



Department
for Education

Children not in school

Government consultation response

February 2022

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Foreword from the Parliamentary Under Secretary of State for the School System, Baroness Barran

It is a cornerstone of our education policy that all young people should receive a world-class education to allow them to reach their potential. For most children this will take place in school. For some parents, the right choice for their children is for them to be educated at home, and this is a right that this Government supports. Many parents who educate their children at home provide a high quality education, and do so in the best interests of their child. It is a demanding commitment for parents to undertake and I commend those who do it well.

The reasons that parents may have for educating their children at home will vary. For some this will be due to personal circumstances or learning needs, for example mental health, caring responsibilities or special educational needs. For others this may be due to ideological or philosophical views which that they feel would be better promoted through education at home. Whatever the reason, home education works best when it is a positive choice in which the child's education is the primary driver for the decision.

However, feedback from local authorities suggests that not all children educated at home are being educated properly or having their needs met. With local authorities also reporting increasing numbers of children being home educated, particularly during the Covid-19 pandemic, for reasons other than a commitment to home education, there is a greater need for local authorities to be able to identify these children to assure themselves about the education being provided.

The purpose of the Children Not In School (CNIS) consultation was to gain views on proposals relating to the creation of a local authority administered CNIS register. This would improve local authorities' ability to undertake their safeguarding and educational responsibilities related to children who do not attend mainstream education institutions.

It is also important that parents who make the choice to home educate their children are supported, to help promote a suitable education. That is why we have consulted on a duty for local authorities to support home educating families. This will change the current system, where local authority support for home educating families is discretionary. The

consultation response will reaffirm our commitment for local authorities to provide support to home educating families, should they want it.

We consider this consultation response and resulting policy as a valuable means to ensure all children receive a suitable education, regardless of whether in a school or at home. Therefore, our intended next steps following this consultation response is to legislate to enact the proposals at the earliest opportunity. We will continue to work together with key stakeholders and other government departments to make this happen and develop these proposals into a CNIS register for each local authority and support for home educating families.

Thank you to everyone who submitted information to the consultation.

A handwritten signature in cursive script, reading "Drana Barran".

Baroness Barran MBE

Parliamentary Under Secretary of State for the School System

Introduction

[Section 7 of the Education Act 1996](#) places a duty on parents to ensure that their child of compulsory school age receives a suitable, efficient education, either by regular attendance at school or otherwise. This can be fulfilled either by attending a school or by home educating. The Government is committed to maintaining the freedom of parents to provide a suitable education through home education and warmly welcomes the hard work and dedication of those home educating parents who discharge this duty diligently and well.

Most children of compulsory school age in England attend either a state-funded school, or a registered independent school. However, it is known that increasing numbers of children are receiving their principal education outside of mainstream schools. Most of those children are being educated at home very well by dedicated parents, who deserve support.

However, some are deemed to be 'home educated' but in reality, such education as they get is mainly or entirely through attendance at unsuitable settings such as unregistered independent schools. There is also a risk that there are a number of children for whom the education being provided is unsuitable, because their parents are not able to educate them effectively at home, or the children are simply not being educated.

This led to the 2018 call for evidence into Elective Home Education, and the subsequent 2019 consultation, entitled 'Children Not in School'. The 2019 consultation launched online on 2 April 2019 and ended on 24 June 2019. It sought views on four basic propositions for legislation:

- a. a duty on local authorities to keep a register of all children of compulsory school age who are not registered pupils at a state or registered independent school or a Non-Maintained Special School, showing where they are receiving education, whether at home and/or in some other setting;
- b. a duty on parents of children to supply information for such a register;
- c. a duty on proprietors of various defined settings to supply information on relevant children; and

- d. a duty on local authorities to provide support to home educating families.

A copy of the consultation paper can be found [here](#).

The consultation launched following the department's call for evidence on Elective Home Education in 2018. That consultation and call for evidence closed in July 2018 and had two parts:

- a. consultation on revised versions of the department's guidance on the existing legal basis for the oversight of home education; and
- b. a call for evidence on the issues of registration, monitoring, and also support for the families of children educated at home.

The first part resulted in the publication of finalised [local authority and parents' versions of guidance](#) on 2 April 2019.

The second part resulted in the consultation that ran in 2019. The proposals consulted on are responded to below.

Summary of responses received and the government's response

The 'Children Not in School' consultation received almost 5,000 responses, mostly online, and mostly from parents. However a large proportion of local authorities (LAs) responded. There were 145 LA responses, although a few LAs sent in more than one response. The consultation also had significant interest from a number of children's charities, who are strongly supportive of the proposals.

The responses have been analysed by CFE Consulting, a company chosen by competitive tender, using manual coding for a sample of responses and then software textual analysis. The company's report of the analysis forms the basis of the government response document insofar as that needs to set out factually what respondents said. We have then considered that analysis and drawn conclusions about the ways in which the proposals should be taken forward, having regard to the opinions expressed and in particular, views about the ways in which the proposals could be implemented. This document sets out those conclusions.

The home educating parents who responded to the consultation (and who form the majority of respondents) are opposed to the proposals on registration, whereas LAs and children's organisations would support them. The picture on the proposed duty to support home educating families is rather more mixed.

