

Comisiynydd Plant Cymru Children's Commissioner for Wales

Sally Holland

By e-mail only

To: CYPE committee

12 December 2018

Dear Chair,

Elective Home Education

Thank you for your letter dated 26th November 2018, as a follow up to the scrutiny session I attended on 22nd November.

As noted during the evidence session, the letter from the Cabinet Secretary had been received the day before, and as such I was still analysing the contents of that letter.

Since receipt of your letter, I have now had the Welsh Government's full response to my 2017-18 annual report, which was published on 30th November.

The Government response accepts all three of my tests for this policy, which are as follows:

1. Firstly, that all children in Wales can be accounted for and that none slip under the radar of universal services, and society in general;
2. Secondly, that every child receives a suitable education and their other human rights including health, care and safety; and
3. This cannot be achieved without the third aim, that every child should have the opportunity to be seen and their views, including their views about their education, and experiences listened to.

I have also secured a meeting with Welsh Government officials and lawyers on Monday 17th December 2018 to explore in more detail *how* those three tests will be met within the forthcoming revision to the guidance. This meeting will be important; it will form part of my overall assessment as to whether or not the steps being taken are sufficient to ensure that children are being seen and spoken to about their education, and that children are being kept healthy, happy and safe.

As discussed during the evidence session, I have been told that the revised guidance, with statutory force, will be a quicker way to ensure that changes are made to better protect and uphold the rights of children educated at home. It is the details of this that will be the ultimate success or failure of that policy and therefore crucially important that these are considered carefully, which is why I am pursuing this meeting with the lawyers. I am seeking reassurance from that meeting that the three tests can and will be fully reflected in the revised guidance, rather than waiting for the guidance to be published. I have shared a list of questions with the Government in advance to ensure that clear answers can be provided during that meeting.

I shall write again to the Committee in the first week of next term with an update following that meeting taking place.

I would like to note again my appreciation of the Committee's sustained interest in government policy around home education. I believe that we share the position that revisions to this policy must provide

better protection for children and their rights. I am determined to take the best course of action to ensure this and our collective scrutiny is important to ensure children's rights are at the centre of developing policy.

Yours sincerely,

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

Sally Holland
Children's Commissioner for Wales
