

## **ELECTIVE HOME EDUCATION**

**Research and Advice Commissioned by the Department for  
Education and Skills**

***The situation regarding the current policy,  
provision and practice in Elective Home  
Education for Gypsy, Roma and Traveller  
Children***

**Fact Page:**

**Subject: “The situation regarding the current policy, provision and practice in Elective Home Education (EHE) for Gypsy/Roma and Traveller children.”**

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## **1. EXECUTIVE SUMMARY**

**1.1** On an ad hoc basis, Traveller Education Services (TESs) have reported on the seemingly marked increase year-on-year of the number of Gypsy/Roma and Traveller families opting for Elective Home Education (EHE). This has been expressed as a development causing concern given that it is suggested that EHE is being used merely as a device to avoid school attendance without legal penalty. This concern has also been related to the fact that a majority of the parents are judged to be ill equipped to organise or deliver an education suited to their children's ages, aptitudes, abilities and any special needs they may have.

**1.2** In November 2004 the DfES thus initiated a small-scale research project to investigate the situation in regard to the current policy, provision and practice in EHE for Gypsy/Roma and Traveller children. This initiative was seen as compatible with the Department's duties under the Race Relations (Amendment) Act 2000. The research was also timely as DfES draft guidance on EHE was being considered at the time.

**1.3** Two detailed separate questionnaires were sent to 23 local authorities. These local authorities were identified by DfES as models of good practice for the inclusion of Gypsy, Roma and Traveller children. One was sent to the TES and one to the department/officer responsible for the approval and monitoring/inspection of EHE provision. 16 responses were received from the EHE monitoring/ inspection official and 20 were returned from the TES.<sup>1</sup>

**1.4** Research findings provide a wide range of evidence that would justify the concerns expressed by the TESs and other commentators including the Office for Standards in Education (OFSTED). "There is a growing trend among Traveller families for secondary-aged pupils, in particular, to be educated at home. The adequacy, suitability and quality of such provision are very uneven and raise serious concerns."<sup>2</sup>

**1.5** The educational context of Gypsy/Roma and Traveller communities adds a further dimension of concern to this development.<sup>3</sup> In addition to many local authorities traditionally neglecting their responsibilities to these communities, there has always been reluctance by many families within some of these communities to send their children to school, and particularly to secondary school. There are many complex reasons underpinning this reluctance.

**1.6** Within the 16 LAs which responded at the EHE monitoring/inspection level, it is observed that there is a total of nearly 3,000 children registered as receiving EHE and those at the secondary stage are over twice as many as the number in primary education.

**1.7** The analysis shows that an estimate of 16% to 35% of those who have opted for EHE within the sample are Gypsy, Roma and Traveller children. The small sample size and two different data sources account for the wide range of this estimate and it

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<sup>1</sup> The LA sample included a number of authorities identified by the DfES as models of good practice. See DfES draft Guidance 2004/5.

<sup>2</sup> "Provision and Support for Traveller Pupils" HMI 455 OFSTED November 2003, pp2.

<sup>3</sup> See Annex 1. DfES 2005 School Census data for minority ethnic pupils. Published February 2006.

should, therefore, be treated with caution. It should also be noted that the rate of option has increased year-on-year by approximately 40%<sup>4</sup>.

**1.8** A very wide range of reasons are given for Gypsy/Roma and Traveller families opting for EHE. Predominant among these are fear of cultural erosion, a judged lack of relevance within the secondary school curriculum and the fear of racist and other bullying.<sup>5</sup> The practicalities of a nomadic lifestyle, is not seen as a significant causal factor for most families.

**1.9** Twenty five percent (25%) of responding LAs do not have a written policy on EHE. While most LAs provide families with initial and post registration advice, only 2 gave practical help in the form of educational materials. All LAs write a report following monitoring/inspection visits and a majority share these reports with the TES and other departments/agencies on a need-to-know basis. More care appears to be taken in relation of pupils with special educational needs (SEN).<sup>6</sup>

**1.10** Over 62% of LAs reported that they do not always see the child during an initial and or monitoring/inspection visit and that in one case this is neither recorded nor reported to other agencies. There are also a number of these LAs within the survey who visit without seeing the child and who just record this information without passing it on to other agencies as a matter of routine. In the cases where the incident is reported, the data do not provide information on the process, agency reported to, and subsequent actions taken. (Within the existing legislation, the visiting officer has no legal rights to see the child nor in relation to a right of access to the home to see the teaching/learning situation/environment.)<sup>7</sup>

**1.11** If a child has already been registered with a school then parents are legally required to notify the school if they decide to withdraw the child and educate her/him at home. They are not legally required to notify the local education authority unless the child is registered at a special school.<sup>8</sup> In the case of Gypsy/Roma and Traveller children, a school may see the 'without notice' withdrawal of a child as linked to the family's legitimate nomadic lifestyle and so may not automatically notify other agencies within the authority or log this with the national child Information Sharing Index database. It is to be noted that if a child has never been registered with a school, then there is no duty on the parent to notify the LA if they decide to educate, or arrange to have educated, the child(ren) at home. The obligation to notify the appropriate local authority is also not required under current legislation if the child: has never attended a maintained school in that authority's area; has finished primary education at one school but has not started secondary education in another (and other conditions) This situation could again be problematic in relation to Gypsy/Roma

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<sup>4</sup> In a study conducted by Lancashire County Council (September 2005) which involved more than 50% of LAs, it showed that 18% of children with an Irish Traveller heritage, opted for EHE at the point of transfer to secondary school. In relation to Gypsy/Roma the rate was 26%. (overall for all 'Traveller' groups it was 14%) Of all of these children, 10% and 11% respectively were recorded as living in housing. Lancashire County Council, Traveller Education Service, Preston. September 2005.

<sup>5</sup> Other research evidence confirms the importance of racist and other bullying as a significant cause in relation to EHE decisions. See: "Gypsy Traveller Students in Secondary School", Chris Derrington and Sally Kendall. Trentham Books, London, 2004. "Education other than at School: A Way Forward for Gypsy/Travellers". Research by Caroline Dyer, Amanda Anders, Charlotte Dean – Leeds University 2004/5.

<sup>6</sup> DfES Guidance recommends that monitoring/inspection visits should take place at least once a year, but it is for the authority to decide.

<sup>7</sup> The same situation applies in Scotland. See Education (Scotland) Act 1980 and the Guidance issued under Section 14 of the Standards in Scotland's Schools etc. Act 2000.

<sup>8</sup> See DfES EHE Guidance.

and Traveller families in so many ways and particularly in light of their nomadic lifestyle. Many children start school late and so it is possible that children from these backgrounds at any age within Key Stages 1 and 2, could start their education at home with no previous school registration and so with no duty on the parent to notify the appropriate authorities. Many families travel between different local authorities and it is the anxiety about secondary education that is so high with many families. The current regulations clearly place these children in a very vulnerable situation.

**1.12** There is significant variation in practice between LAs in relation to the time taken between a request for registration and the initial monitoring/inspection visit and between the latter and final approval or rejection. In many cases this can take up to one term of school time or more during which time, Gypsy/Roma and Traveller children usually receive no formal education.

**1.13** It should be noted that only 56% of responsible officers within the sample LAs had attended in-service training on EHE and that only 36% had attended any training/briefing on Gypsy/Roma and Traveller communities.<sup>9</sup> This research finding raises serious doubts about the quality of professional judgements being made by officers during initial and or monitoring/inspection visits to families from these backgrounds.

