

DfES INTERNAL EMAILS IN CHRONOLOGICAL ORDER

11 Jan 17.34

12 Jan 16.14

9 Feb 13.59

9 Feb 15.48

12 Feb 10.37

12 Feb 15.46

13 Feb 8.03

13 Feb 15.52

14 Feb 8.29

14 Feb 9.42

14 Feb 16.01

15 Feb 10.04

15 Feb 13.05

15 Feb 13.34

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15 Feb 16.16

16 Feb 9.22

16 Feb 16.51

16 Feb 16.54

19 Feb 15.11

20 Feb 8.41

20 Feb 10.15

20 Feb 14.05

20 Feb 14.34

21 Feb 9.49

21 Feb 16.23

21 Feb 17.38

23 Feb 15.00

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27 Feb 10.34

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27 Feb 10.45

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27 Feb 12.05

27 Feb 15.52

27 Feb 16.47

28 Feb 10.40

28 Feb 11.04

28 Feb 11.04

28 Feb 11.31

28 Feb 11.34

28 Feb 14.49

EMAILS

1/Sent: 11 January 2007 17:34

To: **[Blanked]**

Subject: RE Home education - value for money

Blanked]

Many apologies for not making the meeting.

I spoke to **[Blanked]** briefly earlier this afternoon and we agreed the VfM assessment for the home education regulations might benefit from some clarifications in certain areas, but generally I want to stress I think **[Blanked]** has made an excellent job of the VfM assessment given the lack of available evidence we have on home learners.

Some specific comments I was going to make at the meeting:

- The timing of the VfM assessment is excellent. It is helping to inform decisions prior to implementation, and this is extremely encouraging.
- The assessment has successfully detailed the intervention. The structure of the arguments is well balanced and managed.
- A point that might be worth making (as discussed with **[Blanked]**) is the new intervention proposed and the additional burden is relatively small in the context of the existing regulations in place.
- One particularly useful aspect of the VfM assessment here is highlighting where the evidence is currently lacking. As the form is a living document it might therefore be possible to incorporate new evidence if & when it becomes available.
- It might be worth mentioning in the benefits sections the potential gains in terms of safeguarding children and separate to the attainment benefits.
- In the "Who will be affected?" section, it might be useful to state the benefits in terms of equality who the children being educated at home will be compared to - I assume this would be children in compulsory schooling?
- In the cost section it might be useful to include the potential extra cost imposed on parents in order to meet the standards: for example cost of equipment, time, resources.
- On the final question "On balance how well does the intervention represent value for money?" I think it might be appropriate to clarify the lack of evidence, and what we

would need to assume for good value for money - ie. Assuming that the proportion of home learning children that otherwise would perform poorly is significant. Also assuming that the regulations are effective. It perhaps should be clarified here that if these assumptions do not hold then the intervention would not be value for money in attainment benefits. However the safeguarding and any wider benefits (such as non-cognitive skills earned by a school environment) might tip the balance and give value for money.

- On the same question, it might be better to avoid saying we are confident about attainment increases without the necessary evidence base at present.

In general

- The assessment provides an excellent summary of the intervention being planned.
- The questions asked through the framework are well structured and clearly well thought through.
- Given the relatively small scale of the intervention I retract my earlier comment on the urgent need for evidence and piloting. Clarification of many of the issues and in my view exercising caution on the benefits side and summary section, in line with our lack of evidence, would strengthen the assessment further for ministerial submission.

I hope this is helpful & happy to discuss any of these points.

Kind regards,

[Blanked]

[Blanked]

Assistant Economist
Strategic Analysis: Economic Efficiency Team
Department for Education & Skills

From: **[Blanked]**

2/ Sent: 12 January 2007 16:14

To: **[Blanked]**

Subject: RE: Home education - value for money

[Blanked]

Thanks very much for the time you've spent on this and your comments - I've made a number of changes to the assessment as a result of them.

Best wishes,

[Blanked]

3/ Sent: 09 February 2007 13:59

To: JONES, Penny; **[Blanked]**

Subject: FW: Home education research
Penny

You will recall that I spoke to this post-grad researcher last summer. I have asked for a copy of the full dissertation report, but she will have to check on the University's protocol, as it has not yet been marked.

[Blanked]

[Blanked]

From: [blanked]

4/ Sent: 9 Feb 2007 15:48

To: [blanked]

Subject: EHE: No 10 E petition

We have received this pm an e petition draft request from No 10 on elective home education. This is the first e-petition we have seen. You will need to be aware, and refer to it in your submission. The deadline for response is Thurs 22 Feb and Penny has asked if you could deal with it. I will ask our ECHO managers to allocate to you (case ref 2007/001 0333).

[blanked]

Independent Education and Boarding Team-----

Petition response

The Government recognises that some parents want to educate their children at home, and supports their right to do so.

The Government has no plans to specify a set curriculum for home educators. However, we are clear that parents need to provide a suitable education for their children and that sensitive scrutiny by local authorities can play a part in ensuring this. We will shortly issue guidance to local authorities about elective home education

[DN - anything about the consultation?]

Background information

The Education Act 1996 requires all parents of children who are compulsory school age - including those who opt for home education - to ensure that those children receive an efficient, full-time education which is suitable to their ages, abilities and aptitudes and any special educational needs they may have. This does not mean that home educating parents have to follow the National Curriculum.

