



Experiences and Perspectives of Welsh Home Educators: Welsh Government Policy and Local Authority Conduct, Present and Future

Preliminary report - February 2026 - Sections A and B

Introduction

In March 2025, the Welsh Government (WG) announced their desire for the Children Not in School (CNIS) clauses of Westminster's Children's Wellbeing and Schools (CWS) Bill to apply to Wales.

In February 2026, the WG published a commissioned evaluation of their 2023 guidance on EHE which was based on the views of council staff but did not include the experiences and views of home educators in Wales. That publication was said to be timed to inform voting at the Senedd on the CWS Bill and referenced desires for measures in addition to those of the CWS Bill.

More information on the attempt to apply the CNIS clauses of the CWS Bill to Wales can be found here.

<https://wellbeingineducationwales.co.uk/>

More information on the commissioned evaluation of their EHE guidance can be found here

<https://wellbeingineducationwales.co.uk/2026/02/10/an-evaluation-of-the-welsh-government-commissioned-evaluation-of-their-2023-ehe-guidance/>

As there has been no engagement with or involvement of those in Wales with lived experience in the above processes or policy developments, this survey was conducted by volunteer Welsh home educators, in the hope of facilitating engagement by Senedd Members and Members of Parliament, to allow a fuller evaluation both of the impact of the CWS Bill and of various claims within the commissioned report on EHE guidance.

Methodology.

A survey including multiple choice questions and numerous opportunities for free text written responses was developed, to allow production of quantitative and qualitative data. The range of questions were drawn from a spectrum of suggestions and concerns expressed in a variety of home education groups. The questions were designed with the opportunity of cross-referencing response from various points of the survey to confirm if respondents had understood each question and to identify if there were any mistaken entries, being mindful of the potential of errors when using tick boxes on smaller digital devices. The survey used Google Forms and was circulated via a range of Welsh national and local home education groups.

Due to time limitations, the survey was run for 12 days, from 13th February 2026, to enable the findings to be reviewed and the resulting report circulated before the planned vote in the Senedd.





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Responses were fully anonymised, with no collection of email or IP addresses.

Responses were gathered from every local authority area in Wales.

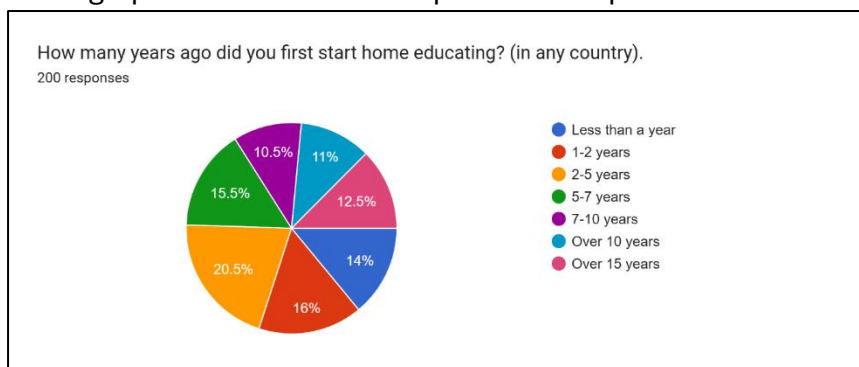
Due to time constraints in view of the rapid timescale at the Senedd, the survey was limited to the first 200 usable responses to the quantitative sections. Each response was screened to ensure that the views of each home educator were reflected as clearly and appropriately as possible. Five responses were removed from the survey where there were indications of likely errors, for example where there was discrepancy between a box ticked and subsequent comments or other answers. In each of these cases the written comments were noted to be reflected in other written comments used in the survey. One response which was written in abstract, third person terminology that directly mirrored particularly unusual facets recently expressed by a council manager in that area, and which lacked any reference to personal experience or family was excluded, as the anonymous nature of this survey meant that it could not be confirmed that these were the views of a home educator. Copies of such responses were kept to enable evaluation if required.

Results

Demographics

Responses were received from home educators in every local authority area in Wales, and reflected a wide range of experience as home educators, as show below.

Demographics - Duration of respondents' experience of home education.



Section A of this report relates to proposed and potential future measures on EHE in Wales

Section B considers current experiences of home educators in Wales in relation to Welsh Government policies and LA conduct.



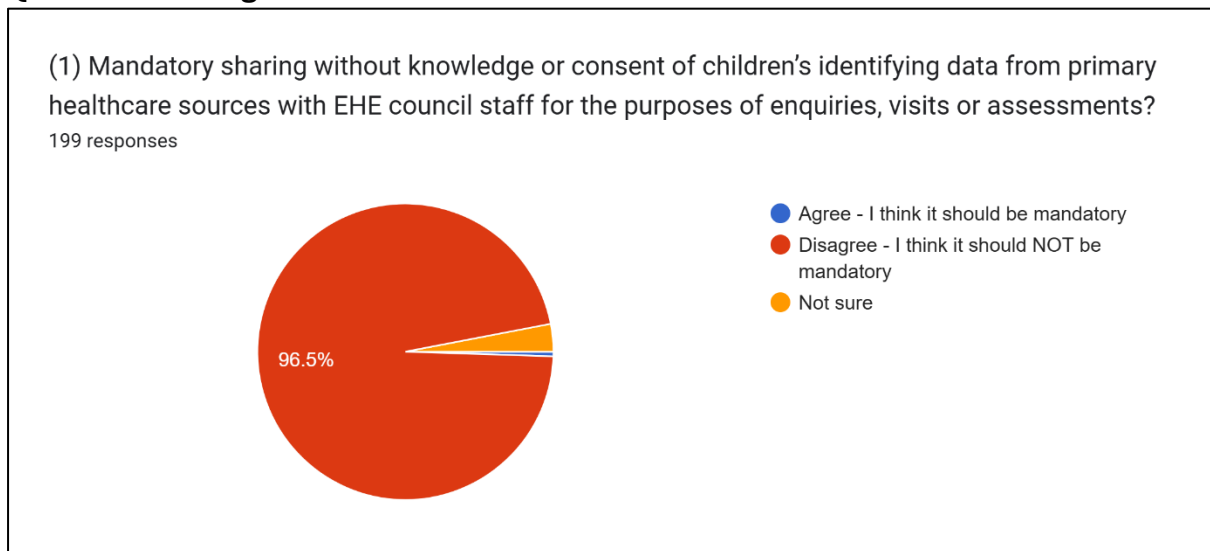
Section A - Quantitative data to explore views and opinions on a range of potential future measures in relation to EHE.