**1.14** Nearly half of the LAs (and 94% of TESs) expressed genuine concerns over whether Gypsy/Roma and Traveller children in receipt of EHE were receiving full-time (20 hours per week) and appropriate educational provision, mainly due to concerns over parents' skills, especially in regard to literacy and numeracy. These concerns also included issues surrounding; the level of parental commitment, enthusiasm and motivation; the parents' recognition on the children's needs, attitudes and aspirations; the opportunities in particular for Gypsy/Roma and Traveller girls; the 'unheard voice of the child' in the decision making process;<sup>10</sup> access to public examinations; access to careers advice; access to support for work-experience and the frequent difficulties encountered in monitoring/inspecting the provision given the nomadic lifestyle of some families.<sup>11</sup>

**1.15** A majority of TESs who had tried to reintegrate Gypsy/Roma and Traveller children back into mainstream schools following a court action or parental choice, noted problems at the secondary phase relating to the ethos of the school as not being 'Traveller-friendly'; the difficulties caused by the lack of previous education of these children; reluctance on the part of parents and children to return to school and the high levels of costly support needed. It is very interesting to note that nearly a third of Gypsy/Roma and Traveller children registered with EHE are sedentary in housing. This is a very significant development given the rapid growth in numbers over the last four years and the estimated total number of 'housed' Gypsies/Roma and Travellers nationally.<sup>12</sup>

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<sup>9</sup> The DfES EHE guidance states that, ".LAs should organize training on the law and home education methods for all education officers who are monitoring and or otherwise involved with EHE".

<sup>10</sup> DfES EHE Guidance says that "LAs **may** also wish to consider any views expressed by the child".

<sup>11</sup> The research by Dyer, Anders and Dean, talks about three models of such provision by Gypsy/Roma and Traveller families in relation to EHE. The three possibilities (not mutually exclusive) are, Parent or family member as teacher, appointment of tutors, and 'cultural apprenticeship'. The latter is seen as the weakest and the most common. It usually involves children working alongside their parents and learning the skills of life for cultural survival. It is usually based on gender segregation and role and makes little contribution to the development of literacy and numeracy skills.

<sup>12</sup> Estimated by DfES and other informed sources, at 350,000 plus.

## 2. BACKGROUND AND PHILOSOPHICAL POSITION

**2.1** Concerns about the increasing number of Gypsy/Roma and Traveller parents opting for Elective Home Education (EHE) as reported by Traveller Education Services in the last few years, prompted the lead officer of the Ethnic Minority Achievement Unit at the DfES to commission in-house research to investigate the extent of this development and to assess the nature and quality of the provision for the children involved and the policy implications.

**2.2** The reader of this research paper is requested at the start to be aware of a number of potential pitfalls in relation to the interpretation of the information and research data presented about Gypsy/Roma, Traveller and travelling communities. The specific focus on these particular groups within the context of the increasing number who are being educated at home should in no way be interpreted as an implicit statement of criticism of the families themselves or the provision of home education. Readers are also advised to note the author's concern regarding the creation and or confirmation of stereotypes, either negative or positive, within the context of a short research report constrained by the need for brevity. Further, that the representation of these groups as a focus of Departmental concern should in no way be seen as an implied cultural pathology or a deficit model of the lifestyle and culture of all or any of these groups.

## 3. BACKGROUND TO THE RESEARCH

**3.1** In November 2004 the DfES initiated a small-scale research project to investigate the situation in regard to the current policy, provision and practice in EHE for Gypsy/Roma and Traveller children. The methodology was the design of two questionnaires for local authorities (LAs)<sup>13</sup> for the collection of data and details of current practice. While most of the analysis and comment is based on the in-house research material, other relevant research findings have been taken into consideration and appropriate footnote references given when used in the text.

**3.2** The concerns by the Department as referred to above are linked to the long problematic history surrounding the **access, attendance and achievement** of Gypsy/Roma, Traveller and travelling children. There is extensive documentation starting with the Plowden<sup>14</sup> report, and including reports written by Her Majesty's Inspectors of Schools (HMI),<sup>15</sup> confirming a disturbing picture in relation to all these three aspects of education for these communities. Official data stemming from the school census<sup>16</sup> continues to confirm this situation which has appeared to change little over many years.

**3.3** In addition to local authorities traditionally neglecting their responsibilities to these communities, there has always been reluctance by many families within some of these communities to send their children to school, and particularly to secondary

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<sup>13</sup> One questionnaire was designed for TESs to complete and the second one for the officer(s) responsible for the inspection and or approval of home education provision.

<sup>14</sup> 'Children and their Primary Schools', A report of the Central Advisory Council for Education (England). HMSO 1967, London. This report is better known as the 'Plowden Report'.

<sup>15</sup> "The Education of Traveller Children" HMI Discussion Paper HMSO 1983.

"The Education of Travelling Children" Ref: HMR/12/96/NS OFSTED 1996.

"Provision and support for Traveller pupils", HMI 455 OFSTED, November 2003.

<sup>16</sup> The School Census includes specific data on minority ethnic pupils which is also inclusive of the two relevant categories: Gypsy/Roma and Traveller of Irish heritage.

school. There are many reasons underpinning this reluctance and racist bullying is increasingly being revealed as an additional and significant causal factor.<sup>17</sup>

**3.4** The dedicated work of Traveller Education Services (TESs) over many years has resulted in more and more children attending primary school and transferring successfully to secondary school. The 'drop-out' profile, however, at Key Stages 3 and 4 is still a matter for serious concern. In the two most recent OFSTED reports,<sup>18</sup> attention has been drawn to the strong possibility of 12,000 secondary aged children from these communities not being registered with any school.

**3.5** Despite the best efforts of TESs and LA Educational Welfare Services, the overall picture is still unacceptable. However, in the last several years a significant development had been identified which appears to be adding a further element to these justified concerns. This is the phenomena of a disproportionate number of families opting to exercise their rights under the education acts, to educate their children at home. It is strongly suggested by some informed observers that the traditional Gypsy/Roma and Traveller communities learnt about this legal possibility from their association with New Travellers, many of whom are better informed on the intricacies of the educational law surrounding school attendance. Irrespective of this, however, the fact remains that all the evidence points to increasing numbers of families making this decision for the education of their children.

#### **4. CURRENT SITUATION AND RESEARCH DATA ANALYSIS**

A total of 23 local authorities were selected for inclusion in the survey. The return rate was 16 (72.7%) for the LA questionnaire and 20 (91%) for the questionnaires returned by TESs. In the interests of clarity for the reader, comment in relation to statistical data follows each of the questions in tern.

The data analysis which follows is in two main sections starting with the analysis from the questionnaires returned by the LAs EHE monitoring official. The second section is that data stemming from the questionnaires returned by the TESs.

##### **4.1 Analysis of Elective Home Education (EHE): Gypsy/Traveller pupil survey: LA EHE monitoring officer Questionnaire**

###### ***Q1: Total number of EHE children by phase of education***

Phase	Total number of children
Primary	<b>889</b>
Secondary	<b>2100</b>
<b>Total</b>	<b>2989</b>

Base=15 LAs

Within the 15 LAs which responded to this question it is observed that there is a total of nearly 3,000 children registered as receiving EHE and those at the secondary stage are over double the number in primary education. These figures should be treated with caution as many of them are estimates.

<sup>17</sup> 'Gypsy Traveller Students in Secondary School', Chris Derrington and Sally Kendall. Trentham Books, 2004.

<sup>18</sup> "The Education of Travelling Children" Ref: HMR/12/96/NS OFSTED 1996.  
"Provision and support for Traveller pupils", HMI 455 OFSTED, November 2003.

The emphasis in statistics towards preference at the secondary level is given greater detail in the table below which links numbers to Key Stages. Around a third of pupils opting for EHE are at primary school (31%) although it is to be noted that only 9% of pupils opting for EHE are at Key Stage One.