Local authorities can make enquiries of parents to establish whether 'suitable' education is being provided at home. However, the scope and nature of these enquiries are not prescribed and parents are not under a duty to co-operate. Local authorities must also make arrangements to ensure that they exercise their functions with a view to safeguarding and promoting the welfare of children.

The Department has recently considered whether the current regulatory framework for home education is sufficient. This included speaking to a number of home education groups, which has led to increased correspondence from home educators. This petition and recent PQs may be part of this activity.

[DN - add something about ministerial decision on consultation?]

From: [blanked]

5/ Sent: 12 February 2007 10:37

To: PEU, Information

Subject: FW: I'm An Anomaly Action for Home Education

Please **treat officially**.

Thank you

[blanked]-----

6/ Sent: 12 February 2007 15:46

To: PS, Adonis

Cc: PS, Sec-OF-STATE; PS, Knight; PS, Hughes; PS, Dhanda; PERMANENT, Secretary; JEFFERY, Tom; TABBERER, Ralph; PS, Advisors; **[Blanked]** LONGSTONE, Lesley; MCCULLY, Andrew; PUGH, Jeanette; SANDEMAN, Dugald; BROWN, Audrey; CLARK, PeterD; **[Blanked]** GOLDMAN, Tom; **[Blanked]** JONES, Penny; **[Blanked]**

Subject: RE: Home education submission

Please find attached, as requested in the email below, a further submission on home education.

Penny would like to use some of her meeting with the Minister this Thursday to discuss this.

Please let me know if you want any further information before then,

Best wishes,

[Blanked]

x **[Blanked]**

ANNEX 2 - DRAFT CONSULTATION DOCUMENT
Home Education - a case for change

Ministerial Foreword

Most parents choose to educate their children at school, but a small number prefer home education. The regulatory framework is lean, as it does not prescribe specific standards; teaching and assessment methods; the curriculum to be followed; or the duration of the school day, week or year. Parents do not always have to inform their local authority if they choose to home educate, neither is the local authority able to insist on seeing a home educated child to confirm that an education is taking place.

We know that many home educators provide good quality education for their children. However, we are concerned that a minority of parents, particularly of older children, claim that they are home educating, whereas in reality their children are getting little or no tuition. Some home educating parents lack the knowledge, skills and resources to educate their children properly. In particular, parents may not be able to ensure their children benefit from the wide range of options in Key Stage 4.

Local authorities are concerned that the current legislation is ineffective, and that it is difficult to establish whether or not children are receiving a 'suitable' home education, and if not to take action quickly. This is because they cannot compel home educating parents to allow their children to be interviewed, or to provide other information about the type of education provided. Equally, home educating parents tell us that local authorities can be heavy handed, have a narrow view of how children can best be educated, and may not respect home educator's cultures and values.

The purpose of this consultation document is to set out proposals with a view to ensuring that all children receive a suitable education which conforms with the religious and philosophical beliefs of their parents. We make a tentative estimate of the numbers of home educating parents; identify their

reasons for home educating and the communities they are drawn from; how well equipped they are to home educate and the support they receive; the characteristics of their children; and the problems they face. This consultation then goes on to consider what - if anything - should be done to give local authorities a better overview of home education and sharper tools to tackle the minority of home educators who are not providing an adequate education for their children.

Home educators - a profile

1. Because there is no requirement for home educators to register their children with the local authority (LA) if the children have never been to school (or if they move local authorities or do not transfer from one phase of schooling to another), there is no central record of the number of children who are being educated at home. Data from this section is informed by two recent research studies¹, but all estimates are approximate and should be used with care.

2. Local authorities do maintain records of the children who are withdrawn from school by their parents. The numbers of children vary greatly by area, but these records show that between 0.1% and 0.42% of children are being educated at home. Overall, around 20,000 children are being home educated and are known to their local authority. However, some LAs think that only about a third of children who are being educated at home are known to them. Others - mainly smaller authorities - place this figure much higher. We estimate that around half of all children who are being educated at home are registered with their local authority. This would mean that up to 40,000 children could be being educated at home - around 0.5% of the school population.

3. Research evidence suggests that boys and girls are equally likely to be educated at home. Children from Gypsy, Roma and Traveller families are more likely to be educated at home. One recent survey found that in some areas up to 35% of children who are being educated at home are from Gypsy, Roma and Traveller families, and that these numbers are increasing sharply². Another significant trend is for older children to be educated at home with children of secondary school age twice as likely to be educated at home as those of primary school age.

4. Parents decide to home educate for many different reasons. Those which are frequently cited include a lack of curriculum relevance and parents holding a particular educational philosophy which they think is incompatible with school-based education. Gypsy, Roma and Traveller communities often fear the erosion of their culture if older children from their community are educated at school.

