

5 February 2016

The Rt Hon Nicky Morgan MP  
Secretary of State for Education  
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Hampshire County Council  
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Dear Rt Hon Nicky Morgan MP,

### **HCC Children and Young People Select Committee: Elective Home Education**

I am writing with regard to the law and Department for Education guidance around Elective Home Education, which the Hampshire County Council Children and Young People Select Committee considered at our most recent meeting, in order to lay out Member's serious concerns in this area.

Hampshire County Council has a duty to take action if it appears a child is not receiving a 'suitable' education. Where there is evidence of this the Local Authority can serve a notice on parents requiring them to satisfy the Local Authority that the child is receiving such education and, if they fail to do so, consider serving a school attendance order. There would need to be evidenced (over and above a decision to home educate) that the child is not receiving a suitable education.

However, if there is no right of access to the home, as is currently the case, then the Local Authority has no direct way of assessing whether the child is receiving a suitable education or indeed whether there is any other risk to the child (home education not being a reason in itself for precipitating the use of section 47 of the Children Act, as is well established) . It is possible that a child could remain 'invisible' if parents do not engage with education or access health facilities, or indeed venture out into the wider community. This is especially the case if a child has never attended a school, as there is no duty for the parent to inform the Local Authority that they are electively home educating.

In view of these concerns the Select Committee resolved to ask its MPs and Government to legislate to give Local Education Authorities the statutory duty to monitor the education of those children who are electively home educated.

Please do not hesitate to contact me should you require any additional information. I look forward to your response.

Yours sincerely

**Cllr Ray Bolton**  
**Chairman, Children and Young People Select Committee:**

Cc: Steve Crocker, Interim Director of Children's Services

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