



Department  
for Education

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Mr Tim Shields  
Chief Executive  
Hackney Council  
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21 March 2014

Dear Mr Shields

#### **HACKNEY COUNCIL AND HOME EDUCATING PARENTS**

I am writing further to exchanges of correspondence between Graham Stuart MP and yourself about this issue, arising from the [REDACTED] case. We have seen your letters of 30 September 2013, 7 February 2014 and 7 March 2014. The minister responsible, Elizabeth Truss, has written to Mr Stuart on an interim basis but we feel that before she can reach any final conclusions about the matter we need to ask for some further information.

In your letters, you have explained about the lack of information obtained from [REDACTED] and why this led the Council and the Trust to believe that a visit on 23 January pursuant to a s.17 assessment was necessary. We accept that there may well be a link between safeguarding and home education concerns in some cases; and the Department does not dispute that the authority should have the interests of children to the fore. What is not apparent to us at present is:

a. whether there were actually any current – as opposed to past – concerns about safeguarding (not home education) which justified a s.17 assessment and a home visit based on safeguarding powers;

b. why, if the information on home education of the children was as sparse as it seems, the authority did not go down the route clearly provided for in legislation and explained in the Department's guidelines, ie service of a notice under s.437(1) requiring information on home education, and if the authority were to still not be satisfied, service of a school attendance order – which can be followed by prosecution if necessary. You quoted the relevant guidance in your

letter of 7 February to Mr Stuart, but so far as we can see this procedure was not followed. Mr Stuart pointed this out in his letter of 3 March, but the point was not directly addressed in your reply of 7 March.

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Any other comments you wish to make would be useful as well. There is no fixed date for the minister to write again to Mr Stuart but it would be helpful if you could let us have a reply in the next couple of weeks.

Yours sincerely



S BISHOP

Independent Education and School Governance Division