**Q2: Number of EHE children in 03/04 academic year registered for EHE by year group**

Year Group	Total number of children	%	Mean number per responding LEA
Foundation	60	2	3.8
Year 1	105	3	6.6
Year 2	122	4	7.6
Year 3	136	4	8.5
Year 4	158	5	9.9
Year 5	205	7	12.8
Year 6	183	6	11.4
Year 7	290	9	18.1
Year 8	354	11	22.1
Year 9	389	13	24.3
Year 10	489	16	30.6
Year 11	613	20	38.3
Total	3104	100	194

Base=16 LAs

**Q3: Reasons for EHE registration for the estimated number of Travellers within the EHE cohort**

Reasons for EHE Registration	Estimated number of Travellers registered for EHE
Particular educational philosophy	123
Fear of cultural erosion	366
Coursework/curriculum stress	0
Curriculum relevance	363
Racist and other bullying	51
Exclusion/risk of exclusion	16
Attendance difficulties	2
Pressure of EWS/TES for non-attendance	3
Staff/pupil personality conflicts	6
Nomadic life-style/routines	29
Religious reasons	0
Lack of school places	0
Other	64
Total Estimated number of Traveller pupils in EHE cohort	1023

Base=15 LEAs

The data in response to **Question 3** of the LA returns provide some important insights into the motivations of families opting for EHE. It is important to note, however, that it is not known whether these assessments are based on questions to families or guesswork by LA officials completing the questionnaires. By far the most significant reasons relate to 'fear of cultural erosion' (35.7%) and 'curriculum relevance' (35.5%), although 'particular educational philosophy' (12%) was also seen



as a strong factor. In relative terms, 'racist and other bullying' (5%) features in low profile, but it may be that LA officials would not be over-keen for this to be acknowledged as a dimension of the LA's schools. The practical considerations of a nomadic lifestyle would seem to be a very low factor in electing for home education. It could be argued that 'fear of cultural erosion' and 'curriculum relevance' are closely related considerations in the process that families go through when assessing the value of education. If this premise is accepted, then 71% of Traveller pupils registered for EHE opted for EHE because of reasons reflecting the marked mismatch in relation to the prescriptive cultural values of the communities and those of the schools. Many families feel that schools are not offering what is seen as worthy and desirable, particularly once literacy and numeracy skills have been secured during the primary stages of education.

**Q4-20: Does the LA...?**

<i>Does the LA...</i>	Yes (N)	No (N)
Have a written policy on EHE?	11	4
Provide initial advice to families asking to register as EHE?	16	0
Have special arrangements made in relation to timing/procedures for initial visit to Traveller families?	12	3
Apply LA criteria/principles about suitability of EHE to all families?	15	1
Write reports for each monitoring/inspection visit	16	0
Share the above with TES if involves a Traveller family	12	2
Always see the child/children during initial and monitoring/inspection visits?	5	10
Provide the EHE family with educational resources/books/materials?	2	13
Provide advice to EHE registered families?	16	0
<b>Have any concerns about EHE Traveller issues?</b>	<b>13</b>	<b>2</b>

Additional information provided with answers to Question 4-20 included:

- Of the 16 LAs that provide initial advice to families asking to register as EHE, 7 stated that they send written information or guidance to families and 5 visit the families in person (or someone from LA does). 3 LAs stated that the advice focuses on procedures, rights, responsibilities and requirements.
- Of the 12 LAs that said special arrangements were made with regard to the initial visit to the Traveller families the majority stated that the TES would be involved in the visit (where appropriate). 2 LAs also said that they were flexible with the timing of the visits.
- 5 LAs stated that the criteria they used with regard to the suitability of EHE were based on the appropriateness of the provision.
- Those 10 LAs that said they did not always see the child during their initial and monitoring/inspection visits only 1 said that this was not recorded or reported to other agencies. The majority of LAs that said they do see the child also said that where this did not happen this would be recorded and reported.

- Of the LAs that state that they provide advice to EHE registered families, advice tends to come from monitoring/inspection visits, from advisers, from written material/guidance and advice over the phone. Families tend to be provided with advice about where to get help/support/resources, information about EHE processes and advice on the curriculum or appropriate education.

There are a number of key points with important policy implications stemming from the data collected by this question. It is to be noted that 4 (25%) of the 16 LAs do not have a written policy on EHE. In addition, 10 (62.5%) reported that they do not always see the child during an initial and or monitoring/inspection visit and that in one case, this is neither recorded nor reported. Clearly there are also a number of LAs who visit without seeing the child and who just record this information. In the cases where the incident is reported, the data does not provide information of the process, agency reported to, and subsequent actions. Advice and information provided to families would seem to be supportive, but may well be a hostage to the knowledge, skills and understanding of the parents to put it to full use in the interests of the children's education. It may also be the case that many parents will have low level literacy skills.

**Q6: Average time for dealing with requests about EHE**

<i>Average time period for:</i>	<i>Number of LEAs</i>
Time period between initial request and visit	
2 weeks or less	<b>3</b>
2-8 weeks	<b>10</b>
8 weeks or more	<b>2</b>
Unspecific	<b>1</b>
Standard Time period between visit and decision/approval*	
Less than a week	<b>2</b>
1-2 weeks	<b>2</b>
More than 2 weeks but less than 4	<b>3</b>
4 weeks or more	<b>3</b>
12 weeks or more	<b>3</b>
<b>Other</b>	<b>2</b>

\*Note that many LAs stated that more/less frequent visits would be made on a case to case basis although we do not know the criteria/checklist used for such decisions.

This table's data reveals one or two issues with policy implications linked to entitlement and child protection considerations. Firstly, at least 12 LAs take between 2 weeks and over 8 weeks to make an initial visit following a request for EHE registration. Two LAs (12.5%) said that it was over 8 weeks. The time taken between the initial visit and the approval decision can take 4 weeks or more (6 LAs) and, in some cases, 12 weeks or more (3 LAs). Apart from the clearly established lack of uniformity in the procedures between LAs, it is also the case that in a significant number of cases, long delays may be encountered by families both in terms of time of initial visit and decision/approval with up to the loss of a full school term. This is not to say, however, that the children will necessarily be losing out on purposeful education during this period as some may still be in school and others may be receiving education at home, but for some, the limbo period of uncertainty may not always be used wisely by parents, and especially so, if the children are needed to engage in domestic and or economic activities/duties within the family. In response to **Question 7**, 12 (80%) LAs said that they made special arrangements when making an initial visit to Traveller families and in most cases this involved liaison with the Traveller Education Service. **Question 8** was concerned with the criteria used to assess the viability of the provision. Five LAs returned copies of policies detailing the

criteria applied and these will be analysed during stage two of the research. Fourteen LAs in response to **Question 9** said that they applied the same criteria irrespective of the background of the family.

**Q10: Frequency of monitoring/inspection visits once families have been registered for EHE**

- 12 of the 15 LAs that responded to this question stated that visits were made each year although most commented that this would be more frequent if there were felt to be problems. 2 LAs made 6 monthly visits and one said that it varied.

A majority appear to visit the families once a year to assess the provision as to whether it still complies with the requirements as judged by the LA. While the data in this stage of the research does not provide information on the agenda and duration of such visits, it is good that most LAs say that if they encountered areas of concern then more frequent visits may be arranged. Again at this stage of the research it is not known whether any assessment is made at such monitoring/inspection visit re the progress the child(ren) has made during the year.

In response to **Question 11** all 16 LAs said that written reports were made after each visit, and all but three shared these reports with the TES. In one case this practice was only used if there were concerns. **Question 12** asked whether the written reports were shared with other departments/agencies. Only 3 LAs said that they were kept by the monitor/inspector, but the majority said that they were shared with other departments. In most cases this involved special needs (and especially if the child had a statement) and education welfare. In some cases the reports were also shared with social services (if concerns), and health departments. One LA reported that all such reports were seen by an Assistant Education Officer who would decide on the basis of the content, who should receive a copy. **Question 13** asked respondents whether the child(ren) was always seen during an initial visit. Only 5 (33%) said yes to this question and only 2 (13%) LAs said that this information would be reported to another agency.

**Question 14 a): Number of Traveller and non-Traveller children refused EHE status**

- Only 6 LAs were able to give information for Q14 and most of these were partial responses.
- Of the 6 responding LAs, 1 responded that no children had been refused EHE status in any of the academic years requested\*.
- 5 LAs were able to give partial responses to this question:
  - There were no reports of a child being refused EHE status in 2000/01
  - 4 Traveller children, but no non-Traveller children were reported as being refused EHE status in 2001/02
  - In 2002/03 2 Traveller children and 1 non-Traveller child were refused EHE status
  - In 2003/04 8 Traveller children and 4 non-Traveller children were refused EHE status.