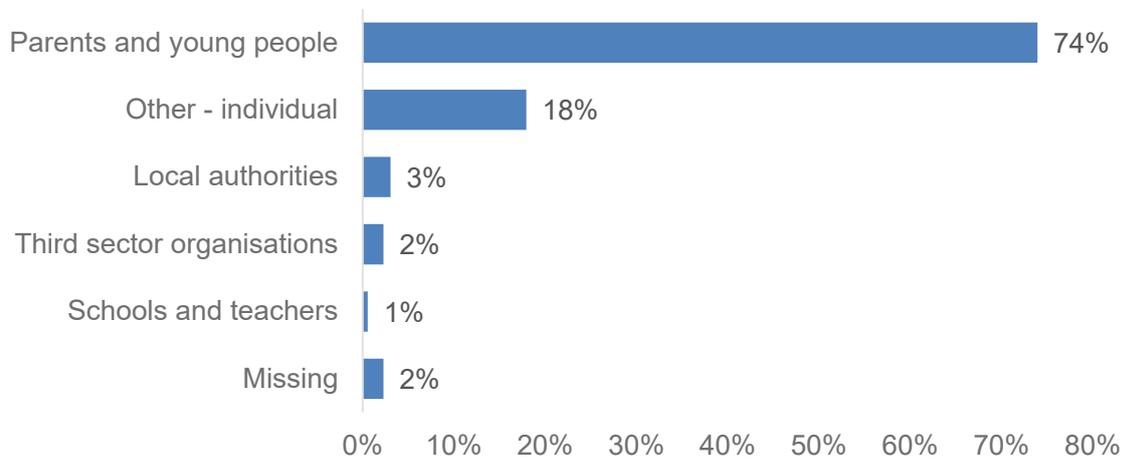
In total, 4,785 responses to the consultation were received: 4,748 were submitted online. A further 47 were submitted via email in Word or PDF documents or by post: only five of the 47 other responses were structured according to the online survey and were added to the dataset to be included in the quantitative data analysis. Therefore, the final sample comprised of a total of 4,753 for quantitative data analysis.

Of the 47 non-standard responses, 10 of these were additional comments by consultees who had already responded to the survey and 1 file could not be opened. Alongside the additional five responses mentioned above, 31 were in no particular structure and subsequently added to the qualitative analysis. Therefore, the final sample was 4,784 for the qualitative data analysis.

Further detailed analysis of the responses, including each question asked in the consultation, can be viewed in the accompanying annex, Children Not in School: Annex

to the Government Consultation Response, published alongside this document. The following provides a comprehensive summary of the main findings and government response.

Figure 1: Consultation respondents by capacity



Base: = 4,753

The department is grateful to all those individuals and organisations that took time to respond to the consultation.

Main findings from the consultation

Proposal 1: Duty on local authorities to maintain a register

The first section of the consultation sought views on the proposal to implement a duty on every local authority in England to maintain a register of all children of compulsory school age who are not a registered pupil at:

- a school maintained by a local authority;
- a non-maintained special school;
- an alternative provision academy; or
- a registered independent school¹.

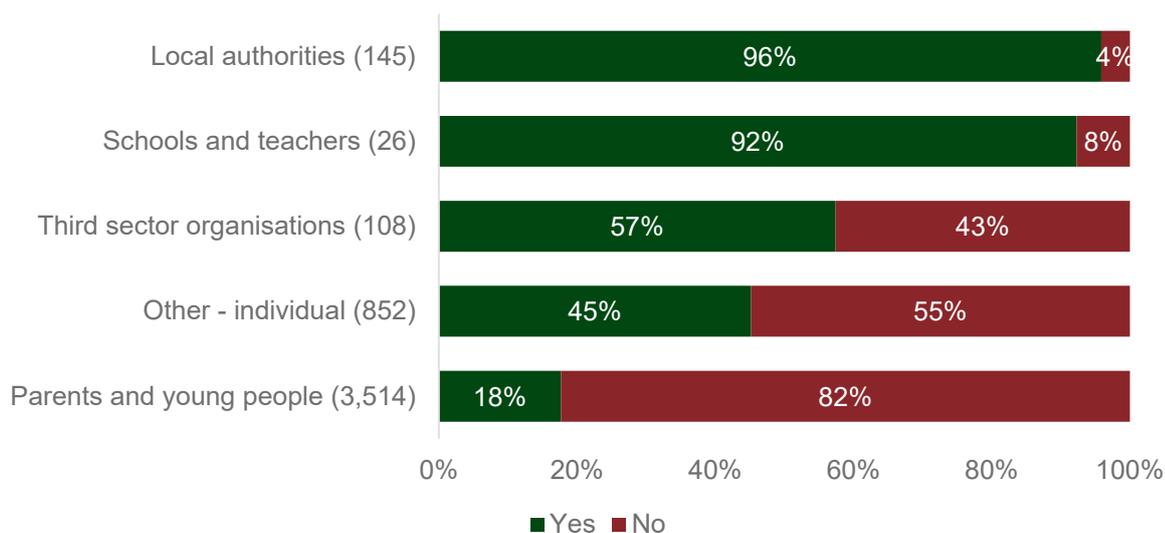
Duty on LAs to maintain a register of children not registered at specific types of school

We asked whether LAs should be obliged to maintain a register of children who are not registered at specified schools. All 4,753 consultees responded to the question, of which 74% disagreed and 26% agreed. The consultation received far more responses from parents and young people as opposed to organisations. Figure 2 illustrates differences between the sub-groups.

