at Consultation paragraph 118, the previously mentioned SCRs, the evidence base and the review and evaluation work the CPC is currently engaged in.