\* It is not clear whether there were really no children refused EHE status or whether there was no available data on this.

It would seem apparent from the data that the availability of official records is not that secure in terms of initial approvals and refusals following applications for EHE. Only a third of LAs were able to provide only partial information. The number of refusals within the 5 LAs who responded to this question increased each year for Traveller families, but this may just reflect the increasing number of applications rather than a toughing up of the criteria for acceptance although this might also have been the case.

**Question 14 b): Number of Traveller and non-Traveller families prosecuted for non-attendance after unsuccessful EHE applications:**

- Only 2 LAs were able to provide data for this question. One of these LAs only gave data for 2003/04 in which no family was prosecuted\*.
- The other LA responded that no families were prosecuted in 2000/01 or 2001/02 but that in 2002/03 2 Traveller families and 1 non-Traveller family was prosecuted and 3 Traveller families and 1 non-Traveller family in 2003/04.

\*It is not clear whether there were really no families prosecuted or whether there was no available data on this.

**Question 14 c): Number of Traveller and non-Traveller children taken to court for non-attendance after a monitoring/inspection visit:**

- Only 6 LAs responded to this question. Of these, 5 stated that no families had been prosecuted for this reason\*.
- The remaining LA stated that no families were prosecuted until 2003/04 when 3 Traveller families were prosecuted for this reason.

\*It is not clear whether there were really no families taken to court or whether there was no available data on this.

**Q15: Estimated cost of educational resources:**

- Only one LA was able to estimate a cost for providing educational resources/books/materials to EHE families, the estimate was £10.

It may well be that of the other 15 LAs there were no costs involved on account of there being no resources given to families.

**Question 16:** All LAs said that they provided advice to families electing for home education and in at least one LA this was both oral and written.

**Q17-18: Training and Briefing**

<i>Has any member of the EHE monitoring/inspection team...</i>	<b>N</b>	<b>Yes % of responding LAs</b>
Attended in-service/briefing on EHE?	<b>9</b>	<b>56</b>
<b>Attended in-service/briefing on Traveller communities</b>	<b>5</b>	<b>36</b>

This data raises serious doubts about the quality of professional judgements being made by officers during initial and or monitoring/inspection visits to Traveller families.

**Q19: Special Educational Needs**

- Where a child has a statement of special educational needs (SEN) 2 LAs stated that the LA only approves or opposes the EHE request if the child is in a special school – otherwise it is the parents' choice and right to withdraw their child. 2 LAs stated that the decision was made jointly between EHE and SEN officers, 2 LAs stated that there was no change in the decision-making process and 2 LAs stated that responsibility for that child was given to SEN. 6 LAs reported joint monitoring/inspection between SEN and EHE.

Despite a variety of practice, it seems clear that special attention is given in cases that concern children with statements of special educational need.

**Q19-20: Concerns/Issues**

- 13 (81%) of LAs said that yes, they had concerns about EHE in regard to Traveller issues.
- 7 (43%) of LAs noted concerns over whether EHE Traveller children were receiving full and appropriate educational provision, mainly due to concerns over the parents' skills especially in literacy and numeracy.
- 3 (19%) of LAs noted concerns that there was a lack of commitment to education and that often EHE was used as a way of legally withdrawing children from school. 3 LAs were also concerned about increasing numbers of Traveller families registering as EHE and the domino effect that this has in communities.
- 5 LAs mentioned equal opportunities. Some felt that girls were particularly disadvantaged and that the lack of appropriate educational provision restricted the opportunities available to EHE Traveller children.
- 2 LAs mentioned difficulties in monitoring the children due to the nomadic lifestyles of the families.
- When asked about difficulties faced by Traveller families regarding participation in public examinations for EHE children, the majority of LAs who responded mentioned that EHE Traveller children do not take public exams or SATs; 4 LAs also mentioned that exams/SATs are not applicable or relevant to these families. 5 LAs mentioned practical difficulties such as funding, coursework and finding somewhere to sit the examinations.
- When asked about issues concerning work experience/careers guidance for EHE Traveller children the majority of LAs stated that work experience or employment was arranged informally through the families and communities. 4 LAs noted that Connexions or other advice was rarely used by these families and 2 suggested problems with accessing further education. 5 LAs also mentioned health & safety/insurance issues, some stating that they could not arrange work experience as these pupils would not be covered by insurance.

## **4.2 Analysis of Elective Home Education (EHE): Gypsy, Roma and Traveller Pupils' survey: TES Questionnaire**

### **Q1: Total number of Traveller children registered for EHE in the last 4 academic years**

<i>Academic Year</i>	<i>Total number of EHE-registered Traveller children*</i>	<i>Mean number per responding TES</i>
2000/01	177	<b>9.3</b>
2001/02	260	<b>13.7</b>
2002/03	371	<b>19.5</b>
<b>2003/04</b>	<b>458</b>	<b>24.1</b>

Base=19 LAs

\*3 LAs responded with estimates, one of which estimated between 40-50 pupils in each year – this estimate is not included in the table above.

It is interesting to note that 3 (15%) of TESs could only estimate numbers of Traveller pupils on EHE and one of these estimated relatively high numbers which have not been included in the calculation. A serious question mark over the quality of the TES database is raised in these three cases. It is not possible to compare this overall statistical data with that contained within the LA responses as the questionnaire return rates were different, as too, were the totals recorded for all children registered as EHE. It should also be noted that the rate of option has increased year-on-year by approximately 40%.

### **Q2: Total known numbers of Traveller children**

- 20 TES responded giving estimates of the numbers of school-age Traveller children in their LAs. 5 LAs stated that these were approximate or estimated figures.
- In all responding LAs there were a total of 10,010 school-age Traveller pupils with an average of 500.5 per TES.
- An estimated 58% of these Traveller children are enrolled in schools.
- There are an estimated 462 Traveller children registered as being EHE, an average of 23.1 per TES.
- The TES reported that some 2952 children in total are registered for EHE – Traveller children make up an estimated 16% of these pupils.

### **Q3: Occupational/ethnic backgrounds of EHE children**

<i>Occupational/ethnic background</i>	<i>N</i>	<i>%</i>
Gypsy/Traveller	409	<b>78</b>
Roma	66	<b>13</b>
Fairground	5	<b>1</b>
Circus	0	<b>0</b>
New Traveller	24	<b>5</b>
Other	19	<b>4</b>
Total	523	100

Base=20 TES

By far the largest group opting for EHE is within the Gypsy/Traveller community – nearly 80%. What is also significant and unexpected is the relatively high number of Roma opting for EHE. It has always been assumed that their interest in coming to the UK has been linked to their interest in the quality of education and the avoidance of special schools. In addition, New Travellers feature as expected given their traditional leaning towards EHE. What is also of interest is the relatively small number of Fairground children registered as EHE.

**Q4: Number of EHE-registered Traveller children in 2003/04 by year group**

- Of the 20 TES who could give numbers of Traveller children in their LAs, 18 were able to give a breakdown of EHE-registered Traveller children by year group.

**Number of EHE-registered Traveller children in 2003/04 by year group**

<i>Year group</i>	<i>N</i>	<i>%</i>
Foundation	0	<b>0</b>
Year 1	9	<b>2</b>
Year 2	4	<b>1</b>
Year 3	4	<b>1</b>
Year 4	7	<b>2</b>
Year 5	12	<b>3</b>
Year 6	18	<b>4</b>
Year 7	76	<b>18</b>
Year 8	89	<b>21</b>
Year 9	85	<b>20</b>
Year 10	75	<b>17</b>
Year 11	55	<b>13</b>
Total	434	100

Base=18 TES

While there are a number of Traveller children registered as EHE in the primary years, it is clear that nearly 90% are in the secondary phase of education. The data does not provide information on whether Key Stage 1 children are part of families who are either nomadic and or coming from particular backgrounds. This will be looked at in the second stage of the research. It should be noted, however, that at Key Stage 2 there is a marked increase in children opting for EHE in years 5 and 6 (7% in total). The peak years are years 8 and 9 but the observed fall-off in years 10 and 11 could reflect a reality that some children may have dropped out of education at this stage and or have no need to elect as at that age they feel immune from legal action for non-attendance at school.