LAs and schools and teachers were more likely to agree to the proposed register (96% and 92% respectively) compared to parents and young people (18%). Third Sector organisations and other individuals had a more even distribution in their responses. For example for other individuals, 45% agreed and 55% disagreed.

¹ Academies and free schools are in legal terms registered independent schools.

Figure 2: Agreement with proposal for a register, by respondent capacity



All 4,753 consultees responded to the question, of which, in total, 74% disagreed and 26% agreed. Whilst LAs and parents and young people are strongly polarised in support or opposition, there is a more mixed picture elsewhere. It is striking that over half of the third sector organisations support a mandatory register, but it needs to be borne in mind that this category contains two contrasting types of organisation – those that support and promote Elective Home Education (EHE) as a concept, often very strongly; and those that are children’s charities (or similar) and have concerns regarding the reasons why vulnerable children may be being kept out of school.

The main reasons given by respondents for support can be summarised as:

- Helping safeguard the children concerned as their existence would be recorded;
- Helping ensure that the children concerned have a suitable education, as the LA could use the register as a basis for taking action when it was not clear that education was suitable. This helps LAs to fulfil their duty under the Education Act (1996) s.436A to make arrangements to identify children who may not be receiving a suitable education;
- Helping to keep track of changes in the numbers of children being educated at home or for other reasons not attending schools which are outside the scope of the register; and

- Providing a basis for giving help and support to families who require it.

All of these are certainly relevant, although the first two provide the stronger argument in support of a register as shown in the results. Almost half of all LAs who responded supported the implementation of the registration system for safeguarding purposes. Similarly, at least half of all other respondents supported the register for the same reason. On the provision of support to families, just under two-fifths of third sector organisations gave this as a reason, compared to around a quarter of parents and young people, and just over a third of other individuals.

The main reasons for opposition to the proposal can be summarised as:

- Parents are responsible for education, not LAs;
- Existing LA monitoring systems are already in place;
- A register is not needed and would not be effective; and
- A register would waste resources, which could be better used elsewhere.

A quarter of third sector organisations cited parents being responsible for the choice of education, as a reason for not supporting the registration system, compared to just under half of both parents and young people, and other individuals. Just under two-fifths of parents and young people, and a quarter of other individuals gave the reason of existing LA monitoring systems as a reason not to support the registration system.

Government response

As supported by responses to this proposal, establishing a system of registration will help safeguard some EHE children who require support, but who are currently not visible to those services that are there to keep children safe and supported. We agree with the proposal to place a duty on LAs to maintain a register of children of compulsory school age who are not registered at specified categories of schools (state or registered independent or Non-Maintained Special), with the register including some children educated under the Education Act (1996) s.19 arrangements (exceptional provision of education in pupil referral units or elsewhere), and those who are flexi-schooled. Both

format and data items to be in the register would be prescribed by DfE, and the legislation would allow LAs to incorporate data gained from other sources. LAs would be empowered to share data from the register with specified agencies where necessary (e.g. a safeguarding concern). As hosts of the register, LAs would be open to inspection by specified agencies (for example, an inspectorate body such as Ofsted), and LAs would need to submit returns of anonymised data to DfE for statistical purposes.

Subject to the necessary time in parliament, we intend to legislate on the proposal to place a duty on LAs to maintain a register of children not in school. However, when we proceed to legislation we will take a decision on the likely range of data items so that the appropriate power to prescribe is contained in primary legislation.

The proposal here is also subject to securing the necessary resources, since this will create a new duty on LAs, and completion of the new burdens process. Pursuing the proposition as outlined above is our intention.

Proposal 2: Duty on parents to register their child

It would not be realistic to introduce a mandatory LA register without a legal duty on parents to supply details of their child to be entered on the register. Therefore, we sought views on the proposal to implement a duty on parents to register their child with the LA if not registered at specified types of schools (listed under proposal 1). It is intended that the compliance with the new duty need not be onerous on parents nor an intrusion on their right to educate. LAs would not be given powers to require more information than was required for the purposes of establishing and maintaining the register.

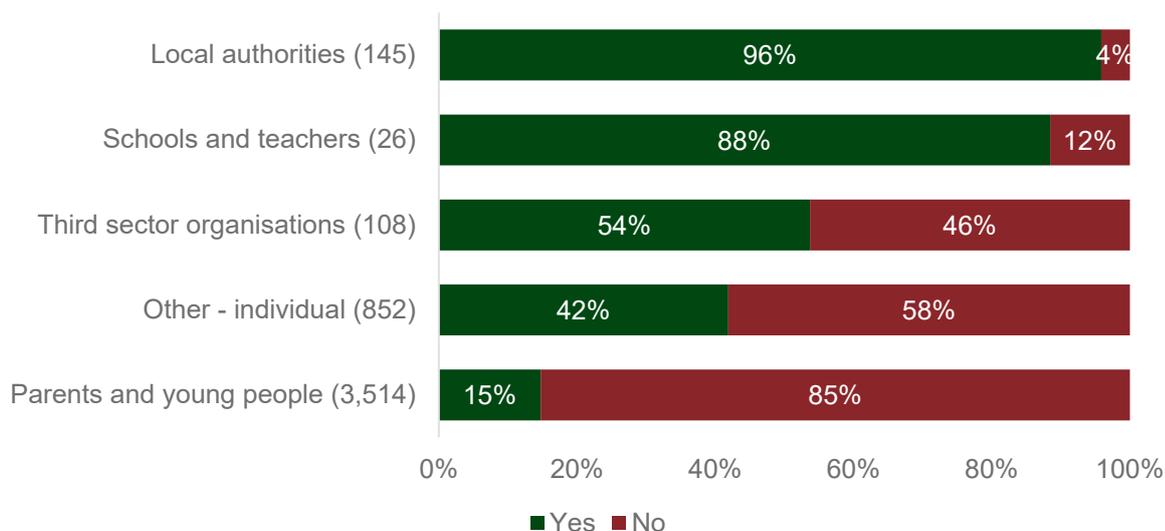
Duty on parents to register their child with the LA if not registered at specified types of school