The current legal framework

5. The law³ requires all parents of children who are of compulsory school-----

¹ *The Prevalence of Home Education in England: A Feasibility Study* (York Consulting, 2007) and *The Situation regarding the current policy, provision and practice in Elective Home Education for Gypsy, Roma and Traveller Children* (Arthur Ivatts, 2006)

² *The Situation regarding the current policy, provision and practice in Elective Home Education for Gypsy, Roma and Traveller Children* (Arthur Ivatts, 2006)

³ This covers both case law and statute law within the framework of the UK's international obligations including the United Nation Convention on the Rights of the Child and the European Convention on Human Rights

age, including those who opt for home education, to ensure that those children receive an efficient, full-time education which is suitable to their ages, abilities and aptitudes and any special education needs they may have⁴. This does not mean children educated at home must receive an education which is as efficient as they would receive at school. Nor does it mean that the education provided must meet a particular standard⁵. In the 1985 the High Court interpreted the meaning of the word 'suitable' in the context of this duty. It said that:

"Education is 'suitable' if it primarily equips a child for life within the community of which he is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's option in later years to adopt some other form of life if he wishes to do so."⁶

This is in striking contrast to the requirements of the National Curriculum established for maintained schools⁷ and the standards prescribed for independent schools⁸.

6. Local authorities can and do make enquires of parents to establish whether 'suitable' education is being provided at home. However, the scope and nature of these enquiries are not prescribed and parents are under no duty to cooperate. This was confirmed by the High Court in 1980⁹. In that case the Court said that the most obvious step for local education authorities is to ask the parents for information, although parents will be under no duty to comply. However, the Court did go on to say that it would be sensible for them to do so because "... if the parents refuse to answer, [the LA] could very easily conclude that prima facie the parents were in breach of their duty".

7. Where it appears to a local authority that a child is not receiving a suitable education they must serve a notice on the parents requiring the parents to satisfy the local authority that the child is receiving such an education. If the parents fail to do this the authority may decide that it is expedient for the child to attend school and serve a school attendance order on the parents¹⁰. A school attendance order requires the parents to register the child at a school named in the order and, if they fail to comply, they will be guilty of an offence unless they prove that the child is receiving a suitable education otherwise than at school¹¹. However, local authorities complain that this is a time-consuming and expensive process and pointless where home educators are ultimately able to provide evidence that the child is

⁴ Section 7 of the Education Act 1996.

⁵ *Bevan v Shears* 1911.

⁶ *R v Secretary of State for Education and Science, ex parte Talmud Torah Machzikei Hadass School Trust* 1985.

⁷ Part 6 of the Education Act 2002.

⁸ The Education (Independent School Standards) (England) Regulations 2003.

⁹ *Phillips v Brown* 1980.

¹⁰ Section 437 of the Education Act 1996.

¹¹ Section 443 of the Education Act 1996. A local education authority may also, or alternatively, apply to the court for an education supervision order under section 36 of the Children Act 1989 where a school attendance order has not been complied with, which the court will make, unless the parent is able to prove that the child is being properly educated, receiving a suitable education.

8. Local authorities must make arrangements to ensure that they exercise their function with a view to safeguarding and promoting the welfare of children¹². However, they do not have the power to see and question home educated children to ascertain whether they are receiving a suitable education.¹³

9. Parents are not required to inform the local authority that their children are being educated at home. Nor are they required to notify the local authority where they decide to withdraw their children from school in order to educate them at home, though many do¹⁴. Consequentially, local authorities do not necessarily know if a child is being educated at home.

10. With effect from the end of February 2007, section 436A of the Education Act 1996 (inserted by section 4 of the Education and Inspections Act 2006) will impose a new statutory duty upon local authorities to make arrangements to identify children in their area who are of compulsory school age, but are not registered pupils at a school, and are not receiving suitable education otherwise than at school. They will also be required to have regard to guidance issued by the Secretary of State when performing this duty. Draft statutory guidance has been drawn up and was consulted on. The final guidance will be published at the end of February 2007¹⁵.

Registration of home educated children

11. From the end of 2008, the Information Sharing Index will provide a record of all children (aged up to 18) resident in England. It will hold basic demographic information about every child - name, address, gender, date of birth and an identifying number - and contact details for their parent/carer. The Index will also hold the names and contact details of the providers of primary medical services to the child and of any specialist and targeted services provided to a child on behalf of the local authority (such as a special educational needs coordinator, Connexions advisor or social worker).

12. A key piece of information in the Index will be the name and contact details of any educational

institution attended by the child, and the date on-----

12 Section 175 of the Education Act 2002.

13 A local authority can, under section 47 of the Children Act 1989, obtain access to a child where they have reasonable cause to suspect that the child is suffering or is likely to suffer significant harm. In this context, the term 'harm' suspected may be the impairment of the intellectual, emotional, social and/or behavioural development of the child and whether or not the harm is 'significant' will be determined by comparing the child's development with that which could reasonably be expected of a similar child (sections 105(1) and 31(9) and (10) of the Children Act 1989).

14 Where the parents do notify the school, the proprietor (usually the governing body) must delete the child's name from the Admission Register and inform the local authority under The Education (Pupil Registration) (England) Regulations 2006 (S.I. No. 1751), which came into force on 1st September 2006.

15 More information about children missing education and a copy of the current draft of the guidance can be found on the Every Child Matters website <http://www.everychildmatters.gov.uk/ete/childrenmissingeducation/>

which the child started attending the institution. Where a child is educated at home, their home contact (or the contact details for the setting in which they are educated) will be recorded, but only where parents inform their local authority that their children are being educated at home. Where they fail to do this, local authorities may identify them as children missing education, triggering the need for further enquiries.