Some of the measures considered relate to those proposed in the CWS Bill, others to potentials raised in the Welsh Government commissioned evaluation of their guidance.

Section A.1 potential mandatory measures in relation to EHE

Quantitative data demonstrates an extremely clear and persistent trend of objection to a range of proposed or potential measures being made mandatory, as seen in Figures A.1-A.6.

Question A.1 - Figure A.1.



Qualitative data from the opportunity for respondents to explore or explain their answers further can be summarised under the following general categories:

- Present current practice and ability of medical staff being able to share data if a child is considered to be at risk was acknowledged and agreed with.
- The prospect of this measure making families feel less confident in engaging with health care professionals knowing that data was not confidential was raised by a number of responders.
- Confidentiality of access to healthcare was considered to be paramount by many, with respondents considering breaches of confidentiality to undermine trust.

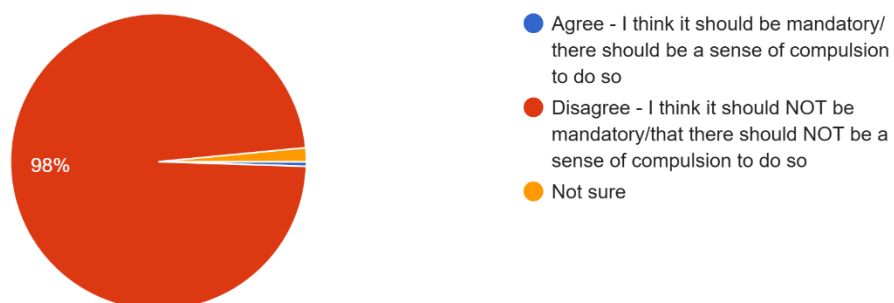
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- Consent – or the lack of this- was a very frequent recurring concern in responses, alongside the use of datasharing as part of a non-focused widespread data sweep.
- Use of data for purposes other than the one it was provided for was another frequently commented on concern.
- Risks inherent in data sweeps and sharing were often raised.
- Concerns were raised on ethics, lawfulness, the role of state vs parent, and the relation to right to private family life.
- Motivations for such actions and datasharing were questioned by some, including influence of institutionalised bias that “school is best”
- Some shared negative personal experiences of their data having been shared in this way as part of the extensive pilots of so-called CME databases.
- Other concerning accounts of negative personal experiences were provided
- Concerns were often raised on the inappropriateness of using EHE-related council staff as some form of “safeguarding officers”

Question A.2 - Figure A.2

(2) Mandatory (or effectively mandatory under threat of potential legal action) home visits to see and interview/speak directly with each EHE child on...casation, as well as discuss educational provision.
199 responses





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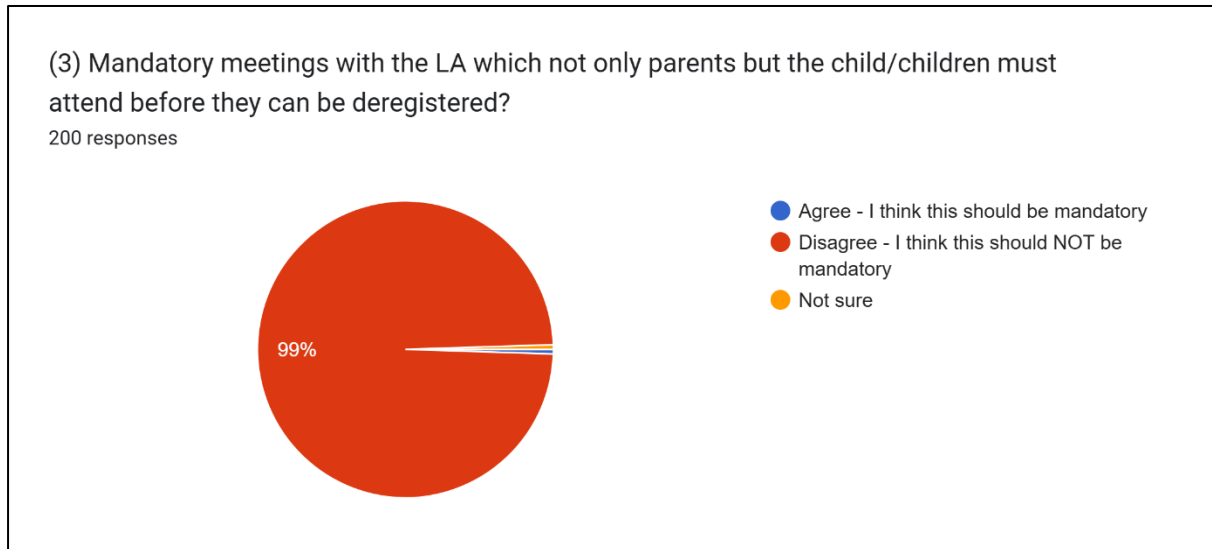
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Qualitative data from the opportunity for respondents to explore or explain their answers further can be summarised under the following general categories:

- A number of responses indicated such a measure is not required or acceptable, considering it “intrusive”, “invasive”, “unnecessary”, “without consent”, “violating”, “compromised sense of safe space”, “presumptive”, “against human rights”, “breach of rights to privacy of family life”, “disregarding children’s autonomy”.
- Many responses highlighted the consequences of unnecessary and damaging anxiety and stress to families and children, including discussing what was seen as profoundly damaging impact on neurodivergent children and parents and on those suffering from school-trauma. For example:
 - *Would be a disaster for a child like mine who we have had to home educate due to significant school-based anxiety. **This could tip her over the edge***
 - *This would be extremely stressful for my child whose home needs to be a safe space where she is not subjected to interview. If education is seen as a demand or expectation, it would impact her ability to engage. **Such a visit could damage our successful learning process where she feels in control.***
- Many responses indicated how such a measure is considered both ineffective and unsafe for a range of reasons, which are best explored by reading the words of respondents here.
- Many responses addressed concerns of overstepping of respectful and lawful remits