This proposal would introduce a duty on parents. Although it is often stated that parents are under a duty to notify a school or LA when a child starts to be educated at home, this is not true. However, a pupil can only be lawfully removed from the school roll when one of the grounds in regulation 8 of the Pupil Registration Regulations 2006, as amended, has been met. As set out in regulation 8(1)(d) where a pupil has ceased to attend school, and they are not registered at the school in accordance with the requirements of a school attendance order, the school must receive written notification from the parent that the pupil is receiving education otherwise than at a school before they can delete the pupil from the admission register.

Provided a parent meets their responsibility under s.7 of the Education Act 1996 to secure a full-time education suitable to their child's age, ability and aptitude, and any special needs a child has, and causes a child to attend school or provides the education in some other way, the parent has few other relevant obligations.

The proposal here is that there would be a duty on parents to notify the LA that they had a child of compulsory school age who was not registered at a state school or a registered independent school or a Non-Maintained Special School. The basic purpose of the duty is to help ensure that the register to be kept by the authority is complete – particularly with regard to those children who have never attended school and are thus unknown to the education system. Figure 3 illustrates the breakdown of responses.

Figure 2: Agreement with proposal 2, by respondent capacity



Similar to the first proposal, of the 4,751 consultees that responded, in total 77% disagreed and 23% agreed. Respondents were able to give comments on the proposed duty on parents. The main reasons for specifically supporting the duty were:

- It helps safeguarding if parents are obliged to provide information about where they educate their child and for what reason;
- If parents have to provide information it helps ensure that the reasons for the educational choices made are known to the LA, which then may be addressed (if feasible and appropriate).

Compared to reasons provided for the proposal to place a duty on LAs to maintain a register, fewer respondents provided answers to reasons why they were for or against parents providing information to a register. Just under two-fifths of LAs who provided a reason supporting the duty on parents favoured the register being a legal requirement, compared to just under one-fifth of third sector organisations.

The main reasons advanced against the duty were:

- Invasive and intrusive attack on parents' rights;
- Education is a parental responsibility;
- Wasteful of resources

Around two-fifths of parents and young people, and other individuals, who provided a reason for not supporting the duty on parents stated it was unnecessary and against parents' rights. Less than a third of those same cohorts cited education as a parental responsibility as a reason for not supporting this duty. Section 7 of The Education Act (1996) is clear the duty is on parents to secure a suitable education. The Government fully supports the freedom of parents to provide a suitable education through home education. However, placing a duty on parents to provide information for the register does not conflict with that freedom.

There are implementation issues arising with this duty, particularly what information parents should be obliged to provide and whether there should be any sanctions on parents who do not comply with the duty. Specifics will be established as legislation is worked up.

Government response

It is possible, at least in theory, to legislate for a register with a duty on LAs, without imposing any parallel duty on parents to supply information. That would have presentational advantages and reduce to some extent the opposition of parents, especially those whose objections arise from negative feelings about the concept of registration and LA interference rather than any real issue about the quality of home education they are providing. A decision to not proceed with this proposal would not prevent LAs from carrying out existing safeguarding duties.

However, we also think that to have no duty on parents would significantly diminish the effectiveness of the register. Not implementing a duty on parents could undermine the opportunity we have with the register to safeguard those children most vulnerable and at risk. A concern we have seen growing in recent times relates to vulnerable children who may be withdrawn from school to be educated other than at school, and the decision to do so may not have been made with the best interests of the child in mind.

We therefore agree with the proposal that parents should be under a legal duty to provide information to a register when their child is not in mainstream education. Specifications as to what data should be provided will be outlined in legislation, together with clear consequences when information is not supplied when requested by the LA.

We believe the legislation should be drawn up in a form that allows for prescription in primary legislation as to what data parents would be under a duty to provide. Whilst mindful not to be onerous or intrude on a parents right to home educate, our initial view is that most of the data items listed in the consultation document should be required if a comprehensive picture is to be obtained, and that should certainly include other settings (despite the definitional difficulties over that which are considered under Proposal 3: Duty on proprietors to supply information), as well as information necessary to for the purposes of the register in relation to safeguarding.

Establishing a duty on parents to register their child to a register when they are not in mainstream education does not mean that parents need state approval to educate their own children. Nor is it the Government's intention to establish a legal mechanism that will in future be used to withhold approval for EHE by imposing conditions for entry onto the register.

Proposal 3: Duty on proprietors to supply information

There are good reasons for parents to use external settings to provide part of the home education package that they have designed. We welcome such initiatives by parents as a practical and effective demonstration of their wish to secure a well-rounded education for their children.