13. However, if home educators were required to register with local authorities this would ensure that home educated children are not incorrectly identified as children missing education. This will enable local authorities to target their resources where they are most needed. It should ensure that home educating parents are only contacted by local authority officials who have been trained in and understand the legal framework for home education and the sensitivities associated with the monitoring of it.

Do you agree that home educators should be required to register with their local authorities? The DfES will specify a common core of information which all parents must give local authorities. Do you agree that local authorities should have the discretion to require parents to give additional information?

Clear standards

14. Local authorities tell us that it is difficult to establish whether or not a child is receiving a 'suitable' education at home, because the term is not defined in legislation and there is no case law on the subject. In contrast, it is much easier for local authorities to determine whether a child is receiving a suitable education if he attends school because the education provided in maintained and independent schools must meet prescribed standards.

15. Whilst many of the school standards would be inappropriate for education in the home, it would be far easier for parents to understand what a 'suitable' education was, and for local authorities to ascertain whether a child is receiving a suitable education at home if the education had to meet certain clear standards. These might cover some of the same areas as the independent school standards, for example:

- that the child acquires new knowledge and makes satisfactory progress according to their skills and abilities so that they increase their understanding and develop skills in the subjects taught;
- that the curriculum followed allows the child to gain functional skills and covers literacy, numeracy, scientific, physical, aesthetic, creative, technological, human and social material;
- that the child learn sufficient English to access public services and gain employment;
- that the child gains an understanding of citizenship, public institutions, services and the law;

- that the child gains a knowledge of other communities and ways of life in a way that promotes tolerance and harmony;
- that the child has opportunities to socialise with his/her peer group;
- that education prepares the child for the opportunities, responsibilities and experiences of adult life;
- that the education provider has a coherent philosophy or ethos of home education,

- which recognises the child's needs, attitudes and aspirations; and
- that the education provider can demonstrate appropriate knowledge and understanding of the subject matter being taught, has sufficient pedagogical skills to teach the child, and is able to assess the child's progress regularly and thoroughly and use the information gathered to plan teaching.

16. Any standards will have to be interpreted in the light of the circumstances of the child. For example, local authorities will want to consider whether the home education has just started, and the particular circumstances which have led to the parents making the decision to home educate (e.g. whether the child has had severe emotional or behavioural difficulties in school).

Do you agree that standards of some kind would help to support:

- Those providing home education?
- Local authorities in their duty to assess whether education provided at home is suitable?

Do these standards cover the right areas?

Are there any other areas which the standards should cover?

Monitoring arrangements

17. Local authorities tell us that they can encounter difficulties in assessing whether children are receiving a 'suitable' home education. While many home educators are happy to discuss their children's education with local authority officers, others are reluctant to provide samples of work, to allow their children to be interviewed, or for meetings to take place where the children are being educated. This can prevent local authority officers from ascertaining whether education provided is 'suitable'.

18. Local authorities need to target their resources where they are most needed, so they need to be able to assess whether home education meets appropriate standards quickly, allowing them to focus on cases where poor quality, or no, education is taking place. They tell us that the right to inspect the work that children have carried out, and to interview home educated children about their education, would provide the reassurance that is needed.

19. We envisage that in carrying out monitoring, local authorities should ask parents to provide information about the curriculum followed (or to be followed if home education is starting). They would then request samples of work relating to the areas covered and discuss the work covered with the child, in the presence of their parents. While many home educators are willing to allow home visits in order to undertake monitoring, we understand that others find these intrusive. Therefore we propose to allow local authorities and parents to agree a mutually convenient location for monitoring visits, while giving local authorities powers to be used as a last resort to compel parents and home educated children to attend an interview on local authority premises.

How often should standards of home education be assessed?

- Annually
- Less frequently
- More frequently where circumstances demand, for example when home education has just started or where there are concerns

Should parents be required to provide information, including a brief account of the curriculum followed, when requested by a local authority?

Do you agree that the home educated child should be interviewed to assess the effectiveness of their education, in the presence of a parent/carer?

Do you agree that it is best practice for these interview - and other monitoring arrangements - to take place where the home education is usually provided?

Where parents feel uncomfortable with having an interview in their home, do you agree that local authorities should have the power to compel home educators to attend an interview at local authority premises at public expense?

[Blanked]
[Blanked]

7/ From: **[Blanked]**

Sent: 13 February 2007 08:03

To: **[Blanked]**

Subject: RE: Your message re home education

[Blanked]

Thanks for your message. I forgot to mention the date of the research publication in the submission, but it was something we discussed in our meeting with Andrew in January. I've also rang his private office to make sure he knows.

Hope this is OK.

[Blanked]

8/ From: **[Blanked]**

Sent: 13 February 2007 15:52

To: **[Blanked]**

Cc: **[Blanked]**

Subject: New Home Education campaign

Hi **[Blanked]**

I've got about 10 of these in the last hour alone and we look set to receive a load. Is there any lines you would like us to take for these?

[Blanked]

9/ From: **[Blanked]**

Sent: 14 February 2007 08:29

To: **[Blanked]**

Cc: JONES, Penny

Subject: RE: Your message re home education

[Blanked]

Thanks for your message. I forgot to mention the date of the research publication in the submission, but it was something we discussed in our meeting with Andrew in January. I've also rang his private office to make sure he knows.