**Q5: Reason for EHE registration of Traveller families (estimates)**

- 15 TES were able to estimate figures for the reasons for EHE-registration of Traveller families. The results from these TES are presented in the table below.
- A further 2 TES responded but were unable to give numbers. They stated that among the reasons for EHE registration of Traveller families were:
  - Educational philosophy
  - Fear of cultural erosion
  - Coursework/curriculum stress

- Curriculum relevance
- Racist and other bullying
- Nomadic lifestyle/work routines

<i>Reason for EHE registration</i>	<i>Number</i>	<i>%</i>
Particular educational philosophy	50	10
Fear of 'cultural erosion'	165	34
Coursework/curriculum stress	4	1
Curriculum relevance	56	12
Racist and other bullying	67	14
Exclusion or risk of exclusion	12	2
Attendance difficulties	6	1
Pressure of EWS/TES for non-attendance	18	4
Staff/pupil conflict	10	2
Nomadic lifestyle/work routines	19	4
Religious reasons	10	2
Lack of school places	1	0
Other	67	14
Total	485	100

Base=15 TES

The data in response to **Question 5** of the TES returns provides some further important insights into the motivations of families opting for EHE. It is important to note, however, that it is not known whether these assessments are based on questions to families or guesswork by TES coordinators completing the questionnaires. By far the most significant reasons seem to relate to 'fear of cultural erosion' (34% [the same % as within the LA questionnaire returns]), 'racist and other bullying' (14%) and 'curriculum relevance' (12%), although 'particular educational philosophy' (10%) was also seen as a causal factor, but there is no evidence as to what these might be or suggested to be since the author does not have access to the returned questionnaires. It is important to note that the differences in alleged reasons for choice of EHE given by the LEA and the TES may reflect the differences in the quality of the relationships between the two professional groups and the Traveller communities. Of particular note and importance to this study is the differences in the numbers recorded for 'racist and other bullying' (4.9% for the former and 14% for the latter). Again, the practical considerations of a nomadic lifestyle would seem to be a low factor in electing for home education. Although on the basis of this data it could still be argued that 'fear of cultural erosion' and 'curriculum relevance' are closely related considerations in the process that families go through when assessing the value of education (combined figure of 46% as opposed to 71% for the LA returns), it also has to be recognised that fear of racist and other bullying features prominently in the list of casual factors. It could also be argued that 'staff/pupil conflict' and 'exclusion or risk of exclusion' might well be linked to bullying and thus the casual factor may in reality be even more significant. Within the 14% of responses under 'other', a majority said that parents sighted a combination of factors including cultural erosion, racist bullying and curriculum relevance. Other reasons included health, the withdrawal of girls prior to the onset of puberty, peer group pressure and in one case, the fact threat the local secondary school was placed in special measures following an OFSTED Section 10 inspection.

#### **Q6-13: TES Policy**

<i>Does the TES...</i>	<i>Yes (Number)</i>	<i>No (Number)</i>
Have its own policy on EHE?	3	15



(If no to own policy) follow the LAs EHE policy?	13	<b>0</b>
Provide any initial advice for families opting for EHE?	16	<b>2</b>
Have any further contact with the family once they have been referred to the LA monitoring/inspection person?	17	<b>3</b>
Provide the family with any educational resources/books/materials?*	1 (estimated cost=£20)	<b>19</b>
Asked to reintegrate Traveller pupils into schools where the family has decided to end EHE?	16	<b>4</b>
Help find tutors for EHE families?	2	<b>18</b>
<b>Attend in-service/briefing on EHE?</b>	<b>12</b>	<b>6</b>

- TES were asked about the nature of advice for families opting for EHE. The most common response was that families were given advice about the pros and cons of EHE education, usually with the aim of encouraging them to leave the child in school. Two (2) TESs said that advice was given on the practicalities of EHE such as their duties etc. and 2 TESs actually offered practical support with applying for EHE (such as help with filling in forms).
- Of the 17 TES that said that they do maintain contact with EHE Traveller families, most said that the frequency of contact varied and would depend on the situation. For example “Frequency depends on mobility and needs of each individual”. 5 TESs said that they maintained regular contact.
- Of those 16 TES that have been asked to reintegrate Traveller children back into school, 3 stated that they had faced no particular problems with this. However, many TESs did note problems relating to the ethos of the school as not Traveller-friendly, the difficulties caused by the lack of education of these children, reluctance on the part of parents and children to return to school and the high levels of support needed.

Only 3 TESs had written policies, although the clear majority adopted the LA’s standard policy. In addition, only one TES provided the families with educational materials and books, although this was not thought to be above £20 per family. Only 2 TESs helped the families to find tutors. Two thirds of TESs had participated in relevant in-service training on EHE. This is in reverse contrast with the LA officers responsible for initial approval and monitoring/inspection.

**Q12: Impact of Traveller pupils opting for EHE**

- Of the 18 TES that responded to this question, 7 said that it had no or minimal impact. A number of respondents pointed to the disappointment or frustration of schools, usually primary schools, and the relief or encouragement of secondary schools. Linked to this, 3 TESs stated that Traveller pupils opting into EHE meant that schools became less able to respond to the needs of Traveller pupils. Two (2) TESs also pointed to the impact on the schools attendance figures and test results.

**Q14: Frequency of active liaison between TES and monitoring/inspection person(s)**

Frequency	Number	%
High	11	55
Average	4	20
Low	4	20
<b>Non-existent</b>	<b>1</b>	<b>5</b>

The data revealed in this table provides a variable picture, but over 50% of TESs have a high level of liaison with the monitoring/inspection process. It still remains that 25% have either low or non-existent liaison with the quality assurance process. This aspect of the findings will be looked at in greater detail during the second stage of the research.

**Q15: Appropriateness of education**

The vast majority of responding TES (94%) feel that Traveller children, on average, are not receiving an education suited to their ages, aptitudes, abilities and any special needs they may have.

- Among the reasons behind this response many respondents mentioned that Traveller parents often use EHE as an ‘escape route’ out of formal education and that very little formal education is provided. A lack of basic skills among parents was also often cited.

**Q16-17: Special Educational Needs**

- Thirteen (13) out of 18 TESs replied that there were EHE Traveller children who would be on the SEN register if they were at school.
- Of these 13 TESs, many stated that the children had learning difficulties (usually moderate or low-level rather than specific or severe).
- Fifty (50)% of the responding TES stated that there were some EHE Traveller children with statements of SEN. Most of these children have statements for some form of learning difficulty.

**Q18: Support for EHE Traveller families**

- Eleven (11) TESs responded that EHE Traveller families had received support from formal organisational structures, 3 TESs said no support had been received.
- Forms of support ranged from providing families with a list of support contacts, private tutors and joining Education Otherwise.

**Q19-21:**

<i>EHE Traveller children</i>	Number	%
<i>Of the total number of Traveller children registered for EHE in 03/04 how many were...</i>		
Housed	150	32%
Caravan/trailer dwelling	312	68%
<b>Total</b>	<b>462</b>	<b>100</b>
How many EHE Traveller families had other children at a local school	128	28%
<b>How many EHE Traveller pupils also registered with a local school</b>	<b>0</b>	<b>0%</b>

It is very interesting to note that nearly a third of Traveller children registered with EHE are sedentary in housing. This is a very significant development given the rapid growth in numbers over the last four years and the estimated total number of

'housed' Travellers nationally. It would seem from the data within this table that a third of families are able to manage both school attendance and EHE for their different children within the family and this may well be that younger children go to primary school and then move to EHE once they approach and or reach secondary age.

