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Ysgrifennydd y Cabinet dros Addysg
Cabinet Secretary for Education



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref KW/01504/18

Cllr Darren Price
Chairman, Education and Children Scrutiny Committee
Carmarthenshire County Council

DemocraticServices@carmarthenshire.gov.uk

26 June 2018

Dear Cllr Price

Thank you for your letter of the 6 June listing the comments from Carmarthenshire County Council's Education and Children's Scrutiny Committee on Elective Home Education (EHE).

Firstly, I would like to thank you for recognising that local authorities have a massive role to play supporting, and when necessary challenging, home educating families.

As you mentioned on the 30 January I made an announcement detailing my intent to use existing powers to require local authorities to establish a database and publish new guidance to both Local Authorities and parents who electively home educate.

My intention is to consult on using existing powers found in section 29 of the Children Act 2004 to require local authorities to establish a database to assist them in identifying children not receiving suitable education. I have, following careful consideration, chosen to require local authorities to establish a database rather than for each learner in Wales to be registered as I believe that this is the most proportionate approach to the issue, while testing the limits of current legislation. This legislation proves pivotal when local authorities are unhappy with the standard of education that home educators are providing and offers them a route to require these children attend school if necessary, by using a School Attendance Order. Whilst I understand your wish for there to be a mandatory register for children in receipt of home education, this would require primary legislation, and before going down that road and all that it entails, I want to ensure that we have exhausted all of the options that current legislation provides us with to resolve the issues identified regarding home-education. Requiring parents to register they are home-educating may sound like a sensible

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

approach; however a duty on parents will not compel every parent to come forward and register. If a local authority is to enforce a duty on parents they first need to know who they are.

Statutory Guidance will set out the arrangements local authorities will be required to put in place for the operation of the database and how it will be managed. The guidance will set out the activities local authorities will need to carry out in order to identify home-educated children not known to them, and not receiving a suitable education.

This approach will ensure that the level of engagement by local authorities will be consistent and ensure all home educating families are offered the same level of support.

My intention is to ensure that every child in Wales receives a suitable education. We cannot assume that every child that is home educated is vulnerable as there is a wide array of reasons that parents may decide to home educate. Safeguarding should not be seen to be just a matter of concern for education; it is a matter of concern for all agencies with responsibility for children and young people. Whatever the reason maybe for disengagement from services, we will need a multi-agency approach to collectively ensure that no child becomes or remains invisible to services. The database will be used for education purposes, however, if in the course of an assessment the local authority identifies a child protection issue or a criminal issue that should be dealt with in the same way as when such issues are picked up by the authority in its other work.

That being said a multi-agency Task and Finish group chaired by Keith Towler, of the National Independent Safeguarding Board has been meeting to develop *All Wales Practice Guidance: Safeguarding home educated children*.

The practice guidance is intended to be used in conjunction with new National Protection Procedures which are being developed by Cardiff and the Vale Safeguarding Board on behalf of ADSS Cymru and the Safeguarding Boards in Wales. There will be a training programme to support implementation and to support the ambitions of the Welsh Government that every child should be safe.

Within your letter you also state that families who home educate have less access to universal services and this is true. In developing regulations and statutory guidance I am committed to strengthening the support available to home-educators (such as access to Hwb, help with exam registration and greater Additional Learning Needs support) and to considering how universal entitlement can be extended to home educated children.

The Additional Learning Needs and Education Tribunal (Wales) Act, which was granted Royal Assent on 24 January 2018, will transform the additional learning needs system in Wales so it provides better support to children and young people aged 0-25 years who need it.

I believe the Act and wider Transformation Programme will help ensure that children and young people with Special Education Needs in all education settings in Wales are supported to reach their full potential.

The Cascade report has been very helpful in informing our considerations around EHE. Research on home education is always welcome and where appropriate we will look to incorporate the evidence and recommendations from the report as we develop and consult on the regulations and statutory guidance.

While we look at ways in which we may better support home education both at a national and a regional level we must also look at how schools could better support home education. For this reason my officials have been in discussions with a number of flexi-schools in England in order to establish a research base with the possibility of a flexi-school pilot in Wales.

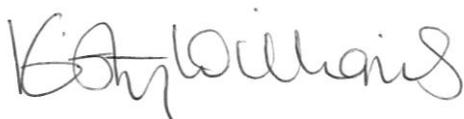
My officials are working with key stakeholders to review the All Wales Attendance Framework and attendance codes to ensure that arrangements continue to provide effective support for pupils, parents, schools and local authorities. The review of the codes includes consideration for flexi-schooling which was brought to our attention during the engagement with local authorities across Wales.

My goal is to ensure that those children that are being electively home educated are receiving the suitable education that equips them with the skills and knowledge necessary to fulfil their potential and will not hinder them whatever path in life that they may take. In order to do this my officials will be working with stakeholders across Wales to establish what a suitable education outside of mainstream education would look like, while keeping in mind that it isn't like for like.

Thank you again for your letter and reaffirming your support in reshaping the home education system in Wales and for agreeing that these plans "balance the rights of parents to educate their children at home on one hand with the expectations and moral duties of the State". I wish to also express my thanks that you recognise your responsibility to support every home educating family in Carmarthenshire.

I hope that we can count on you to support my officials in undertaking these changes when the time comes. In the meantime I would like to extend to you an invitation to Su Crowther to present an item on both your letter and this response at the next Local Authority EHE Stakeholder Meeting.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kirsty Williams', written in a cursive style.

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