Hope this is OK.

[Blanked]

[Blanked]

10/ From: **[Blanked]**

Sent: 14 February 2007 09:42

To: **[Blanked]**

Subject: FW: Home education submission

Attachments: Home ed submission - 12 Feb.doc; Annex 1 - previous submission.doc; Annex 2 - Draft consultation document.doc; Annex 3 - Draft guidelines.doc

[Blanked]

As discussed.

Please let me know if you'd like any more information,

Best wishes,

[Blanked]
x **[Blanked]**

11/ From: JONES, Penny
Sent: 14 February 2007 16:01
To: **[Blanked]**
Cc: **[Blanked]**
Subject: RE: Your message re home education
6 copies to **[Blanked]** please
From: PS, Adonis
From: **[Blanked]**

12/ Sent: 15 February 2007 10:04
To: **[Blanked]**
Subject: RE: Home education - value for money

Hi Peter, **[Blanked]**

Just wondering if you would mind sending me a copy of your updated VfM assessment that was used for the Home Education policy? If you have any comments or feedback on how the assessment was useful that would also be very useful.
If ok with you, I would also like to pass on the assessment you made as an example and guide for someone else who is writing a VfM assessment very soon.

Many thanks,
[Blanked]
[Blanked]
Assistant Economist
Strategic Analysis: Economic Efficiency Team
Department for Education & Skills

13/ Sent: 15 February 2007 13:05
To: **[Blanked]** PS, Adonis
Cc: PS, Sec-OF-STATE; PS, Knight; PS, Hughes; PS, Dhanda; PERMANENT, Secretary; JEFFERY, Tom; TABBERER, Ralph; PS, Advisors; **[Blanked]** LONGSTONE, Lesley; MCCULLY, Andrew; PUGH, Jeanette; SANDEMAN, Dugald; BROWN, Audrey; CLARK, PeterD; **[Blanked]** GOLDMAN, Tom; **[Blanked]** JONES, Penny; **[Blanked]**
Subject: RE: Home education submission
[Blanked]
Following the meeting this morning here are Andrew's views:

[Blanked]

Thanks

[Blanked]

PS/Andrew Adonis

14/ From: **[Blanked]**

Sent: 15 February 2007 13:34

To: **[Blanked]**

Cc: **[Blanked]**

Subject: 2007/0010481

Attachments: 2007 0010481.pdf

[Blanked]

Please see the attached case. Following advice from our Policy Team we reject this stating that: the only issue raised in this letter that the dept can respond to is about truancy patrols and pupil registration legislation - which falls to **[Blanked]**s team (we are unable to comment on the education select committees relationship with Home Educating Parents).

[Blanked] came back and advised that : IBAU Attendance Team have advised "I think that this is a hard tp place piece of correspondence that goes far wider than any single policy team. They raise issues about

Home education

Every child matters

Children missing from education

Local authority procedures and policies; and

The way truancy sweeps are operated in her LA

Though I am somewhat surprised that this has come to the Department as it is basically a request that the Education and Skills Committee investigate Home Education.

I think it would be better if the Home Education policy team co-ordinate a response as this is the main issue with contributions from our team, the CME team and the team responsible for every child matters".

[something whited out here] **Thanks**

[Blanked]

[Blanked]

From: **[Blanked]**

15/ Sent: 15 February 2007 15:03

To: JONES, Penny

Cc: **[Blanked]**

Subject: RE: Home education submission

Penny,

Was anything said about the draft guidelines and whether or not Andrew wants us to consult on those? Some of the correspondence I am dealing with raises queries about when it is likely to be published.

[Blanked]

From: JONES, Penny

16/ Sent: 15 February 2007 15:05

To: **[Blanked]**

Cc: **[Blanked]**

Subject: RE:Home education submission

no, sorry we should have clarified but wait until Lesley had seen whether Bev Hughes has views

From: **[Blanked]**

17/ Sent: 15 February 2007 15:39

To: **[Blanked]**

Subject: EHE PO case

Importance: High

[Blanked]

I have attached PO case to draft, deadline tomorrow. In view of AA's comments earlier today on your submission, grateful if you could give me some lines.

[Blanked]

Independent Education and Boarding Team

Ext **[Blanked]**

[Blanked]

From: **[Blanked]**

18/ Sent: 15 February 2007 15:55

To: **[Blanked]**

Subject: RE: EHE PO case

Importance: High

Deadline for this case now Tues 20 Feb

From: **[Blanked]**

19/ Sent: 15 February 2007 15:56

To: **[Blanked]**

Subject: RE: EHE PO case

Thanks for letting me know - will give it some thought and hope the position is clearer by Tuesday.

[Blanked]

From: **[Blanked]**

20/ Sent: 15 February 2007 16:03

To: **[Blanked]**

Subject: RE: Home education research

The report seems very sensible to me.

[Blanked]

-

From: **[Blanked]**

21/ Sent: 15 February 2007 16:16

To: **[Blanked]**

Subject: RE: Your message re home education

[Blanked]

Thanks for this. It would be useful if I could have a couple of copies.

Will the home education groups who participated in the research be sent copies automatically?