However, there are some children who are deemed home educated but who may be attending settings that are unregulated, and in some cases that may be operating illegally. This may be without the knowledge of the parent, who has sent their child to a setting with the best intentions for their child's education.

As such, we outlined in the consultation that the register would be made more effective if a duty was created on proprietors of certain settings to respond to enquiries from LAs about children who may be in scope of the register. This is based upon evidence that suggests it would help ensure the register is as effective as possible in safeguarding children from harm and ensuring children are not missing education or attending illegal schools. It would also enhance the accuracy of the register if LAs are able to gain confirmation from settings that a child is attending, if parents have said that this is the case.

The proposed duty would have extended to unregulated settings that provide a substantial portion of a child's education during normal school hours. The duty would not have extended to: settings that provide supplementary education outside normal school hours (such as supplementary schools, religious settings offering evening or weekend tuition in their own faith, sports clubs); parent-led educational visits (e.g. to museums); groups of parents who come together to home educate in a casual, temporary or informal arrangements; and where children attend a setting but are also registered at a state-funded or registered independent school, since those children would not be in scope of the CNIS register. The proposed duty would also not have extend to those settings specified as types of school (under proposal 1).

Proposed duty on proprietors of defined settings to supply information about relevant children in scope of the register

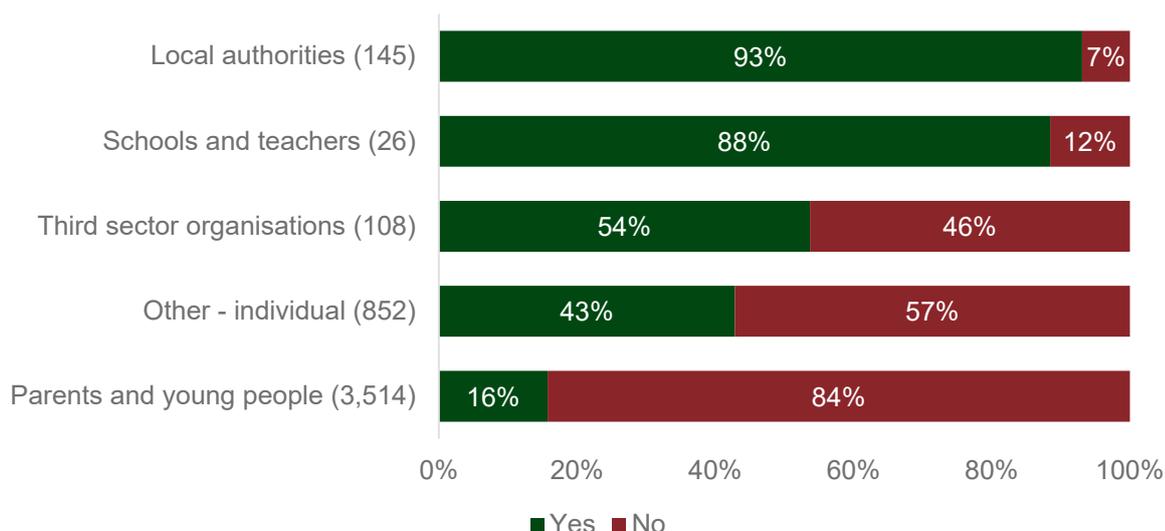
Although it is not essential to the operation of a register to have such a duty, the proposal was based on the view that it would improve the ability to safeguard children from missing education or attending potentially illegal settings. Furthermore, the accuracy of the register would be much enhanced if LAs are able to gain confirmation from settings that a child is attending, if parents have said that this is the case.

There are perfectly legitimate reasons for parents to use external settings to provide part of the home education package that they have designed. We welcome such initiatives by parents as a practical and effective demonstration of their wish to secure a good and well-rounded education for their children. Examples include:

- a. attending a group run by home educating parents for two or three mornings a week;
- b. attending classes run by a commercial organisation, such as a part-time tuition centre, for part of the week – for example, to cover subject areas that the parent feels less confident in delivering at home;
- c. attending classes at an FE college designed for 14-16 year olds.

These settings would not be covered by this duty, which would be focused on capturing illegally operating schools or unregistered settings which are operating for a significant proportion of the normal school day.

Figure 4: Agreement to proprietors of settings providing information, by capacity



In total, 4752 consultees responded, of which 76% disagreed and 24% agreed.

Respondents were able to provide reasons for supporting the proposed duty. These can be summarised as:

- Help safeguard children and ensure they have a suitable education;
- Help identify whether children are getting adequate SEN support
- Help assess suitability of education of the children involved

Where LAs provided a reason to support this duty, two-fifths provided reasons regarding safeguarding of children and supporting their assessment to determine if a child is not receiving a suitable education. By comparison a little over one-tenth of other individuals provided the same reason.

The main reasons for opposing the duty are:

- Settings, not children, should be registered so the focus should be on them;
- Conflates home education with illegality;
- Will deter parents from using other settings even though they offer quality education;
- Will deter settings from taking children who are in scope of the register.

Just over half of parents and young people, and just under half of other individuals who provided a reason for not supporting this duty stated no information should be provided.

Just under two-fifths of parents and young people said the duty would be discriminatory to home-educators, limiting opportunities for children who are electively home educated if families were deterred from using such services, or if organisations were to restrict their services and exclude EHE families.

