Dear Lynne

Thank you for your letter of 19 November regarding home education and correspondence received by committee members about the recent consultation on statutory guidance for local authorities on home education.

In relation to the legal advice you refer to in your letter, my officials are currently considering and analysing the consultation responses including those that raise matters regarding points of legal interpretation and clarification. Whilst I am not yet in a position to provide you with clarification on the points raised, my ministerial statement on the 11 December confirmed that we are taking time to consider all of the complex issues that the consultation has identified.

The statement also outlined that both the statutory guidance and the database regulations¹ will be subject to robust processes and scrutiny, such as a data protection impact assessment, integrated impact assessment and a regulatory impact assessment. I can confirm the regulations will also be the subject of a plenary debate in due course.

I acknowledge the concerns of the committee, and I assure you the intention remains unchanged, and that is to ensure that home-educated children and young people in Wales receive a suitable education. The best interest of the child is paramount and I am committed to ensuring that children are supported to be the best that they can be, whether in mainstream education or home educated.

CYP(E)-01-20 - Paper to note 6

¹ Children Act 2004 Education Database (Wales) Regulations 2020 and the Education (Information about Children in Independent Schools) (Wales) Regulations 2020
Yours sincerely

Kirsty Williams AC/AM  
Y Gweinidog Addysg  
Minister for Education