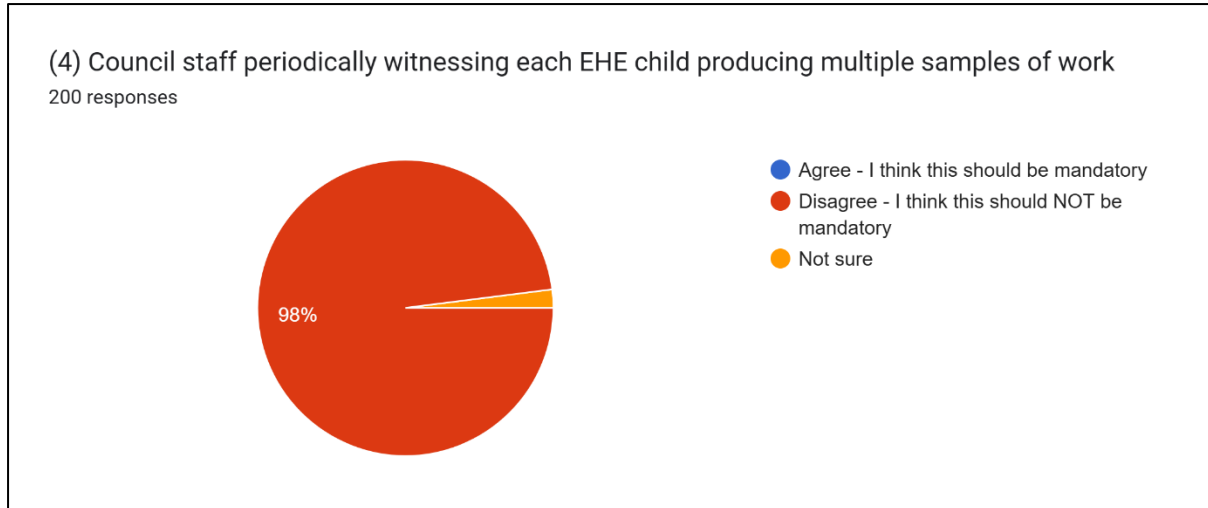
Question A.3 - Figure A.3



Using the opportunity to provide free text exploration or explanation of their answers, respondents raised a number of issues, which included:

- A number of responses deemed such a measure inappropriate when school is an opt in service and questioned the motivation behind such a measure, including influence of institutionalised biases such as a belief that “school is best”.
- The distress, anxiety, trauma and harm to children caused by such meetings was a common theme in responses.
- Concerns were raised that such meetings, with the delays and potential obstructions to deregistration would be dangerous, risking suicide and self-harm, damaging to children’s wellbeing, and counterproductive.
- Concerns were raised at attempts of interference with family choice and overstepping of the role of the state.
- The overwhelming consensus of opinion was that any such meetings should be optional and without coercion or suspicion.
-

Question A.4 - Figure A.4



Points and experiences raised in the opportunity to provide further information on this question included the following:

- The overriding message of the responses from 110 respondents into this point considered the concept would demonstrate a lack of understanding of pedagogy and educational philosophies and approaches often utilised by home educators.
- Respondents demonstrated how such a measure would not reflect children's normal modes of education and learning and would be based on presumptions of a more linear concept of learning than is often beneficially experienced by home educated young people.
- Many responses addressed how this would be traumatising and harmful to children, counterproductive in terms of educational progress and capacity to continue learning as well as to wellbeing.
- Many responses raised concepts of infringement of rights, questions of lawfulness and issues relating to lack of consent.
- Lack of appropriate training, skills and resources to be able to undertake suitably individualised assessments even if these were acceptable, were often highlighted.

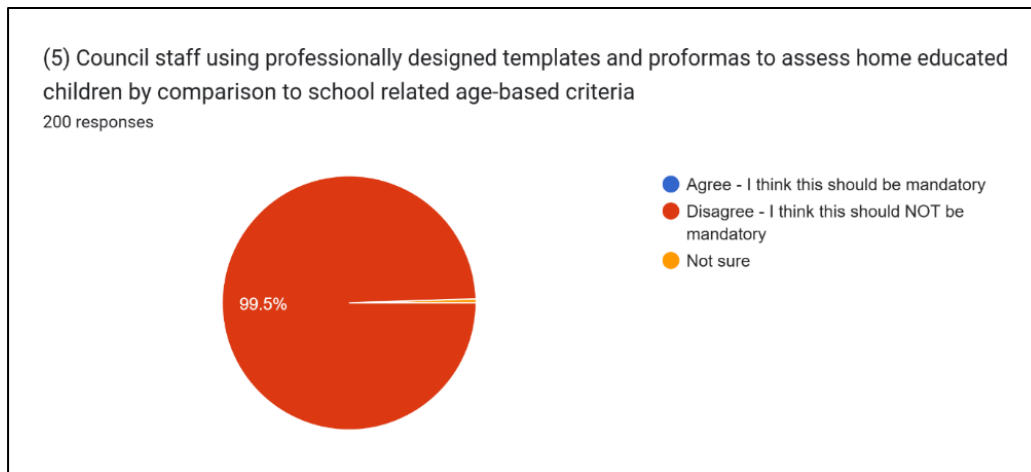
Although not mentioned in survey responses, it is also worth noting the risks of infringement of copyright law if “work” is shared without consent, according to the Copyright, Designs and Patents act of 1988

<https://www.legislation.gov.uk/ukpga/1988/48/contents>

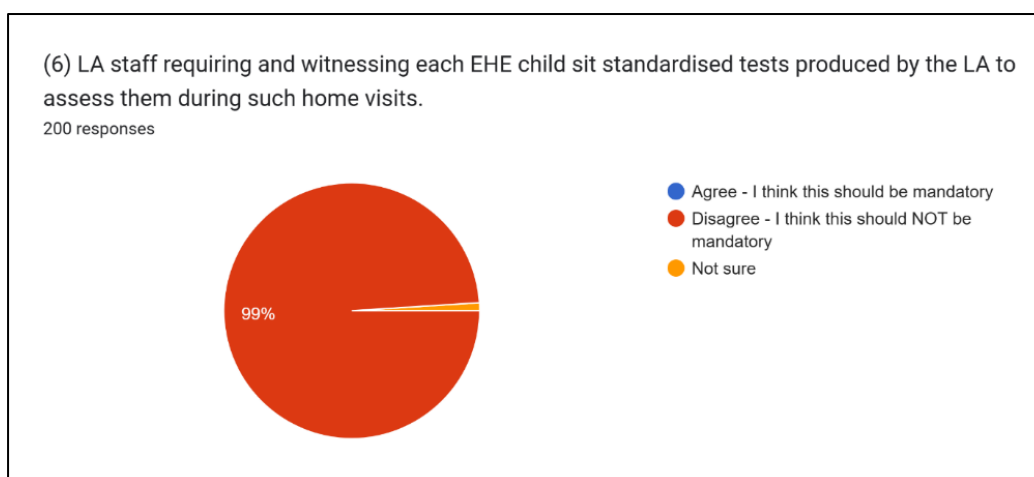
An appreciation of children’s ownership of their intellectual property can be found here:

<https://www.tes.com/.../who-owns-childs-work-not-teacher>

Question A.5 - Figure A.5



Question A.6 - Figure A.6





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The survey generated 332 written responses to Questions A.5, A.6 and A.7 alone, which can probably best be summarised with the quote from one of these of:

***Tell me you don't understand home education
without telling me you don't understand home education.***

This is somewhat ironic, as these 3 questions and figures relate to concepts claimed in the WG commissioned evaluation of their EHE guidance to be advocated and favoured by council staff employed to engage with home educators.