Best wishes,

[Blanked]

From: **[Blanked]**
22/ Sent: 16 February 2007 09:22
To: JONES, Penny
Subject: RE: Home education submission

Penny,
Have you managed to get a steer from Lesley to arrange a time to talk to her?
Thanks,
[Blanked]

From: **[Blanked]**
23/ Sent: 16 February 2007 16:51
To: **[Blanked]**
Cc: **[Blanked]**
Subject: RE: New Home Education campaign

I think the revised lines **[Blanked]** drafted and showed me this morning should cover this campaign. If you thi[word cut off] not happy yo discuss next week

[Blanked]

From: **[Blanked]**
24/Sent: 16 February 2007 16:54
To: **[Blanked]**
Subject: RE: Home education - va;ue for money
Attachments: Annex 5 - Home education VfM.doc

Dear **[Blanked]**

I attach the version of the VfM assessment which was used in the final submission. I'm very happy for you to pass it on, although you should be aware that the Department probably won't be going ahead with the consultation which was suggested in the submission (although not for VfM purposes).

In terms of feedback about the process, I would say that if we're to do assessments they need to be done as early as possible in the policy-making process. I think ours was handicapped by a lack of decent data on the subject, but it was helpful to work things through and perhaps added a bit of rigour to our thinking.

Best wishes,
[Blanked]

From [blanked]
25/ Sent: 19 February 2007 15:11
To: JONES, Penny

Subject: FW: EHE: No 10 E petition
Attachments: Petition response.doc

Penny,

I'm trying to draft a response to a petition on the No 10 website, which calls on the PM to "allow home educators to be free from the interference of Local Education Authorities".

We've been asked to respond by this Thursday, although the petition doesn't close until 17th March. I attach a draft reply with a couple of drafting queries, but also wondered whether you thought it might be better for me to ask for a delay in responding so we can reflect upcoming ministerial decisions?

Thanks,

[Blanked]

From: [blanked]

26/ Sent: 20 February 2007 08:41

To: [blanked]

Cc: [blanked]

Subject: FW: New Home Education campaign

Attachments: anomaly draft.doc

[Blanked]

I understand you indicated to [Blanked] that we should use the new standard home education consultation lines that I agreed with you last week (in response to the 'anomaly campaign - see below). I have had a look at this and think we may need to address the concerns more directly (particularly as they are already critical of the standard responses we are issuing). What do you think of the attached draft which refers specifically the the anomaly claim? :

Thanks

[blanked]

From: [blanked]

27/ Sent: 20 February 2007 10:15

To: [blanked]

Subject: Press lines

Am doing some press lines on home education - could you send me the lines you agreed on your guidance, as an example?

Hope you and your [blanked]

Thanks,

[blanked]

From: . [blanked]

28/ Sent: 20 February 2007 14:05

To: [blanked]

Cc: [blanked]

Subject: FW: education not schooling agreed response

for info...(agreed with [blanked])

From: [blanked]

sent: 20 February 2007 13:53

TO: [blanked] [blanked]

Subject: education not schooling agreed response

Thank you for your letter/email of regarding the campaign by Action for Home Education to change all references to compulsory school age in the Education and Inspections Act 2006 (the 2006 Act) to compulsory education age.

Section 7 of the Education Act 1996 (the 1996 Act) imposes a duty on parents to secure the education of children of compulsory school age "either by regular attendance at school or *otherwise*." It is "*otherwise*" that gives parents the option of educating their children at home on condition that such education is "suitable".

I should clarify that the term "Compulsory school age" is defined in section 8 of the 1996 Act, which states that compulsory school age is between the ages of 5 and 16. When the 2006 Act refers to compulsory school age, it is using the same definition.

However, I can confirm that it is not implying that education is confined to schools only. In fact the term is also cited in section 7 of the Education Act 1996 Act, within the part of that statute that allows for home education.

The Department for Education and Skills does not think the change suggested by Action for Home Education is necessary to reflect the "legal position" of home educators. The term "compulsory school age" defines an age bracket which applies to the many statutory provisions concerning children where that term is used. It cannot imply that attendance at school itself is "compulsory" for children falling within that bracket.

In addition, please be reassured that careful consideration was given during the drafting of the Education and Inspection Bill 2006 to the application of the legislation to home-educated children. For example, section 1 (Education functions of local authorities: Duties in relation to high standards and the fulfilment of potential) applies to 'children of compulsory school age (whether at school or otherwise)'. Section 4 (duty to identify children not receiving education) places a new duty on local authorities to make arrangements to identify children who are 'of compulsory school age' but '(a) are not registered pupils at a school, and (b) are not receiving suitable education otherwise than at a school.'

Finally, I can confirm that to change the wording of an Act of Parliament would require an amendment to that statute. The only vehicle for such an amendment would be a future piece of legislation. Action for Home Education's concern about the wording of the 2006 Act does not fall within the scope of any planned legislation. It is our view that, for the reasons outlined above, any such change is not needed and as such would not warrant the time and public money involved in doing so.ry school age" defines an age bracket which applies to

the many statutory provisions concerning children where that term is used. It cannot imply that attendance at school itself is "compulsory" for children falling within that bracket.

