



Education Committee

House of Commons London SW1A 0AA

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From Robert Halfon MP, Chair

Rt Hon Gavin Williamson CBE MP
Secretary of State for Education
Sanctuary Buildings
Great Smith Street
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3 December 2020

Dear Gavin,

As you will be aware, the Education Select Committee is currently looking into Home Education. The Committee is still analysing the huge number of written submissions we have received for this and is likely to hear further oral evidence in the new year. On that basis, I do not wish to pre-empt any of our final conclusions at this stage.

In the meantime, we do have some emerging findings for your consideration, several of which are linked to pre-existing Committee work on exclusions and children with special educational needs and disabilities (SEND).

Firstly, I want to make it clear that the Committee unanimously supports the right of families to opt for Elective Home Education. As [we heard in the Committee's session on 24 November](#), in the eyes of the law the responsibility to secure an education for a child rests with parents. It follows therefore that the choice to home educate should be afforded the same respect as the choice for children to attend a state or private school.

We have received submissions from individuals and organisations who are clearly passionate about providing a high-quality education at home, and who have formed supportive networks to enable this. We have also listened to voices of home educators who feel that home education has been blamed for what, in their view, have been failures elsewhere in the system.

The Committee's concerns are instead centred on those children who are currently 'missing education.' Indeed, our understanding is that children receiving an efficient, full time and suitable education at home would **not** fall under the Department's definition of that category.¹

Our predecessor Committee's (2018) [report on alternative provision](#) raised concerns about exclusions and off-rolling, and their impact on children and young people. We are also concerned about the prevalence of unregistered schools.

¹ Department for Education, [Children Missing Education: statutory guidance for Local Authorities](#)

As a Committee, we feel that the lack of a mechanism to identify all children of school age who are not in school limits the ability of those with responsibility in this area to understand the extent of any problems and act to resolve them.

We recognise that children can be exposed to risk in any setting. However, we feel that the scale of the apparent increase in numbers of children being educated outside school since the Education Committee's work on home education in 2012 brings with it a duty for the Department and others to better understand what has driven these changes and what policy implications there may be.

The Association of Directors of Children's services estimate that, before the Covid-19 pandemic, [numbers of electively home-educated children had grown by around 20%](#) each year for the previous five years. However, we simply do not know how many children are being educated at home, with the Minister for School Standards confirming that the '[Department does not collect statistics on the number of children in home education.](#)' Without this data, gaps in our understanding of the attainment and outcomes for the full range of children educated at home remain.

Lack of access to systematic data is likely to limit understanding of the reasons why children are not in school, as well as limiting ability to provide them with adequate support. We are particularly concerned about those children with SEND who may be effectively "[forced](#)" into what should be a positive choice to educate at home. With regards to outcomes, our future work in this area is likely to include the question of what good outcomes for home-educated children might look like. The Department may wish to consider that same question.

We have also heard concerns that some of the families opting for Elective Home Education during the Covid-19 pandemic may have done so without the advice, support and guidance they needed to make a truly informed decision. In our session on 24 November, we heard that [positive interactions between councils, schools and home educating families are possible](#), where there is a genuine attempt to focus on the wellbeing of children rather than enforcement.

We note that in 2019 the Department consulted on a number of potential new legal duties:

- A duty on local authorities to maintain a register of children of compulsory school age who are not registered at a state-funded or registered independent school
- A duty on parents to provide information to their local authority if their child is within scope of the register.
- A duty on education settings attended by children on the register to respond to enquiries from local authorities about the education provided to individual children.
- A duty on local authorities to provide support to home educated families if requested by such families.

The Committee's view is that a statutory register serving to more consistently identify children outside of school is absolutely necessary. This would aim not to remove freedoms from those who are providing an effective education for their families, but to better target support to those who need it.

Of course, any interventions in this area must seek to balance the state's responsibilities with regards to children – as [expressed in the UN Convention on the Rights of the Child](#) – with parents' right to choose the form of education most appropriate for their child.

We take on board the point made during the session that a register on its own would not achieve much. It would need adequate resourcing and a clear purpose, along with sensitive and consistent

communication. Indeed, one measure of its success would likely be the extent to which more consistency of support is available to home educating families.

As a [witness put it on 24 November](#), 'one of the roles of a register is to rule out all those children that you don't need to have worries about.' The purpose for any register should not be to intrude into the lives of those choosing the option to home educate, but instead to ensure that the minority of children who might need further support are able to access it.

I do hope you find the Committee's thoughts helpful.

Best wishes

A handwritten signature in black ink, appearing to read 'Robert Halfon'.

Robert Halfon MP
Chair of the Education Committee