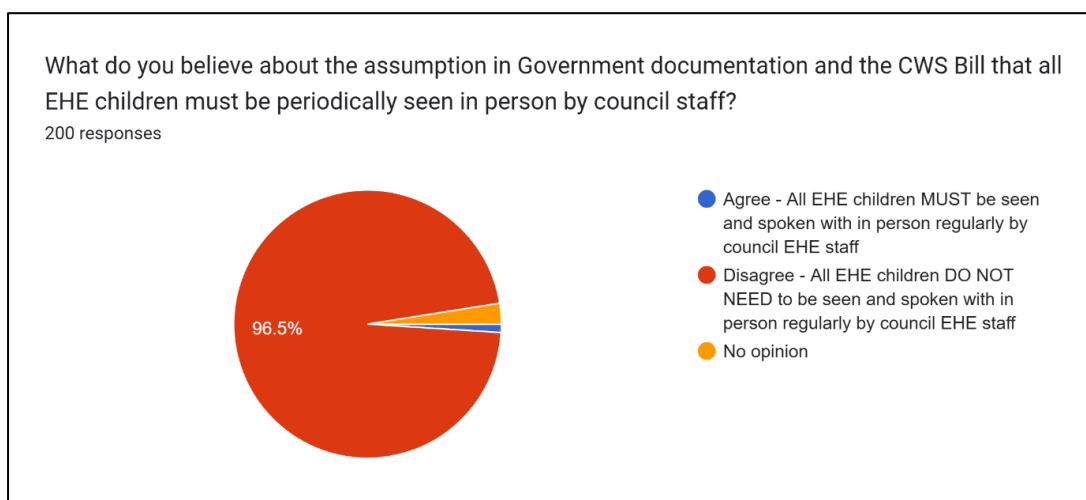
The source of these concepts was purposefully not mentioned in the survey to allow exploration of each concept in its own right.

The responses to these questions provide a remarkably helpful and informed insight into the concept of home education for those who do not have lived experience of this.

A wide selection of these responses will be provided in Section C of this survey report to allow opportunity for the voices of those with lived experience to be heard, and in the hope that these will enable non-home educators to glean fuller understanding of home education.

We strongly encourage the reader to explore this range of these responses, which will be found **here**:

Question A.7 - Figure A.7 – Children must be “seen” by council staff to be believed safe





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Responses expressed can be found **here** and summarised as:

- Very ineffective “tick-box” method or attempt at safeguarding, with a range of reasons given why it would be ineffective or counterproductive
- Assumes children are “not seen” unless seen by a member of council staff, respondents report this mistakenly presumes an element of social isolation.
- Double standards of not “seeing” children who are pre-CSA, who are at significantly higher risk statistically speaking, and of not “seeing” school children during school holidays
- Double standards according to those who feel their children were let down or not safeguarded in school.
- Intrusion into family life,
- Parents safeguard their children against intrusion or speaking to strangers
- Treating parents and families with mistrust, as if guilty until proven innocent,
- Taking council time and resources away from families who need them, wherever they may be educated,
- Lack of evidence of benefit or need
- Damage and stress to children of such meetings and encounters,
- How the perceived need for such meetings or encounters damages and undermines the trust-based parent-child relationship.
- Lack of understanding of council staff of home education
- Option of flexible voluntary contact with genuine support available if requested more beneficial
- Conflict of interests of staff who are employed to take measures for children to attend school, with some LAs having targets for this.





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Some examples of responses include:

A universal requirement for periodic in-person meetings is neither proportionate nor evidence-based. Contact should only take place where there are specific, evidenced safeguarding concerns, not as a default for all families, particularly where compulsory meetings can cause distress and negatively impact a child's wellbeing.

A lot of home educated children are home educated due to system failures. Putting them in such a position in front of those responsible is unethical

After birth, there is no mandatory monitoring of parents or babies/young children (health visitors etc are optional). Parents are not usually assumed to be incompetent but are free to reach out for help if they feel the need. The same should be true of children aged 5+.

Question A.8

Respondents were invited to respond to the following statement and question in free text responses.

In a recent Welsh Government report surveying the opinions of LA staff, it is repeatedly stated that they believe council staff should not just undertake home visits, but during those home visits witness each home educated child producing ""work", not only to evaluate the child but also to be sure that the work was produced by that child and no one else. What are your thoughts and feelings on this assumption and recommendation? "

This was the first reference in questions to a "WG report" or opinions of council staff,

This question mirrors one earlier and allows verification of responses and exclusion of ones containing errors. However, it is repeated to specifically allow parents to consider the concept of verification of the source of their children's "work" being considered to be necessary.

Alongside the wide range of concerns already expressed in response to previous questions, the prevailing message of responses related to the **"insulting", "offensive", "demeaning" and "counterproductive" concept of routinely considering parents to be "liars" and "untrustworthy"**.