There are some detailed implementation issues for this proposed duty, which are also examined later on.

Whilst there may be some validity to the reasons put forward for opposing this proposed duty, they do not outweigh the benefits of including it in the proposed legislation. It is important that LAs are able to obtain this information from the proprietors of such institutions. In the first place, information gathered through this duty would help keep track of unregistered provision that operates illegally. Secondly, it provides an important confirmation of the information given by parents. Without it, it would be possible for a small minority of parents to seek to confuse and obstruct the registration process by supplying false information, which LAs would be unable to check. Thirdly, the duty would be centred on individual children and confirming where they are receiving their education, so that the LA can undertake its duties to be satisfied that the education being provided was suitable.

This duty should not deter parents from using high quality settings to provide a rounded education for their children, and nor should there be any reason why it should deter the proprietors of such settings from making such provision.

Government response

We intend for there to be a duty imposed on proprietors of specified settings providing a substantial amount of education to EHE children or children missing education within school hours to supply data to the register. The exact requirements of which settings fall in and out of scope are to be worked up, but we intend for the scope to be narrower than originally consulted on and only include those settings which are in effect operating as illegal schools, by offering provision to the same children for a *significant proportion* of the school day and offering provision to children without their parents supervision. This duty on certain proprietors would help recognise and respond to instances where children are receiving their education in illegal schools.

The duty would not extend to: part-time supplementary schools or other out-of-school settings which may be offering provision outside of normal school hours (such as religious settings offering evening or weekend tuition in their own faith, private language schools, or open-access youth providers); extra curricular settings (such as sports clubs, dance classes, instrumental music tuition, or drama classes); settings which provide supplementary teaching (such as science, drama, or other subjects) to home educated children but where no child attends for more than a small number of hours a week; groups of parents who come together to home educate their children in a casual, temporary or informal arrangement; museums and other settings where educational visits may take place; and where children attend a setting but are also registered at a state-funded or registered independent school. We agree there should also be sanctions for non-compliance, again the specifics of which are to be worked through.

Some children who are in law deemed to be home educated attend settings outside the home for part, or all, of the week. Most of these settings are legitimate – for example companies that provide tuition in specific subjects to children who are educated at home for the rest of the week – but they can be unregulated, and in a few cases some may be operating illegally. This duty would not amount to a scheme for regulating these settings, it would only impose requirements as to the provision of information about specific children.

The scope of this duty would be outlined in primary legislation and would need to:

- a. specify categories of settings not in scope (for example, those which did not provide a significant proportion of a child's education, such as supplementary education settings)
- b. specify the format and contents of a register to be kept by the setting for the purpose of recording information, which might be required by a LA;
- c. specify the information that the proprietor would be obliged to provide to the LA when asked (this might or might not be identical to that required under (b) – it might, for example, include the hours normally attended by the child in question);
- d. specify the sanctions should a proprietor not comply to sharing information to the LA when asked.

The consultation on regulating independent educational institutions closed on 27

November 2020. One of the proposals consulted on is to expand the categories of full-time institutions that will be regulated in the same way that independent schools are currently regulated. The purpose is to extend the registration requirement to settings that operate full-time for children of compulsory school age, but are not captured by the registration requirement under the current law because of the restricted curriculum they offer. However, the consultation makes it clear that this registration requirement would not apply to parents providing home education to their children and we repeat that commitment here.

Proposal 4: Duty on local authorities to provide support

The consultation sought views on the proposal to create a basic duty on LAs in primary legislation to provide support on request to parents who educate children at home. The department's call for evidence in 2018 generated widespread opinion about both the principle of this and how such support might be most effectively given. Some respondents to the call for evidence viewed such a duty with suspicion and saw it as providing an excuse for increased interference by LAs with the process of home education. The government does not accept this view, but does believe that such a duty, if created, should be limited to providing support and assistance only on request by the family. This would enable those families wishing to minimise their contact with the LA to do so.

Duty on LAs to provide support to parents who educate children at home

The proposal here could be considered separately from the registration proposals. It could be taken ahead independently, or dropped altogether, although the proposal was also seen as a positive message to home educators to show that the Government has no agenda against home educating families who take their responsibilities seriously.

We asked respondents what forms of support they thought the duty should encompass. Of those who provided an answer:

