



Llywodraeth Cymru  
Welsh Government



27 July 2022

Dear 

Thank you for your correspondence of 4 July. I have been asked to respond.

The Welsh Government acknowledges that some parents choose to home educate their children and the new proposals do not change that. The Government recognises that there are many valid, different, and sometimes complex reasons why parents would choose to home educate their child, and, in some cases, this will be the best choice for the child. However, this choice must be balanced with our duty to uphold children's right to receive a suitable education.

The elective home education (EHE) proposals have an educational focus and are linked directly to ensuring that the educational needs of learners are met. The Government believes that these proposals will provide the most proportionate and appropriate way forward, to ensure that all home educated children in Wales receive a suitable education.

In developing the proposals for EHE, Welsh Government used a range of approaches to fully engage and consult with key stakeholders including home educating families. These have been outlined in previous correspondence. All responses have been considered by officials, including those responses that referenced human rights and data protection legislation.

Work on the proposals re-commenced in September 2021, following a pause due to the pandemic. Officials have since maintained an ongoing dialogue with various EHE family representative groups via virtual meetings and related correspondence. The Minister for

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir 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.

Parc Cathays/Cathays Park  
Caerdydd/Cardiff  
CF10 3NQ

Canolfan Cyswllt Cyntaf / First Point of Contact Centre  
0300 0604400

Education and the Welsh Language also met with an EHE family representative group in May to listen to their views and discuss the EHE proposals in Wales.

The new statutory guidance acknowledges that home education is unique for each child and parents can offer their child an individually tailored experience, considerate of their child's age, ability, aptitude and in conjunction with the local authority provide for any additional learning needs (ALN) they may have.

The guidance acknowledges that the approach home educating parents take to ensure their child is receiving a suitable education is likely to be dictated by their own philosophy or views, and that the customs and practices of school-based approaches may not be relevant for some home educating families. It advises that when making enquiries about provision of education local authorities should be sensitive to the family circumstances, seek to understand why the family chose to home educate and look at provision on a case-by-case basis.

For a local authority to satisfy itself of the suitability of education provided by the parents, the guidance states that the local authority should see and communicate with the child. However, such a meeting does not have to take place in the home; it can take place in a mutually agreed location.

The meetings are an opportunity for local authorities to discuss the education provided and any support the family may need. They will also provide an opportunity for the local authority to develop a positive relationship with families and allow home educated children to share their views on the education they are receiving.

Therefore, seeing and communicating with the child supports the rights of the child. It helps local authorities to fulfil their statutory duties, to triangulate information about the child's education and to decide whether a child may have additional learning needs that may require additional support.

With reference to school attendance orders (SAOs). Where it is not clear that a child is receiving a suitable education (including situations where there is no information available at all), the guidance lays out the processes that should be followed by local authorities before consideration is given to issuing a SAO. These include attempting to clarify the issue through informal contact and enquiries, and meeting with the parents and home educated child regarding the education provision.

With reference to safeguarding. The new statutory guidance acknowledges that there is no evidence to suggest that home educated children are at greater risk of neglect or abuse than children who are educated at school. However, as with any child regardless of where they are educated, there may be circumstances which, individually or combined, give practitioners cause to seek further information about a child. Part 7 of the Social Services and Well-being (Wales) Act 2014 (the 2014 Act) sets out what must and should be done to safeguard children and adults. This applies to all children regardless of where and how they receive their education.

The EHE proposals include a wider package of support for EHE children to enhance their learning experience and development opportunities. Feedback from EHE families helped inform a core offer that should include sitting examinations in a local centre, access to local authority counselling services, support from Careers Wales, access to Hwb and free access to CADW sites. This will be complemented by a new 'home educator's handbook' with detailed advice and information to support home educating families in making the appropriate decisions for their child.

Consistent with the intention to build more positive and effective partnerships with EHE families, the Welsh Government is providing local authorities with £1.7m in the current financial year to support EHE. Feedback from EHE families, representative groups and local authorities has been very positive regarding its impact on the ground and in supporting EHE children's education.

Now that we are moving towards the end of the development phase, our focus must shift to ensuring successful implementation. I would encourage all stakeholders to assist in supporting this next phase.

We remain committed to children's rights in Wales and to ensuring that all children in Wales receive a suitable education and it is this principle that continues to guide our approach here.

I hope that this information is helpful.

Yours sincerely,



Senior Elective Home Education Policy Manager  
Equity in Education Division