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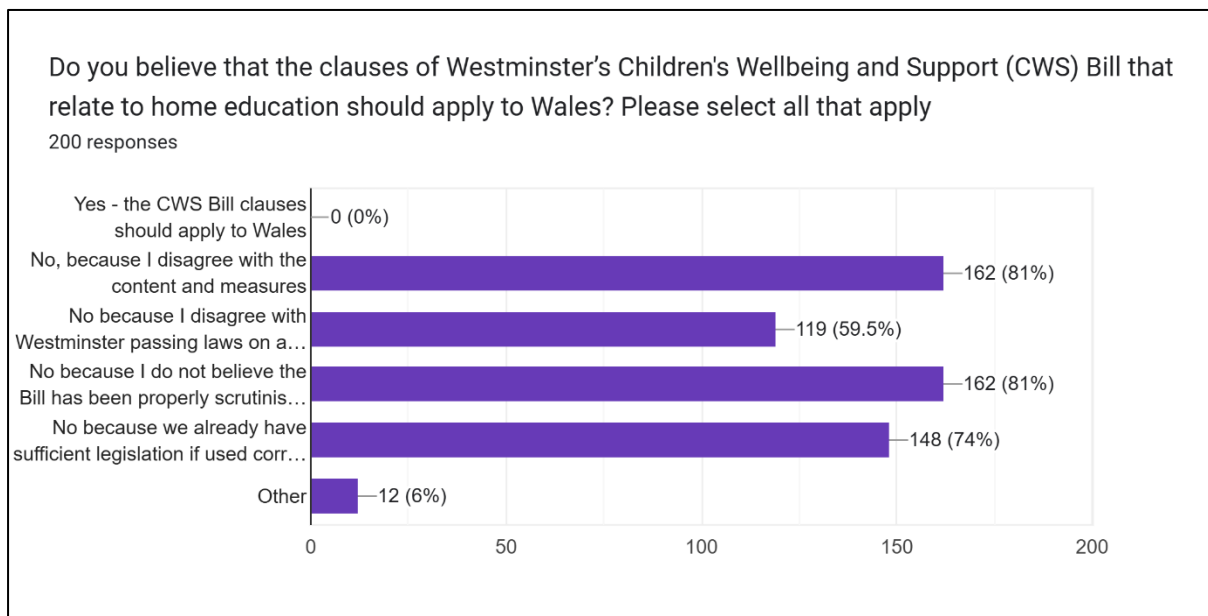
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Responses indicated how such measures would **decrease any productive engagement** rather than enhance it, and that such measures reflected **double standards**.

Significant safeguarding and wellbeing issues for all involved in the concept of strangers entering private family homes and placing children into stressful situations were also addressed in responses.

A thorough and representative collation of responses can be found in Section C.:

Question A.9 - Figure A.8 - CWS Bill and Welsh Home Educators.



In relation to CWS Bill, the views were very clear.

No respondent believed that the CNIS clauses of the CWS Bill should apply to Wales.

This included the very few respondents who were in favour of any of the above measures being mandatory (and incidentally was also the unanimous opinion in the few removed responses).

Every respondent answered this question.

Disagreement with the content of the Bill, lack of proper scrutiny or appreciation of the impacts scored highly, alongside consideration that existing legislation if used correctly is sufficient.



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Nearly two-thirds of respondents also considered devolution and the use of devolved powers to be a significant factor in their consideration that the CWS Bill should not be applied to Wales, stating that they “disagree with Westminster passing laws on a devolved issue”.

The data from Figure A.8 is also produced in table format to allow each reason to be clearly appreciated.

Data from Figure A.8 Do you believe that the clauses of Westminster’s Children’s Wellbeing and Support (CWS) Bill that relate to home education should apply to Wales?	Number	Percentage of those responding who considered this to be a key factor
No, because I disagree with the content and measures	162	81
No because I do not believe the Bill has been properly scrutinised or the impacts understood.	162	81
No because we already have sufficient legislation if used correctly	148	74
No because I disagree with Westminster passing laws on a devolved issue	119	59
Other	12	6
Yes, the CNIS clauses of the CWS Bill should apply to Wales	0	0

Free text responses allowed reiteration and deeper exploration of these.

Reasons given to objecting to the concept of the CWS Bill applying to Wales can be summarised as:

- Failure to respect devolution and lack of use of devolved powers

“But it’s not suitable and shouldn’t be adopted just to save the bother of doing something ourselves when it is so fundamentally flawed”
- Misuse /overstepping of existing powers by LAs
- Failure to use existing powers by appropriate agencies if safeguarding measures were needed, “Scapegoating” of home education when problems and failings identified as lying elsewhere.
- Inappropriate influence of media reports in ways that are felt to be “propaganda” and “scaremongering”.



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- Mistaken belief that schools is required for “socialisation”.
- Misuse of limited resources on ineffective or counterproductive tick-box measures on families who do not need intervention of monitoring, diverting these from children who do.
- Bill being “rushed” or “pushed” through at Westminster and/or Senedd, including for party political purposes
- Infringement of rights
- Present state education system considered “not fit for purpose” as an alternative to home education.
- Discriminatory against those with additional learning needs or disabilities
- Imparting of unprecedented powers without detail of how would be enacted
- Lack of safeguarding of independent complaints or appeals processes
- Disproportionate and lacking in evidence base.
- Inappropriate use of taxpayer’s money
- Interference in how families choose to raise and educate their children.

However, we strongly encourage the reader to explore these reasons as expressed directly in the collation of representative responses, which can be found in Section C.

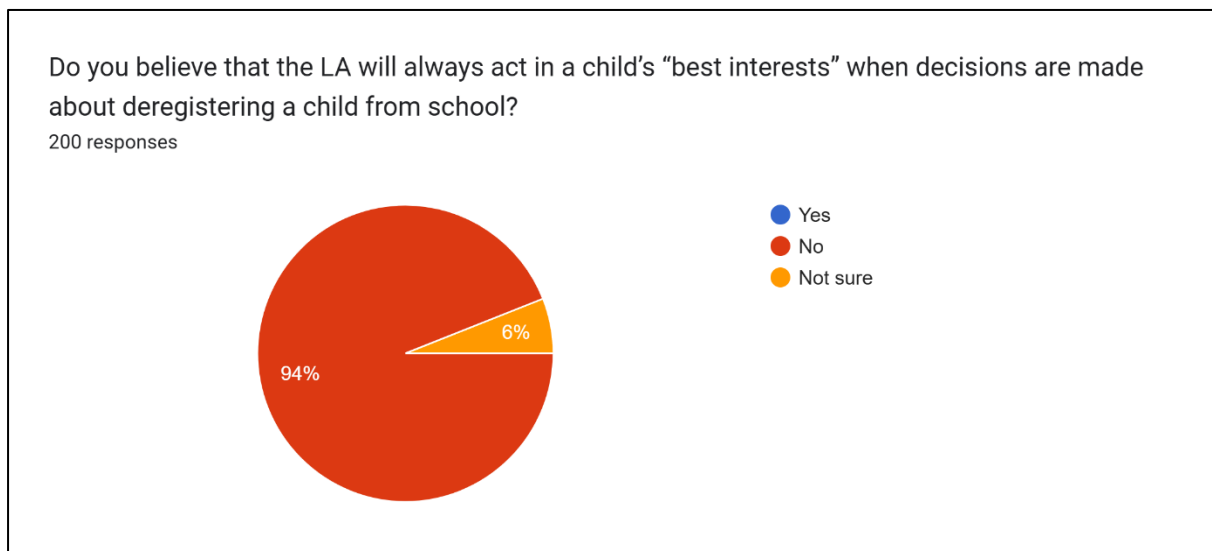


Questions A.10 and A.11. (Figures A.9 and A.10)

These address the presumption in the CWS Bill and in the WG-commission evaluation of their guidance that LAs will always act in a child’s best interests, with no provision made for independent appeals, complaints, advocacy, mediation or tribunal systems in relation to LA decisions or opinions.