**Q22: Problems/issues faced by EHE Traveller families regarding participation in public examinations**

- Of the 17 TES responses, the majority stated that no EHE Traveller families have ever taken public examinations. For example: "Many of the students who have opted out of LA provision do not feel the need to have their curriculum validated by statutory and national tests".
- Four (4) TES respondents stated that due to problems of low attainment and inappropriate curriculum, entering examinations was often not realistic for these pupils and a further 4 stated that EHE Traveller families place little importance on formal qualifications.

**Q23: Problems/issues faced by Traveller families regarding access to work experience opportunities and careers education/guidance**

- Seventeen (17) TESs gave responses to this question. Four (4) TESs mentioned that work experience was minimal for this group and often linked to their community. Four (4) TESs also mentioned difficulties with accessing Connexions and/or Personal Advisers for these groups.
- Two (2) TESs also mentioned gender inequalities and the fact that there were fixed ideas in the families about what work boys and girls would do in life.
- Two (2) TESs mentioned concerns with health and safety issues and funding issues.

## **5. ISSUES ARISING**

**5.1** Existing legislation, which is also compliant with international law and conventions, enshrines the rights of parents, guardians or legal carers to choose the education for their children.<sup>19</sup> This choice also includes the possibility of parents educating their own children either themselves or through the employment of tutors.<sup>20</sup> These rights are subject to compliance with a set of legal conditions which in the main place a responsibility on parents to ensure that their children receive an efficient and suitable education. A 'suitable' education is defined as one that "primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he wishes to do so".. The law also secures the right that the education that children receive is in accordance with the wishes of their parents so far as that is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure.<sup>21</sup>

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<sup>19</sup> See Article 2 of Protocol 1 of the European Convention on Human Rights. See also Section 7 of the Education Act 1996.

<sup>20</sup> See DFES Guidance. Parents are responsible for ensuring that such engaged people are suitable persons to have access to their children. The onus of responsibility is on parents to request a CRB Basic Disclosure check if they so choose.

<sup>21</sup> Section 9 of the Education Act 1996.

In addition, local education authorities are seen as responsible for ensuring that parents comply with this requirement.

**5.2** If a child has already been registered with a school then parents are legally required to notify their LA if they decide to withdraw the child and educate her/him at home. In the case of Gypsy/Roma and Traveller children, a school may see the 'without notice' withdrawal of a child as linked to the family's legitimate nomadic lifestyle and so may not automatically notify other agencies within the authority or log this with the national child Information Sharing Index database.

**5.3** The LA has the duty to assess and approve such provision and to monitor it over time. It is to be noted that if a child has never been registered with a school, then there is no duty on the parent to notify the LA if they decide to educate, or arrange to have educated, the child(ren) at home. This situation could again be problematic in relation to Gypsy, Roma and Traveller families in that many children start school late and so it is possible that many children from these backgrounds at any age within Key Stages 1 and 2 could start their education at home with no duty on the parent to notify the appropriate authorities.

**5.4** A traditional view has been held that most parents opting to elect for the home education of their children have taken such a decision on legitimate grounds that reflect particular value and belief systems linked to culture or religious/faith conviction. In a number of cases, these motivations may be fortified by a judgement that available schools will be unable to deliver the right values and orientation of knowledge to meet the children's assessed needs and parental ambitions; that local and or acceptable provision may be too distant from the home, and or the child refuses or is exceedingly unwilling to go to school.

**5.5** Disenchantment with the provision in available schools may be a further incentive to elect to educate at home. Some Gypsy, Roma and Traveller families fear 'cultural erosion'. Other decisions are based on the judged irrelevance of the school curriculum, and or the anxiety to protect their children from racist and other bullying. Within the context of the Every Child Matters agenda there is a need for schools to make provision that is responsive to the needs and expectations of communities. In these latter circumstances, it could be argued that the families and the children involved are being required to pay an unreasonable price because of inflexibilities within mainstream provision for which they are not responsible. In this situation the rights of the victims are being undermined. For this situation not to be addressed may result in unintentional racial discrimination against Gypsy, Roma and Traveller minority ethnic communities.

**5.6** Information stemming from a number of diverse sources, including academic research, provides overwhelming evidence to suggest that a very strong motivation for families to elect for home education is the impact of racist and other bullying. A clear message was heard at the DfES sponsored ethnic self-ascription seminars that parents and pupils are frightened to declare their true ethnic background when registering at a school because of the fear of racist bullying. National and international race attitude surveys confirm that Gypsy, Roma and Traveller communities are the most marginalised ethnic communities in Europe and this is confirmed by the seeming 'open season' freedom of negative media coverage.

**5.7** These negative racist attitudes manifest themselves at all levels of public provision including schools. Negative attitudes thus have the potential for surfacing among non-Gypsy, Roma and Traveller pupils, adults working in the school, and the parental community.

**5.8** In addition to racist bullying, it is also well documented that Gypsy, Roma and Traveller communities are the most socially excluded communities in British society. A picture is thus emerging of where the educational opportunities of whole minority ethnic communities are being distorted by a lack of knowledge and racist bullying.

**5.9** The developments described within this report provide clear evidence that Gypsy, Roma and Traveller communities represent a unique case. Because of inherent inadequacies within mainstream educational provision as listed, it could be argued that increasing numbers of children from these communities are unjustly being 'removed' de facto from mainstream provision. And yet these are the communities most ill placed to organise or deliver an efficient and suitable education for their children. Many parents have very low level literacy skills, have limited and negative experiences of attending school themselves and are among the least qualified to be able to make a sound and informed judgment on the quality of the education that they are managing to provide or organise for their children. There is little doubt that **few** Gypsy/Roma and Traveller parents are providing their children with a suitable education. As either consumers or providers parents are thus seriously disadvantaged.<sup>22</sup>

**5.10** The legislation, which secures the rights of parents in this context, obviously pre-dates by many decades the more recent legislation which places very new and rigorous demands on government and public authorities in relation to human rights, race equality and Every Child Matters. This new robust legal context now requires a legislative amendment to the previous weak arrangements. The DfES needs to address the issues and take action to safeguard the interests and welfare of the very vulnerable children in these communities, and indeed, all those children being educated under the EHE arrangements. The demand for more rigorous legislation to protect the child from harm and abuse has been prompted by the high profile cases that have shocked the nation. Contemporary demographic and social profiles of the public at large suggest that most of the abuse of children takes place within families and the home and that there are now many more families where one of the partners is not the biological parent of the child(ren). Gypsy/Roma and Traveller communities, in common with all the other families registered nationally with EHE, are as vulnerable as any other sector of society to these changed social circumstances. Gypsy/Roma and Traveller communities have thus inadvertently highlighted these issues and the current loopholes in the existing legislation and the identified weaknesses in the way it is administered and enforced.

**5.11** In a broader pan European context, wide international concern has been alerted to the social exclusion of the 12 to 15 million Gypsy, Roma and Traveller communities and their frequently marginalised status within racially segregated ghettos. It is increasingly realised that social isolation and exclusion is in serious tension with good race relations and community cohesion. To allow the process as described within this report to continue unchecked will result in the further social isolation and structural hindrances to community integration and cohesion.

**5.12** The DfES is advised to take action to address these issues by way of the legislative process.

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<sup>22</sup> Within the Education Act 1996, an 'efficient' education is defined as one that "achieves that which it sets out to achieve" and a 'suitable' education is one that "prepares children for life in a modern civilized society and will enable them to achieve their full potential".

## 6. CONCLUSIONS AND RECOMMENDATIONS

### **Conclusions**

**6.1** The research data from this small scale research project provides sufficient evidence to confirm that the serious concerns expressed by OFSTED, TESs and other players, are fully justified in relation to a number of issues surrounding the quality of education provided and the care and protection for Gypsy/Roma and Traveller children (and all EHE children) when their parents have elected to educate them at home.

**6.2** Few Gypsy/Roma and Traveller parents have the knowledge, skills and resources to provide or deliver a full-time education that is efficient and suitable. And yet the percentage of Gypsy/Roma and Traveller families who have opted for EHE is increasing at a high rate. There may also be a possible 50% to 75% of children from these communities opting out of secondary education. Given the research findings about school curricular irrelevance and racist bullying, the developing situation re EHE is a clear example of racial discrimination and social exclusion.