In addition, please be reassured that careful consideration was given during the drafting of the Education and Inspection Bill 2006 to the application of the legislation to home-educated children. For example, section 1 (Education functions of local authorities: Duties in relation to high standards and the fulfilment of potential) applies to 'children of compulsory school age (whether at school or otherwise)'. Section 4 (duty to identify children not receiving education) places a new duty on local authorities to make arrangements to identify children who are 'of compulsory school age' but '(a) are not registered pupils at a school, and (b) are not receiving suitable education otherwise than at a school.'

Finally, I can confirm that to change the wording of an Act of Parliament would require an amendment to that statute. The only vehicle for such an amendment would be a future piece of legislation. Action for Home Education's concern about the wording of the 2006 Act does not fall within the scope of any planned legislation. It is our view that, for the reasons outlined above, any such change is not needed and as such would not warrant the time and public money involved in doing so.[Blanked]

From: PS, Adonis

29/ Sent: 20 Feb 2007 14:34

To: PS, Adonis; WALSH, Peter; PS, Hughes

Cc: PS, Sec of State; PS, Knight; PS, Dhanda; PERMANENT, Secretary; JEFFERY, Tom; TABBERER, Ralph; PS, Advisors; [blanked] LONGSTONE, Lesley; MCCULLY, Andrew; PUGH, Jeanette; SANDEMAN, Dugald; BROWN, Audrey; CLARK, PeterD; [blanked]; GOLDMAN, Tom; [blanked] JONES, Penny; [blanked]

Subject: RE: Home education submission

Beverly Hughes has also looked at the submission [blanked]

Thanks

[blanked]

PS/Andrew Adonis

[Blanked]

From: [blanked]

30/Sent: 21 February 2007 09:49

To: JONES, Penny

Subject: FW: DfES EO home education meeting

Penny,

I liked your reply [blanked]

I'm now involved in an email exchange with [blanked] about the position in Wales - I just wanted to check with you that it's up to Wales to decide on whether they want legislative change, and if they didn't, then any changes would apply only to England?

Thanks,

Subject: Home education - next steps
Location: CH 733
Start: Wed 21/02/200715:3
End: Wed 21/02/200716:00
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded

From: [blanked]

31/ sent: 21 February 2007 16:23

To: [blanked]

Subject: Home education meeting

When: 22 February 200714:30-15:30 (GMT) Greenwich Mean Time: Dublin, Edinburgh, Lisbon, London.

Where: CH 733

Hope this time suits.

Anne - as discussed. I'd be grateful if [blanked] could join us as well.

Penny to join by phone from Darlington.

[blanked][Blanked][blanked]

Subject: Home education meeting

Location: CH 733

Start: Thu 22/02/200714:30

End: Thu 22/02/2007 15:30

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Required Attendees: [blanked] JONES. Penny, [blanked]

Hope this time suits.

[blanked] as discussed. I'd be grateful if [blanked] could join us as well.

Penny to join by phone from Darlington.

Peter

From: [blanked]

32/ Sent: 21 February 17:38

To: [blanked]

Subject: RE: Home education submission

[blanked],

I'm following up Andrew on home education. [blanked] It would be very helpful if you're able to attend - will forward the invite.

Best wishes,[blanked]

Subject: Home education - next steps

Location: 5.88

Start: Wed 21/02/200715:3

End: Wed 21/02/200716:00

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Required Attendees: [blanked] LONGSTONE, Lesley; JONES, Penny

As requested - hope the time suits.

[blanked]

Subject: Home education - next steps

Location: CH 733

Start: Wed 21/02/200715:3

End: Wed 21/02/200716:00

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

[blanked]

From: JONES, Penny

33/ Sent: 23 February 2007 15:00

To: [blanked]

Subject: FW: Dods Monitoring Education Weekly Bulletin - Review: Issue 181

[blanked]

To see TfL item if you aren't already aware

[blanked]

To see piece on Scottish home education

Penny

From: ePolitix [<mailto:bulletins@parlicom.com>]

To: JONES, Penny

Subject: Dods Monitoring Education Weekly Bulletin - Review: Issue 181

Weekly Education Bulletin - Review

23/02/2007 14:47:36

Over 100 years of excellence in education

Issue:181

Editor: Danielle Young

Top Story

Dominating the headlines

~ It pays to be an apprentice

Other news

Call for better guidance for home education

The Scottish Consumer Council has called for better guidance on home education from Scottish local authorities to prevent confusion and anger among families wishing to exercise their legal right to educate their children at home if they wish.

j

A report by the Council -Home-Based Education: Towards Positive Partnerships - found wide variations in the approach and practices regarding home education across Scotland's 32 local authorities. The report concluded that the stance of some councils can lead to tension with parents that can be damaging for children.

The Scottish Executive estimates that over 700 children are home-schooled in Scotland with rural areas like the Highlands and Perth and Kinross having the highest numbers. The report quoted research from England and Wales showing that home educated children generally

show a high level of performance in testing, and that negative experiences of mainstream schooling like bullying were key reasons for parents withdrawing children into home education.

However, local authorities have a legal obligation to ensure home-education is "efficient and suitable" and it is the means by which this duty is monitored that can cause tensions with parents. One local council was recorded ma[blanked]

From: [blanked]

34/ Sent: 23 February 2007 16:51

To: JONES, Penny; LONGSTONE, Lesley; [blanked]

Subject: BBC News story on home education

In case you hadn't seen: <http://news.bbc.co.uk/1/hi/education/6389211.stm>

From: [blanked]

35/ sent: 27 February 2007 10:34

To: JONES, Penny

Cc: [blanked]

Subject: FW: Home education and your report

Importance: High

Penny

Please see the correspondence below. Could we discuss a response, please?