Note that all respondents to the survey answered both questions.

Question A.10 - Figure A.9



Comments were provided in relation to the question “Do you believe the LA will always act in a child’s ‘best interests’ when decisions are made about deregistering a child from school?”

When exploring concerns about this concept further, respondents repeatedly questioned the capacity of council staff to be able to make such significant decisions about a child's wellbeing, as well as their right to do so.

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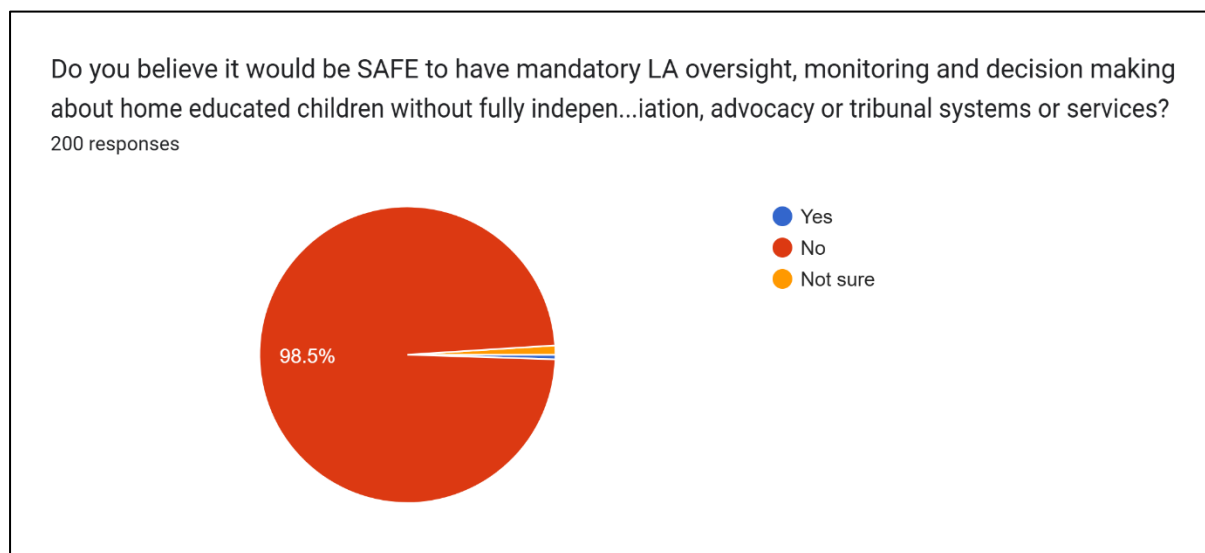
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These comments can be generally categorised as indicating concerns and beliefs that:

- Parents are in the best position to determine what is in a child’s best interests. Parents understand their children in ways others cannot and advocate for them when they cannot.
- Misuse of existing powers by LAs, either by not using appropriate powers when required or by inappropriately overstepping and abusing these.
- Institutionalised bias and discrimination against home education by council staff /belief amongst LAs that “school is best”.
- Lack of capacity of council staff to make such decisions, not an appropriate role for them.

The depth of these concerns and issues is best appreciated from voices of respondents, found in the collation of responses in Section C, which we strongly encourage the reader to consider.

Question A.11 - Figure A.10





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Respondents were able to add comments to the question, “Do you believe it would be SAFE to have mandatory LA oversight, monitoring and decision making about home educated children without fully independent complaints, mediation, advocacy or tribunal systems or services?”

Comments reflected overwhelming incredulity at any belief it would be safe to allow LAs to operate in relation to EHE families without such systems and services, let alone if LA powers were considerably increased.

The dangers to the wellbeing of parents and children were also referenced, including the risk of harm and suicide as a result.

The responses identified the lack of such independent complaints, mediation, advocacy or tribunal systems or services as a considerable safeguarding risk.

Question A.12.

This was the most frequently commented on question in the survey, with 178 comments. This is particularly noteworthy given how relatively time-restricted many respondents would be and the position of this question towards the end of section A rather than at the beginning.

This question asked respondents to comment on:

The CWS Bill does not say that LA staff meeting and seeing the child once they have been deregistered is mandatory, it says that if parents decline home visits, then the LA MUST consider this to be a factor in deciding whether to issue School Attendance Orders. How would you describe such a policy and approach?”





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The semantic field used by respondents to describe this measure included terms such as:

“bullying”
“coercive”, “coercion”, “coercive control”
“manipulative”,
“intimidation”
“Coercive and undermining of parents with a side order of gaslighting”
“blackmail”
“unnecessary”
“abusive behaviour”
“Clear attempt at social engineering and behavioural modification”
“deliberately confusing”
“entrapment”, “sly”, “underhand”
“frightening”
discriminatory, “cruel”,
“creating anger, distrust and distress”,
“traumatising”, “breach of human rights, “breach of children’s rights”,
“absurd”, “ridiculous”, “farcical”, “disgrace”
“Criminalising, suspicious approach”,
“controlling and demoralising”,
“Heavy handed- combative”,
“tantamount to child abuse”
“Inflammatory and insensitive” “punishment”,
“sinister”, “unfair”, “wrong”
“undermines trust”, “scaremongering”,
“bias”, “power overstep”, “subjective”
“misguided”, “punitive”,
“Orwellian”, “draconian”,
“extremely hostile”
“will be misused”.

“Coercive”, “coercion”, “bullying”, “threat” and “criminalising” were the most commonly used descriptive terms.





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The many points raised in the response included:

- identifying further safeguarding issues with this measure in the CWS Bill of an attempt to prevent or inhibit the capacity of families to safeguard their children's wellbeing in their own homes.
- “Suicide” risks.
- That the potential, presence or use of such “*threat*”, “*coercion or inducement*” would mean that informed consent was not obtained or possible.
- Not acting in best interests of children, counterproductive and damaging.
- Irony and double standards of such “*threats*” and enforcement on the occasions where the family are home educating due to “failings” of the council, or being “let down” by the council.
- Against children's rights
- Open to abuse or confused interpretation and application by LAs
- Obstructing parent's abilities to ensure their children thrive
- That firm boundaries are needed for LAs rather than families
- Double standard of not threatening or enforcing home education as a measure for school children, with the underlying bias of “school is best”.
- Deflection of blame from failures of councils and statutory services

We again very strongly encourage the reader to explore the full spectrum of responses in Section C to best appreciate both the experiences and concerns of home educators in Wales.

