



**Families First
in Education Wales**

Website: familiesfirst.wales

Email: [REDACTED]

Date: 10 June 2022

To: The Welsh Government
Equity in Education Division
Education Directorate

Dear [REDACTED],

Thank you for your department's letter of 23rd May following up our meeting of 9th May.

From communications so far, it appears that rather than heeding the voices of concern raised by many home educators, the Welsh Government intends to pursue its proposals as outlined in the 2019 and 2020 consultations. In particular:

- Establishing a database of all children using data from healthcare sources and health authorities, for the purposes of identifying a particular group.
- Mandatory regular meetings with both parents and children without consent of child or parent.
- Definition of suitable education to be determined by the Government rather than by the parents/caregivers.

Despite these extensive measures, the requirement for the perceived need to change existing guidance remains unclear, given that parents are exercising legitimate and reasonable rights and when home education is not a matter of concern in terms of children's wellbeing.

There has been no evidence put forth for requiring statutory rather than non-statutory guidance, other than allusions to this being the preference of unspecified, non-parent stakeholders.

Whilst we welcome the present administration's assurance of an acceptance of different approaches to education, overall we feel that these proposals will be far from reassuring to those families who tried to communicate their experiences and concerns to the Government in the two consultations and since. These proposals give home educators the impression that their voices have been ignored rather than heard, thereby contradicting the National Principles for Public Engagement in Wales.

However, we look forward to continuing dialogue on these and the following points.

We note from the Minister's letter of 17 May to the Chair of the Children, Young People and Education Committee that it is indeed the previous Children's Commissioner's 2021 report on home education which has influenced the revisiting of these proposals. We believe that that report is highly flawed. Contrary to the approach claimed by the Assembly of "ensuring [that] the voice of those with 'lived experience' informs activity", it did *not* allow home educators any form of meaningful input in its preparation, despite requests to participate.

- Therefore we seek to address with the Minister the misconceptions and misapplication of human rights legislation and other factors within said report.
- In particular, we still seek the Minister's response to the rebuttal of the Children's Commissioner's report submitted by ourselves on 6th October 2021.

As we said at the meeting, the adversarial approach towards home educators by the Welsh Government in recent years has done significant damage to any trust they were willing to put in the Government or local authority representatives.

The positive effect of on-the-ground engagement through EHE-specific funding for Local Authorities is hampered by the justified fear that, instead of support, it will lead only to increased restrictions at Government level which will prevent parents from choosing the most suitable education for their individual child. The effects of providing genuinely meaningful, *optional* support – such as guaranteed access to

examination centres supporting the qualifications that are actually accessible to home educators, which remains a significant issue in large parts of Wales – cannot be understood while the threat of increased intervention remains.

By contrast, Scotland and N. Ireland have adopted a non-statutory model, where parents' educational choices are respected and they themselves are not regarded with suspicion. No doubt the proposals in the English Schools Bill presently before Parliament will be strongly contested because they place too much power in the hands of the Secretary of State, while providing no safeguards for home educating families.

In closing, we call upon the Welsh government to protect in law parental freedom to decide on the most appropriate form of education for their children, free from state oversight based on the premise that elective home education is automatically inferior to the provision made in state-funded schools.

We look forward to further dialogue. Perhaps you could suggest some suitable dates for another meeting, by which time we hope to have received the Minister's considered response to our own submission and the two legal opinions by David Wolfe QC regarding the proposals arising from the 2019 and 2020 consultations.

Yours sincerely,

Families First in Education Wales