**6.3** The main reasons are linked to a cultural mismatch in terms of purpose and expectations between that of the communities and that of schools and the frequent need to protect their children from the corrosive impact of endemic racist bullying.

**6.4** It is clear that there is no standard practice in relation to registration approval and the routine monitoring/inspecting of provision, nor in regard to what constitutes an entitlement curriculum.<sup>23</sup> The existing regulations rely in the main on good will. The long history of the difficult relationships between the Gypsy/Roma and Traveller communities and settled society pose a serious threat to the effective operation of good will in these circumstances.

**6.5** The legal constraints imposed on those responsible for monitoring/inspecting the provision within individual families must be seen as in direct tension with child protection considerations and the 'Every Child Matters' agenda. For those children who have never previously been registered with a school, there is no legal duty on the parents to notify the appropriate authorities of their intention to provide education at home. Parents are not legally required to notify the local education authority unless the child is registered at a special school.<sup>24</sup>

**6.6** A growing number of Key Stage 3 and 4 children, most of whom have minority ethnic status, are missing out on a quality education, a deprivation which will ill equip them for their future lives within their own communities and the potential for seeking opportunities in mainstream society at large. Choices are being closed down irretrievably and in most cases the wishes of the children themselves are not taken into account in the decision making process to opt for EHE.

**6.7** In the light of the recent legislative programme to improve the education of all children and to protect them from harm and abuse, it is strange that elective home education is the only area of education and child care that is not subject to more

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<sup>23</sup> The DfES Guidance says that, "LAs should not specify a curriculum which parents must follow" In addition, and reflective of the same soft approach, the Guidance issued under Section 14 of the Standards in Scotland's Schools etc. Act 2000. (See also Education (Scotland) Act 1980 Section 37(2). "There is no express requirement in the 1980 Act for education authorities to investigate **actively** whether or not parents are complying with their Section 30 duty".

<sup>24</sup> See DfES EHE Guidance.

rigorous statutory regulation concerned with quality assurance and accountability. The existing legislation is essentially only concerned with parents' rights and may now be judged as inadequate to protect the educational rights and to safeguard the welfare of children.

### ***Recommendations***

**6.8** In terms of securing uniform guarantees of children's rights and entitlements to a quality education irrespective of provider, and the safeguarding of the care and protection of children from possible harm and abuse, parliamentary legislation is required.

**6.9** Legislation should apply uniformly to all families with children currently being educated at home and those wishing to elect for home education in the future.

**6.10** It is suggest that the legislation should ensure that:

- a) a standardised national system of registration be implemented by each local education authority in terms of assessment criteria; monitoring/inspection visits; and the time sequence related to these events
- b) the wishes of children are established and taken into account in the assessment process.
- d) a clear curriculum entitlement is defined which is broad and balanced.
- e) all children to be registered (irrespective of whether they have ever been registered with a school), and that all children registered under EHE are seen initially and in the teaching and learning situation on a regular basis defined in law and a standard format for post visit reports and their distribution
- f) all children registered under EHE are assessed on a regular basis in relation to expectations of educational progress.
- g) that a timetable be established and defined in relation to the procedures incumbent on local authorities pursuant to assessment judgements of the provision being unsuitable.
- h) parents and secondary aged children have the right of appeal at any decision by the appropriate authorities in regard to an application and continuance of elected home education.

**6.11** The legislation should be supported by appropriate circulars and other guidance together with an initial and periodic national training programme.

**6.12** That Local authorities be required to include within their Inspection Cycle, an assessment of the quality of the assessment and monitoring/inspection functions in relation to elective home education and to report on their findings.

**6.13** That the criteria for assessment and monitoring/inspection visits should be based on a modified version of the requirements for the inspection of independent schools under Section 162a.<sup>25</sup>

**6.14** The Department for Education and Skills should implement changes in order that the cycle of prejudice is broken down, racist bullying tackled and the educational needs and aspirations of Gypsy/Roma and Traveller communities are taken into account within maintained schools.

**6. 15** That a review be commissioned by the DfES after five years of the implementation of the new legislation.

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<sup>25</sup> The Education Act 2002, Section 162a.

**2005 School Census data on the achievement of Gypsy / Roma and Travellers of Irish heritage.**

**2005 DETAILED FINDINGS BY KEY STAGE**

**KEY STAGE ONE**

- Gypsy/Roma pupils and Travellers of Irish heritage pupils perform considerably lower than the average for all pupils in maintained schools in all subjects. However, there are small numbers recorded (as parents and children fear racial prejudice) in these 2 ethnic groups (although the number of KS1 pupils identified within these categories has increased slightly since 2004).
- On average, the results for Traveller of Irish Heritage pupils have improved since 2004 by between 1 and 2 percentage points. However, the results for the Gypsy/Roma group have, on average, decreased by around 1 to 3 percentage points since 2004.
  - In 2004, 50% of Traveller of Irish Heritage pupils achieved the expected level in KS1 Maths, this percentage increased to 52% in 2005. However, the corresponding figures for Gypsy Roma pupils decreased from 64% in 2004 to 62% in 2005.
  - The attainment gap in Reading, Writing and Maths between these pupils and the average for all pupils in maintained schools has widened since 2004 for Gypsy/Roma pupils but narrowed for Traveller of Irish Heritage pupils.



## **KEY STAGE TWO**

- Gypsy/Roma and Traveller of Irish Heritage pupils are consistently performing considerably below the average for all pupils in maintained schools in each subject. In English and Maths only just over a quarter of Traveller of Irish Heritage pupils and around a third of Gypsy/Roma pupils achieve the expected level compared to at least three quarters of all pupils. As with Key Stage 1 there are small numbers of pupils in these ethnic groups at the end of KS2 and the numbers of pupils in these categories have decreased slightly since 2004.
- However, there is evidence of improvements for these groups:
  - The percentage of Traveller of Irish Heritage pupils achieving the expected level for all subjects increased from 2004 to 2005, in English and Maths by 3 percentage points and in Science by 1 percentage point.
  - Higher percentages of Gypsy/Roma pupils achieved the expected level in each subject in 2005 than in 2004. The increases for this group in each subject were the highest increases for any of the ethnic groups (with the exception of the unclassified group). For example, the % of pupils reaching the expected level in English increased by 7 percentage points, and by 8 percentage points in Maths and Science.
  - The attainment gap between these two groups and the average for all pupils in maintained schools has narrowed since 2004 in all 3 subjects.
- There have been fewer attainment increases in Science for all ethnic groups since 2003. Traveller of Irish Heritage and the Gypsy/Roma groups have the highest increases of 3 and 5 percentage points.
- Traveller of Irish Heritage, Gypsy/Roma, White/Black Caribbean, Black Caribbean, Black Other and Pakistani pupils made less progress from KS1-2 on average than the average for all pupils, given their levels of prior attainment. However, KS1-2 progress for these groups was greater this year than in 2004.

### **KEY STAGE 2 attainment by Gender**

- Nationally, Girls out perform boys in English and Science in all of the minority ethnic groups, with the exception of Gypsy/Roma and White/Asian pupils where Boys perform better than Girls in Science.
- On average, boys outperform girls at Maths. This is especially true for the Traveller of Irish Heritage, Pakistani and Bangladeshi groups where the gap between boys and girls is between 3 and 4 percentage points compared to an average of 1 percentage point for all pupils. White/Black African, Black Caribbean and Black African boys are all performing less well than girls.