This is particularly essential for elected representatives considering voting on the imposition of such measures on the people of Wales.



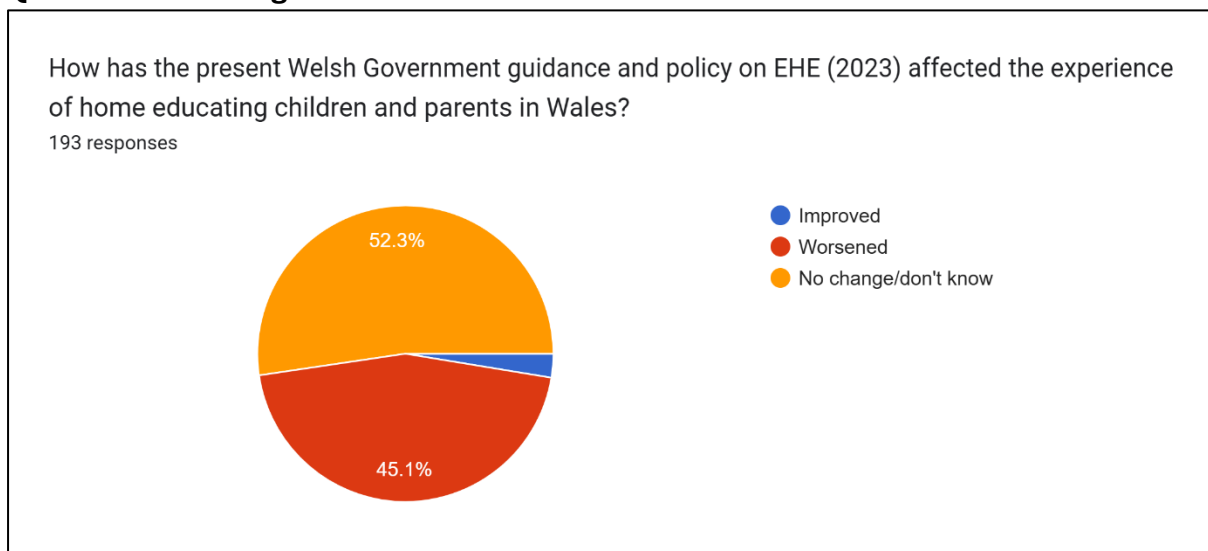
Section B

This section explores **current** experiences of home educators in Wales in relation to WG EHE policy and LA conduct.

Section B.1

Views on present guidance and most useful sources of support and information

Question B.1.1 – Figure B.1.1



On giving their views of whether the present WG guidance on EHE had improved or worsened the experience of home educating children and parents in Wales, respondents were given the opportunity to comment further on their answer.

Responses tended to fall into categories of

- Those who were aware of the guidance itself
- Those who were judging by recent experience of la conduct rather than the guidance as written
- General comments relating to previous questions and issues rather than directly in relation to the guidance.

These comments highlight that there can be two key issues –

- **What guidance (or legislation) may contain**
- **And the differing ways various LAs may or may not apply this.**



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Terms and phrases used in relation to the guidance itself included:

- “coercive”, “bullying”, “intimidating”, “controlling”*
- “deliberately misleading”*
- “treats families with contempt and suspicion”, “insulting”*
- “Tries to trick people into compliance”,*
- “causes/adds more pressure and stress”*
- “already interfering in family life , values & rights”*

Some observed no change, others commented on negative outcomes in direct relation to the 2023 guidance, such as

- *“Marked negative shift in our local authority’s attitude toward EHE when the new guidelines were published”*
- *“More issues with LA's overstepping, pushing boundaries”*
- *“More likely to disengage with the LA even when they had good relationships before”.*
- *“It has increased uncertainty and anxiety for families, shifting the tone from supportive engagement to monitoring. This erodes trust and makes collaborative relationships harder to sustain”*
- *“The LA is using the guidance to justify overreach”.*
- *“Uses bribery to try to get their “eyes” on children. That's plain creepy as well as manipulative”.*

Reference was made to the parallel pilot of “CME” databases:

“Deliberately misleading and openly misusing law when they claim that children who are not known to the local authorities are CME - they are not missing education, they are home educated, they just aren't on some list at the council. ”

Occasional comments describe it as “sufficient”, seemingly meaning no further measures are required when taken in context of other answers by these respondents.

Comment was made on lack of substance to offers of support:

- *It suggests the Welsh Government have a great support package for home education, which they do not (including some issues with exam centre access).*





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Lack of engagement by the Welsh Government in drafting and administrating the present guidance was also noted.

So many of us tried to engage with the Welsh Government when they were drafting this, but we just, as always, met with stonewalling and gaslighting.

Reference was made to guidance being considered to reflect political views

“It isn't just their guidance that is poor, it is their policies on EHE - policies based on suspicion, mistrust, state control over families, state knows better than people approaches”.

Comments included consideration that

“guidance doesn't really correlate with legislation in places”,

with a number of respondents raising criticisms such as:

- Misuse of the term “statutory” when there are no new statutory elements in the 2023 guidance compared to the non-statutory 2017 guidance:
 - *“They use that term ""statutory"" as a further attempt to intimidate, control and manipulate people.”*
- Gives the impression that personal preferences are requirements when they are not, in the views expressed in the guidance alongside the use of “should”.
 - (The 2019 report and opinion by David Wolfe KC on what he considered inappropriate use of the word “should” in the 2023 WG guidance on EHE was not cited in the survey but is a useful reference point on this)
- *“Suggests the LAs duty is proactive and not reactive”*
- *“It conflates s437 and s436A of the Education Act 1996”.*

The responses that related to LA conduct rather than directly to the guidance reflected the very mixed range of experiences of home educators in Wales.

The general trend and message observed in these responses is that

- Voluntary, flexible, respectful, minimal or absence of engagement by LAs tends to be positive,
- Involuntary or “overstepping” attempts at engagement by LAs, for example using “threats and intimidation tactics” is perceived as negative and “detrimental”.



