Dear Mr Taylor,

Thank you for your email of 8th July.

Your initial request

I understand that you submitted a Freedom of Information request on 27th June to ‘*publish any response to the Department for Education’s ‘Children Not in School’ consultation which closed on 24th June 2019*.’

The initial decision

The initial decision stated ‘*When the consultation has closed, the government will consider responses received and take a decision on next steps. A government response document will be published and will be available on* [*https://www.gov.uk/government/consultations/children-not-in-school*](https://www.gov.uk/government/consultations/children-not-in-school)*’.*

The exemption for disclosure provided to you was that the information is intended for future publication, which is provided under section 22 of the Freedom of Information Act (FOIA).

The legal review

I understand that you have requested a legal review of the initial decision, and I have been appointed as the reviewing officer.

From reviewing information from the Department of Education, it is my understanding that the consultation is a follow-up to the consultation and call for evidence on elective home education held by the Department for Education in 2018. The consultation purpose ‘*seeks views on proposed legislation to establish a register maintained by local authorities of children not attending mainstream schools, together with associated duties on parents and the proprietors of certain educational settings. It also consults on proposed legislation to establish a duty to support parents who educate children at home and seek support from their local authority in doing so.*’

The Department for Education also state on their website that ‘*the Government will consider responses received and take a decision on next steps. A Government response document will be published*.’ The overview of this information has been taken from <https://consult.education.gov.uk/school-frameworks/children-not-in-school/>.

As part of my review I have considered the initial decision, liaised with colleagues and considered the Information Commissioner’s Office guidance and best practice.

Conclusion

The decision has been made to release the document to you as per your Freedom of Information request. I have liaised with the department who will be sending this to you and they have confirmed that you should be in receipt of the document by the end of the week. You will see that there are a few pieces of information redacted, and this is because it contains personal information.

I have made enquiries for you to ascertain the future publication date by the Department for Education, but unfortunately I have been unable to find a definitive date.

I hope you feel that this satisfies your enquiry.

If you feel there is any further clarification that we can provide for you then please contact the Access to Information Officer on 01629 538373 or by email to access2info@derbyshire.gov.uk.

You may also complain to the Information Commissioner using this link [www.ico.org.uk/complaints.aspx](http://www.ico.org.uk/complaints.aspx).  Alternatively, the postal address for the Information Commissioner is: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF Tel: 0303 123 1113/Fax: 01625 524510

Yours faithfully,

**Derbyshire County Council**