



**The Rt Hon Baroness Jacqui Smith and Stephen Morgan  
Minister for Skills and Minister for Early Education**

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12 June 2025

Dear Lord Wei,

Thank you for your time on Monday 2 June to discuss the Children Not in School measures, which feature as part of the Children's Wellbeing and Schools Bill. It was helpful to understand your position on the amendments you have tabled. We committed to follow up the discussion after taking away the points you raised.

The measures will result in a change in practice for home educating families. Whilst understanding your reservations, for the majority of families, the measures will result in little practical change other than a requirement to provide specified, straight-forward information to local authorities (such as name, address, date of birth, etc.). Parents will still be able to home educate in a manner of their choosing, providing that the education is full-time, efficient and suitable. There are no changes in this Bill that would seek to have additional government oversight over the content of home education.

Even with the Children Not in School measures, England will remain as one of the most non-restrictive and supportive countries regarding home education policy across the world.

It is the government's view that there is a strong case for the Children Not in School measures, which will bring us closer in line with the rest of the world. It has cross-party backing, as well as from notable stakeholders including the Children's Commissioner, NSPCC, and the Local Government Association, to name a few.

We know many parents, including as you describe to us - yourself, work hard to provide a suitable education for their children. In any instance where this is not the case, and children are not receiving a suitable education, it is important that local authorities are able to identify these children and take prompt, appropriate action. This duty is currently undermined by parents having no obligation to inform their local authority that they are home educating.

Statutory Children Not in School registers, which we understand you oppose, along with duties on parents and out-of-school education providers to provide information, will assist local authorities to identify eligible children, provide support where requested, and act where education is not suitable. The information provided by parents for the registers will support local authorities to gain a fuller picture of the child's educational needs and circumstances.

This government's priority is ensuring that the most vulnerable children or those with the highest needs do not slip under the radar of services that are there to support them. The proposal to require local authority consent to home educate children who are subject to section 47 child protection enquiries or plans, or at special schools is a proportionate solution that focuses on the most vulnerable.

At the meeting on Monday 2 June, you outlined a proposed licensing regime that would distinguish between 'legitimate' and 'illegitimate' home educators. Those 'legitimate' home educators would be exempt from the requirement to provide detail to local authority Children Not in School registers. We have looked carefully into this proposal as promised. Whilst we cannot support legislative concessions such as this, there are elements of your amendments that we could take forward via non-legislative changes that address your concerns. We have set these out below:

- Greater emphasis that local authorities could undertake a light-touch approach when engaging with home educators who are clearly providing suitable education (e.g. due to being a qualified teacher, exceptional evidence of suitable education, registered for national examinations, etc.). We can make this approach clear when we update relevant guidance when we implement the Children Not in School measures.
- The Department could consider whether we can be more explicit about parental complaint routes regarding local authorities enacting their duties related to home education. This could be done in future guidance, and would be with the intention of increasing the accountability of local authorities.
- The Department will commission and deliver training for all local authorities on the Children Not in School requirements and how they interact effectively with home education and alternative education approaches. This would be co-developed and co-delivered by home education representatives.
- The Department will expand existing engagement opportunities with home educators and home educating representatives as we develop and implement regulations and statutory guidance. This includes a public consultation on the detail of the regulations and guidance following Royal Assent.

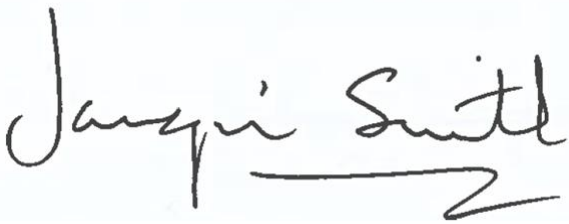
The Department is keen to engage on the details of the Children Not in School measures, whilst remaining committed to the overarching policy intention. Future engagement and consultation will provide opportunity for home educators, such as yourself, to feed into our future arrangements.

We want to continue to work constructively with home educators. This includes our ongoing Children Not in School implementation forum, which includes several current home educators as well as representatives from organisations.

As previously set out, we understand that you are opposed to the Children Not in School measures, however we are keen to work constructively with you as the Bill progresses. However, this can only take place if you reconsider your approach in the House of Lords and agree to further grouping of your amendments. We welcome constructive debate on the issues in the Bill and grouping amendments on similar themes enables this richer debate.

This letter is copied to Baroness Barran and we will be placing a copy in the House Library.

Yours sincerely,

A handwritten signature in black ink, reading 'Jacqui Smith', with a stylized flourish at the end.

**The Rt Hon Baroness Jacqui Smith  
Minister for Skills**

A handwritten signature in blue ink, reading 'Stephen Morgan', with a horizontal line underneath.

**Stephen Morgan MP  
Minister for Early Education**