[blanked]

From: JONES, Penny

36/ sent: 27 February 2007 10:42

To: [blanked]

Cc: [blanked]

Subject: RE: Home education and your report

We have a torrent of correspondence from home educators at present, so I suggest and add this to the considerable pile - we have help from correspondence unit.

[blanked]

I don't think its for you to deal with this.

Penny

From: [blanked]

37/ sent: 27 February 2007 10:45

To: JONES, Penny

Cc.: [blanked]

Subject: RE: Home education and your report

Penny

Thanks.

York Consulting have phoned this morning to ask what they should be saying to the organisations who call them with complaints. should they just refer them to us?

From: JONES, Penny

38/ Sent: 27 February 2007 10:48

To: [blanked]

Cc: [blanked]

Subject: RE: Home education and your report

Probably yes - they were our contractor.

[blanked]

From: [blanked]

39/ Sent: 27 February 2007 10:49

To: JONES, Penny

Cc: [blanked]

Subject: FW: Home education and your report

Penny

This is another complaint from the [blanked] family. I have written to them twice in recent weeks and now have another ECHO case, received last Friday, complaining about me and my unhelpful response. They are also complaining about School Attendance Team (LA is trying to issue SAO). I think you spoke to [blanked] about this case last week ([blanked])

Page 1 of 1

[blanked]

From: [blanked]

40/ Sent: 27 February 2007 12:05

To: JONES, Penny

Subject: Home education - revised submission

Importance: High

Attachments: New submission WORKING COPY.doc

Penny,

I had a useful meeting with [blanked] and [blanked] yesterday which clarified a number of the points we discussed on Thursday. I've worked up the attached submission, and would be grateful for your thoughts.

[blanked]

I'd be grateful for your initial thoughts - I'd like to get this to the lawyers later today, if you have time to review it before then.

Best wishes,

From: [blanked]

41/ sent: 27 February 2007 15:52

To: JONES, Penny; [blanked] Sheila; [blanked]

Subject: Home education submission

Dear All,

Please see attached the revised draft submission on home education. For your information, I've also included the Scottish guidelines and the standards we were proposing to consult on. I'd be very grateful for your thoughts and am around for most of tomorrow if you'd like to discuss any points.

[blanked] thanks for your help on this. The 'positive action' section is paragraph 11.

Penny - once I've done a revised version, reflecting comments from you, lawyers and EMAU, I suggest we share with Lesley and consider who else will need to clear.

Best wishes,

[blanked]

From: [blanked]

sent: 42/ 27 February 2007 16:47

To: [blanked]

Cc: [blanked]

Subject: RE: Home education submission

[blanked] (I've not copied to all, because you should avoid too many lawyers in the full mix) -

I attach your submission with suggested changes tracked. I've kept the touch very light.

[blanked]

From: [blanked]

Sent: 43/ 28 February 22007 10:40

To: [blanked]

Subject: Home education submission

Importance: High

Attachments: New submission - draft 4.doc

[blanked]

Please find attached a revised draft submission on home education.

I tried to ring you earlier to discuss - would be grateful if you could let me know what you'll need to be able to

clear the submission.

Best wishes,

[blanked]

X [blanked]

From: [blanked]

Sent: 44/ 28 February 2007 11:04

To: [blanked]

Cc: [blanked]

Subject: RE: EHE Sub - draft

[blanked],

Thanks for your comments. I realised the contradiction as soon as I sent it round, though no one else has pointed it out - have removed the reminder in the background section.

Best wishes,

[blanked]

From: [blanked]

sent: 45/ 28 February 2007 11:04

To: LONGSTONE, Lesley

Cc: JONES, Penny

Subject: Revised home ed submission

Lesley,

I attach a draft submission on home education, which reflects conversations I've had with lawyers and [blanked] and [blanked] in EMAU.

In summary, lawyers were [blanked]

We also considered recommending [blanked] explained in more detail in the submission.

Penny, lawyers and EMAU have seen earlier drafts of the submission, but I'm waiting for clearance from finance. I'd be very grateful for your comments and what you'd like to happen next.

Best wishes,

From: LONGSTONE, Lesley

sent: 46/ 28 February 2007 11:31

TO: [blanked]

Subject: RE: Revised home ed submission

[blanked] - can you bring a copy up some time this afternoon for us to go through together?

Lesley

From: [blanked]

Sent: 47/ 28 February 2007 11 :34

To: LONGSTONE, Lesley

Subject: RE: Revised home ed submission

No problem - I'll come up at 2, if that's OK?

[blanked]Page 1 of 1

[blanked]

From: [blanked]

48/ Sent: 28 February 2007 14:49

To: [blanked]

Subject: RE: Home education submission

Attachments: New submission - draft 5.doc

Dear All,

Many thanks for your very helpful comments on the submission. I've done various drafts through the day, and I attach the latest version. You'll see that it's been abridged - we were concerned that it came across as too negative and wanted to be more constructive. I'd be grateful if you're able to let me have final comments on the attached draft, and let me know who I should include as the clearer.

Best wishes,

[blanked]
