

Following an enquiry from Annette Taberner, Richard Caborn MP for Sheffield Central contacted Beverley Hughes about the "Children missing education" consultation. In a letter to Richard Caborn MP, Beverley Hughes MP - Minister of State for Children, Young People and Families said:

"Mrs. Taberner raised concerns about the new statutory duty placed on local authorities by section 4 of the Education and Inspections Act 2006, for them to make arrangements to identify children not receiving education. Mrs Taberner's concern is that the implementation of this new duty will cause home educators difficulties if local authorities misinterpret the legislation by thinking it includes those being home educated. The new statutory duty is an essential part of the Every Child Matters: Change for Children programme. Children who are missing from education are more likely to be vulnerable in one way or another. They may be from disadvantaged families, travelling communities, immigrant families be unaccompanied asylum seeking or trafficked children, or be at risk of neglect and abuse. It is imperative that local authorities, therefore, have robust measures in place both to identify quickly when a child is missing from education and to follow through with effective tracking and enquiry systems.

When developing the statutory guidance to support this new duty, which will be published on 27th February, my official fully consulted the national home education organisations, as they recognised the potential confusion. These organisations and several parents of home educated children also responded to the public consultation for the statutory guidance and the guidance was amended accordingly. As a result the statutory guidance now makes it clear that the new duty does not apply to children who are being educated at home, as these children are not "missing from education". The guidance also makes it clear if the local authority discovers a child identified as "missing from education" is being home educated, no further action should be taken unless there is cause for concern about the child's safety and welfare."