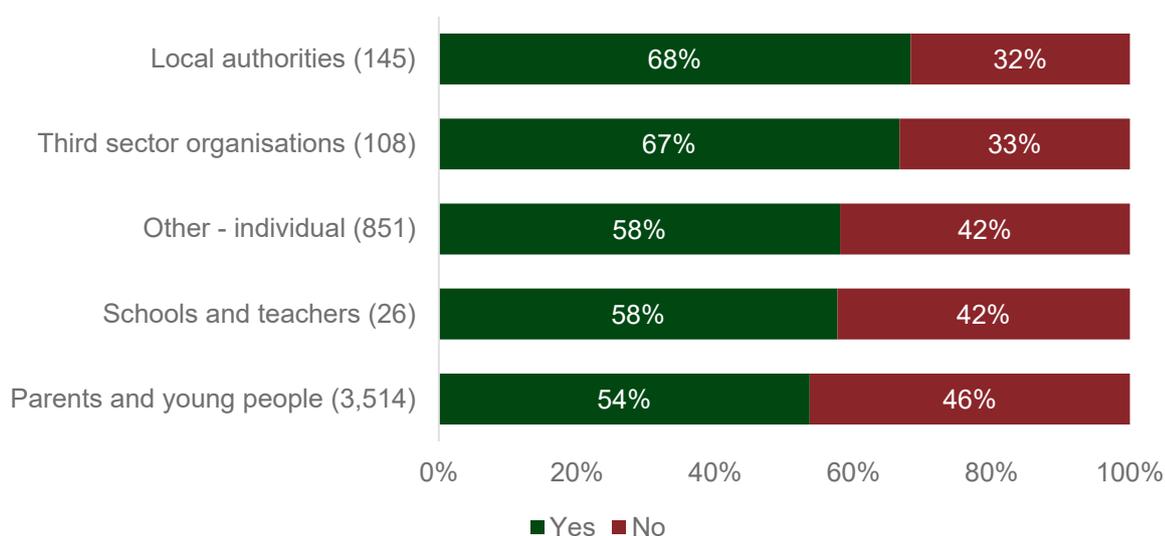
- Approximately one-third of LAs said the duty should include advice.
- Just under a fifth of LAs, and just under a quarter of parents and young people said assistance with exam fees and access to exam centres should be included.
- Just under a quarter of parents and young people said the duty should include support for home education groups.

Asked in the consultation about potential difficulties with this duty, the most commonly identified were:

- Cost and resourcing: LAs will find providing support challenging due to the cost and resourcing commitments, in the current climate of constrained funding. Just over half of those LAs who identified potential difficulties with the duty, cited cost as a reason.
- Parents do not trust or engage with LAs: there can be a huge gulf of mistrust between LAs and families, which creates a barrier to cooperation. A fifth of LAs, and third sector organisations, identified trust and engagement as a potential difficulty, compared to just over a third of parents and young people, and just over a tenth of other individuals.
- Support will be enforced and undermine parents: there is a fear among parents that LAs will exert power and enforce control of education. Just over a tenth of third sector organisations, and parents and young people, and other individuals stated this as a potential barrier.

- Lack of understanding: Just over a tenth of organisations that support EHE families, and parents and young people felt that LAs do not thoroughly understand EHE, which limits their capabilities of providing meaningful support.

Figure 5: Agreement with proposal for duty on LAs to provide support for EHE, by respondent capacity



In total, 4,751 consultees responded, of which 45% disagreed and 55% agreed.

Government response

We think that, subject to the availability of resources, we should include in the proposed legislation a duty on LAs to provide support to home educators if requested by the family. Having some form of statutory duty would signal to parents that home education as an approach to education is recognised as legitimate and supported by Government. How closely the duty should be defined will need to be fully considered on the basis of both need and affordability.

We agree to place a duty on LAs to provide support for families who educate their children at home. Our intention is to create the duty with scope for LAs to provide support as they see appropriate but could include, for instance, offering advice to home educators, examination support, or support for home education groups. This would be subject to further consideration and assessment of need, how it could be achieved and the costs involved. The duty on authorities would apply only in relation to children who are on the CNIS register.

Other matters

Overall proposal

Q 34 Do you have any comments on the conclusions set out in the published equalities log, UNCRC assessment and family impact test document?

Respondents to the consultation were asked whether they had any comments on the equalities log. Hundreds of comments were received but many were simply variant expressions of opposition to a register. Others were not relevant to the proposals.

We do not believe that any of the responses mean that the published equalities log was wrong; but two additional points raised that are relevant to the PSED were:

- a. that the log should have covered children with special educational needs who, depending on the nature of those needs, may have the protected characteristic of disability;
- b. that Gypsy/Roma/Traveller (GRT) children and families should have been specifically identified in mentioning the protected characteristic of race.

We consider that for both groups listed above, the conclusions of the equalities log relating to the protected characteristics, which it already lists are equally applicable and need to be borne in mind. So far as some GRT children are concerned there are likely to be especial difficulties in keeping the proposed register up to date if they move between LAs frequently; but this will simply reflect an existing difficulty and the register should increase the ability of LAs to keep track of children who are mobile and take appropriate steps if they are not in fact receiving a suitable education.

Q 35 Do you have any other comments on the government's proposals for legislation relating to registration and support for home education?

No substantive responses were recorded here.

Next steps

Many home educated children will have an overwhelmingly positive learning experience and the Government warmly welcomes the work and effort of those parents who are diligently providing good quality education for their children. We would expect that most parents home educate with their child's best education at the heart of their decision. However, this is not the case for all. We therefore remain committed to a registration system for children not in school. More work is required on the practical aspects of delivery and the Government will also be engaging further with LAs and the home educating sector.

As mentioned above, the successful implementation of a registration system and the duties on parents, proprietors of certain settings, and the duty on LAs to provide support for those children on the register is subject to securing the necessary resources and, since this will create a new duty on LAs, completion of the new burdens process. Pursuing the propositions as outlined above is our intention.