## **KEY STAGE THREE**

- Gypsy/Roma and Traveller of Irish Heritage pupils are consistently performing considerably below the average for all pupils in maintained schools in each subject. In 2005 fewer than 30% of pupils in each of these groups are achieving the expected level in each subject compared to a national average of 70% or more. As with Key Stage 1 and 2, there are small numbers of pupils in these ethnic groups (the numbers of pupils in the Traveller of Irish Heritage group at the end of KS3 has increased since 2004 whilst the number in the Gypsy/Roma group has increased).
- Whilst there have been improvements in the results for the Gypsy/Roma group, this is not the case for the Traveller of Irish Heritage group:
  - The percentage of pupils achieving the expected level in all subjects has increased for Gypsy/Roma pupils since 2004 but decreased for Traveller of Irish Heritage between 2004 and 2005.
  - The Gypsy/Roma group had among the highest increases in the percentage of pupils achieving the expected level in each subject of any of the ethnic groups. In 2005 the percentage of Gypsy/Roma pupils achieving the expected level increased by 10 percentage points in English (compared to 4 percentage points for all pupils on average), by 4 percentage points in Maths and by 6 percentage points in Science.
  - The attainment gap between Gypsy/Roma and the average for all pupils in maintained schools has narrowed since 2004 in all 3 subjects.
  - In English and Science, the Traveller of Irish Heritage group was the only group to see a decrease in the percentage of pupils reaching the expected levels.
  - For Traveller of Irish Heritage pupils the attainment gap between these pupils and the average for all pupils in maintained schools has widened since 2004 in all 3 subjects.

### **Comparison with 2003 attainment**

- Since 2003 the low attaining minority groups have increased attainment in all subjects, with the exception of the Gypsy/Roma and Traveller of Irish heritage groups whose attainment has decreased in all subjects compared to 2003.

### **KEY STAGE 3 attainment by Gender**

- On average, girls out perform boys in all subjects in all of the ethnic groups, with the exception of White/Black African, Pakistani and Other White pupils. Boys perform better than girls in Science for White/Black African pupils and in Maths for Pakistani and Other White pupils.
- In particular, Pakistani, Bangladeshi, Black Caribbean and Black African girls out perform boys in English with higher differences ranging from 21% points to 13% points.

## **GCSE AND EQUIVALENT**

### **Any Subject**

- Gypsy/Roma and Traveller of Irish Heritage pupils performed considerably below the average for all pupils in maintained schools, especially the former group, only 15% of whom achieved 5A\*-C grades, compared to 23% of Traveller of Irish Heritage pupils and 55% of all pupils on average.
  - Fewer pupils from the Traveller group achieved 5A\*-C grades at GCSE and equivalent in 2005 than in 2004. There was approximately 7 percentage points difference between the % achieving 5A\*-C grades at GCSE and equivalent in 2004 (13.5%) and 2005 (14.7%). However, the results for Gypsy/Roma pupils increased by 1 percentage point from last year.
  - At GCSE and equivalent the attainment gap between these 2 groups and the average for all pupils in maintained schools continues to widen between 2004 and 2005.

### **English and Maths**

- On average fewer pupils achieve 5+A\*-C grades including English and Maths than achieve the same benchmark in any subject. On average there is a difference of 12 percentage points between these benchmarks. The extent of this difference does not vary much between different ethnic groups but generally follows a similar pattern to the results for 5+A\*-C in any subject.
  - White British, Irish, White/Asian, Indian and Chinese pupils achieved above the average for all pupils achieving 5A\*-C including English and Maths.
  - The remaining ethnic groups have achieved below the average for all pupils with only 9% of Gypsy/Roma pupils achieving 5A\*-C including English and Maths and only 27% of Black Caribbean pupils achieving this target.

## **KEY STAGE 2-4 VALUE ADDED MEASURE**

- Traveller of Irish Heritage and Gypsy/Roma pupils had the lowest KS2-4 value added scores (and therefore made the least progress) of any of the ethnic groups.

### **POST-16**

- Very few Traveller of Irish Heritage and Gypsy/Roma pupils were recorded as entered for GCE/VCE A/AS exams.

## Annex 2: Terminology and groups covered in the research

The term 'Traveller' has been used to describe a wide variety of cultural and ethnic groups which either are, or have been, traditionally associated with a nomadic lifestyle. The term has become a kind of shorthand for all these different groups but its continued use is now considered by many to be unhelpful and potentially discriminatory in character. The term 'Traveller' started to be adopted in the generic sense in the 1960s to avoid the use of the derogatory references at that time to 'gypsies' and 'tinkers'.<sup>26</sup> The use of the generic term for all of these otherwise heterogeneous groups was more for the benefit of officialdom than to oblige any expressed self ascription wishes within the different communities themselves. Given the legal terminology surrounding the minority ethnic status of the two main groups, 'Gypsy/Roma and Travellers of Irish heritage', and the need to be inclusive while at the same time both respectful of felt and perceived cultural differences, and the need for manageable semantic drafting, it would seem that the most appropriate terminology to describe the groups 'collectively' would be: **'Gypsy, Roma, Travellers and travelling communities'**.<sup>27</sup>

**Gypsy/Roma:** Within this term, however, there are a large number of different ethnic heritage descriptions either ascribed or self-ascribed and these include non-derogatory words as such: Gypsies, Romany, Romany Gypsies, Travellers, Traditional Travellers, Romanichals, Romanichal Gypsies, Scottish Travellers/Gypsies, Nawkens, Welsh Gypsies/Travellers, Kale and Roma. Although the European Union has accepted that the term 'Roma' is generally acceptable in collectively describing all European Gypsies, there are of course many different groups which may have geographical/territorial associations and are ascribed and or self-ascribed as such (non-definitive list): Vlach Rom, Rom, Kalderash, Manouche, Sinte, Tattare, Kaale, Cale, Lavari, Ursari, Boyhas, and Luri. Millions of Gypsy/Roma people speak the Romani language, making it one of the principal minority languages of Europe. Romani is an Indic language, closely related to modern Hindi, which developed in the European diaspora under the influence of a number of other languages, most notably Byzantine Greek. There are over a hundred dialects of Romani and although in the past there have been efforts to deny the legitimacy of Romani as a language, with some scholars classifying it as a form of jargon, there is now broad consensus among linguists as to the wealth and unity of the Romani language. The Romani spoken by English Gypsies is known as *pogadi jib* (*broken tongue*) and a number of TESs report that it is spoken as a first language within some Gypsy families. This is certainly the case with most Eastern and Central European Roma.<sup>28</sup>

**Travellers of Irish Heritage:** A range of terminology is also used in relation to Travellers with an Irish heritage. These are either ascribed and or self-ascribed and

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<sup>26</sup> Note the lower case letters that were commonly used at that time. There has been a long 'battle' by activists over the years to ensure that the correct spelling with capital letters is common practice. Complaints on this issue to Hansard were always responded to by passing the buck to Chambers Dictionary usage. Chambers has now finally agreed to use the spelling 'Gypsy' with a 'y' and not an 'i', and also to use capital letters for Gypsy and Traveller. Hansard has indicated that it will now make the necessary changes. It is also to be noted that the tabloid press appear to continue to practice and wilfully reinforce cultural and ethnic disrespect by using lower case letters and incorrect spelling despite many supplications.

<sup>27</sup> This suggested terminology is also inclusive and yet respectful of Show People & or Fairground Families/Communities, Circus Families/Communities, New Traveller Families/Communities and people living on boats – Bargee/Boat Families/Communities, without structural terminological and inaccurate links to the two distinct minority ethnic communities also included.

<sup>28</sup> See "Romani: A Linguistic Introduction", Yaron Matras. Cambridge University Press, 2002.

include as such: Minceir, Travellers, Travelling People, and Travellers of Irish heritage. Travellers of Irish heritage speak their own language known as Gammon, sometimes referred to as 'Cant' and which is a language with many Romani loan-words, but not thought to be a dialect of Romani itself.

**'Travelling children/communities:** These children/communities include Show People and or Fairground Families/Communities. Circus Families/Communities (frequently included within the same circus are families with a range of national and ethnic backgrounds). Next are New Travellers, (New Age Traveller, New Age Gypsy) Families/Communities and people living on boats – Bargee/Canal Boat and Boat Families/Communities. Many Circus families are frequently from different countries across the world and so English as an additional language could be an issue for many of these children in any home education setting.