Annex A: List of organisations that responded to the consultation

- Achieving for Children Kingston and Richmond upon Thames EHE Adviser
- Advisory Council for the Education of Romanies and other Travellers (ACERT)
- Amaze
- Ambitious about Autism
- Association of Education Welfare Management - AEWM
- B&NES
- Balfour Junior Academy, Chatham, Kent
- Barnsley Alliance, Barnsley Council
- BCP Council
- Bedford Borough Council Early help and Intervention Service
- Beit Ezra congregation
- Bethany Church
- Birchwood Pupil Referral Unit
- Blackburn with Darwen Borough Council
- Brampton Primary Academy
- Bridgwater Home Education Group
- Brighter Futures for Children, Reading
- British Union Conference of Seventh-day Adventist Church
- Buckinghamshire County Council
- Byron Court Primary School
- Calderdale MBC
- Central Bedfordshire Council
- Centre for Personalised Education
- Centre for Therapeutic Storywriting
- Children & Family Service, Leicestershire County Council
- Children's Commissioner's Office
- Christian Home Educators Warwickshire
- Christian Legal Centre

- Christian Peoples Alliance
- Church
- Church of England Education Office
- Church of Seventh Day Adventist
- City of Bradford MDC
- City of London Corporation
- City of Wolverhampton Council
- Clarendon Road Primary School
- Cornwall Council
- Croydon Council
- Cumbria County Council
- Defford-cum-Besford C.E. First School
- Derbyshire County Council
- Ealing Local Authority
- East Norfolk Sixth Form College
- East Sussex County Council
- Education and Children's Services Group of Prospect
- Education Safeguarding Service, Somerset County Council
- Emmanuel Celebration Centre
- Engage in Their Future www.engageintheirfuture.org
- English Martyrs' Catholic Primary School
- EpicQuest
- Essex County Council
- Evangelical Alliance UK
- Family Education Trust
- Faregos Home Education (Exams +Tuition) CIC
- Friends, Families and Travellers
- George Spicer Primary School
- Grimsby Baptist Church
- Hampshire County Council
- Harrow LA

- Hebron Christian Faith Church
- Herefordshire Council
- Hertfordshire County Council
- Home Education and Advocacy Hub Ltd
- hopeintoactionreading
- Hull City Council
- Humanists UK
- IPSEA (Independent Providers of Special Education Advice)
- James Allen's Girls' School
- Just for Kids Law
- Kent County Council
- Kent Education Centre
- Knowsley Metropolitan Borough Council
- Lambeth LA, Inclusion team
- Lancashire County Council
- Learning Inclusion, Children and Families, Leeds City Council
- Leeds Space Network
- Leicester City Council
- LIFE Group St Helens
- Liverpool John Moores University
- LKMco
- London Alive Church
- London Borough of Barking and Dagenham
- London Borough of Barnet
- London Borough of Bexley
- London Borough of Brent, Education Welfare Service
- London Borough of Bromley
- London Borough of Hammersmith and Fulham
- London Borough of Hounslow
- London Borough of Islington
- London Borough of Merton

- London Borough of Newham
- London Borough of Southwark Children's and Adults Services
- London Borough Waltham Forest
- London Councils
- London Ghana Seventh-day Adventist Church
- London Gypsies & Travellers
- London Home Educators
- Luton Borough Council
- Lymm High School
- Manchester City Council
- Met Police
- Midlands Elective Home Education Forum
- Mind
- Monkfield Park Primary School
- Moorfield CP School
- Mountain Movers
- Nahamu
- NAHT
- NASUWT
- National Bargee Travellers Association
- National Network of Parent Carer Forums (NNPCF)
- New College Swindon
- NHS Digital
- NHS Haringey CCG
- Norfolk County Council
- North East Lincolnshire Local Authority
- North Lincolnshire Council
- North Somerset Parent Carers Working Together (Forum)
- Northumberland local authority
- Not Fine in School
- Nottingham City Council

- Nottinghamshire County Council
- NSPCC
- Ofsted
- Oxford Home Schooling
- Pearson Education Ltd
- Peterborough SDA Church
- Plymouth City Council
- Portsmouth Home Education Group
- Primary School
- Public Health Nursing Team, Southampton, Solent NHS Trust
- Rackham Pathfinder
- Rotherham Metropolitan Borough Council, Children and Young People's Services
- Royal Borough of Greenwich
- Royal Borough of Kensington & Chelsea AND Westminster City Council
- Royal College of Paediatrics and Child Health
- SAFEcic
- Salford City Council
- Sandwell MBC
- Seventh Day Adventist Church
- Shepway Tutoring
- Solihull Metropolitan Borough Council
- Somerset CCG
- South Gloucestershire Council
- South Petherwin School
- Southampton City Council
- St Ann's Catholic Primary School
- St Nicholas School
- St Richard's CE Primary School
- Staffordshire County Council
- Stoke on Trent City Council
- Stretford High School

- Summerhill Primary Academy
- Support 4 the Family in UKIP
- Taunton Home Education
- Telford and Wrekin Local Authority
- The Board of Deputies of British Jews
- The Christian Institute
- The home education hub
- The Home Schooling Association UK
- The MFG Academies Trust
- The National Teaching and Advisory Service
- The Tutors' Association
- Trafford Council
- Traveller Movement
- Trinity Free Church
- Uk education team
- University of Portsmouth & University of Birmingham
- Wakefield Education Welfare Service
- WakeUp2Life
- Wandsworth Education Inclusion Service
- Warwickshire County Council
- West Berkshire Council
- West Kirby Primary School
- West Sussex County Council
- Wigan Council - Education Service
- Womersley & Shamley Green C of E Primary School
- Wotton Baptist Church



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