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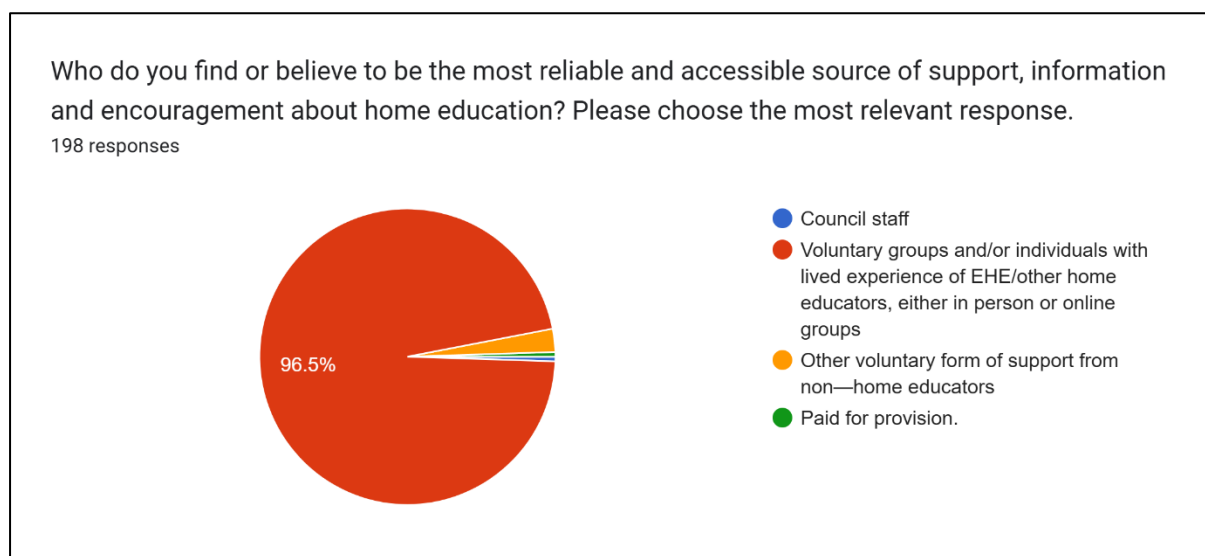
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In relation to potential positives of funding, negative impacts were also noted,

*“Opportunities that, when previously organised by parents, were open to all... have now become, when **taken over by LAs, exclusive to children within each county only. Living on the borders makes this extremely upsetting.** Also, families who do not wish to be on a register have had their opportunities actively reduced by the **threat of venues and hosts sharing their data with the LA** when they previously didn’t.*

This is an insightful point when much is made of provision of activities and events in the WG-commissioned evaluation of their 2023 guidance, portraying these as extremely positive.

Question B.1.2 - Figure B.1.2



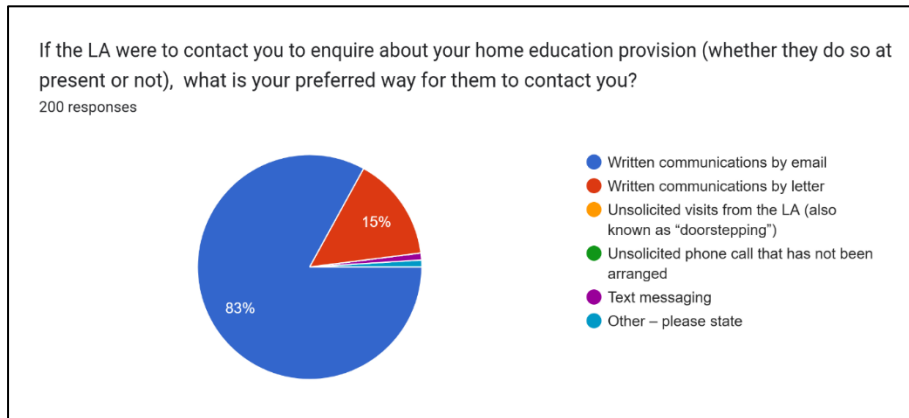
The findings of this question run in stark contrast to the portrayal of the role of council staff as providers of support information and encouragement in the WG-commissioned evaluation of their 2023 guidance.

The very negative view of home education groups that are not organised by them that was expressed by such council staff in that WG-commissioned report is of note by comparison.

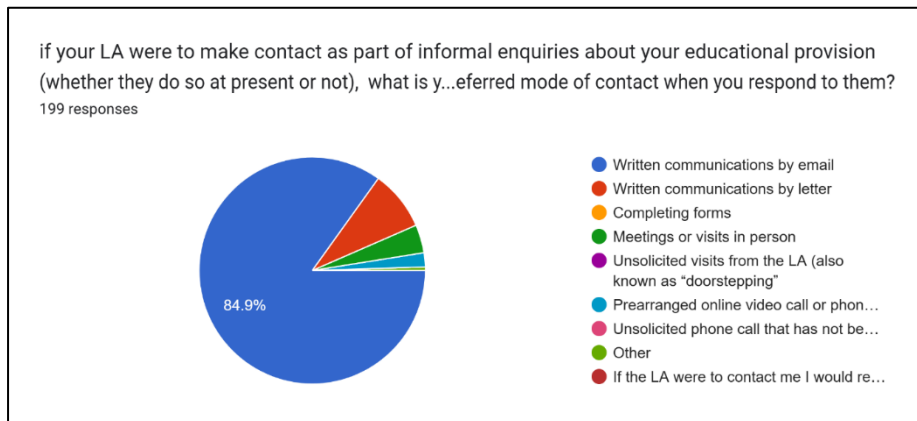
It is worth reading the comparison and an “evaluation” of that “evaluation” here: <https://wellbeingineducationwales.co.uk/2026/02/10/an-evaluation-of-the-welsh-government-commissioned-evaluation-of-their-2023-ehe-guidance/>

Section B.2 preferred modes of communication

Question B.2.1 - Figure B.2.1.



Question B.2.2 - Figure B.2.2.



Home educators in Wales demonstrate a clearly marked preference for communication from and in response to LAs to be in writing, be that by email, or sometimes preferably by letter.

Cold-calling by phone or “doorstepping” are clearly not preferable for home educators.

This contrasts markedly to the WG-commissioned evaluation of their EHE guidance, which repeatedly expresses a belief by council staff employed to contact home educators that unsolicited and unexpected phone calls or visits to house (“doorstepping”) are beneficial, engaging and welcome by home educators.

The contrast in awareness or consideration of cold-calling as expressed in that WG-commissioned evaluation of their guidance will be explored further in consideration of subsequent questions.

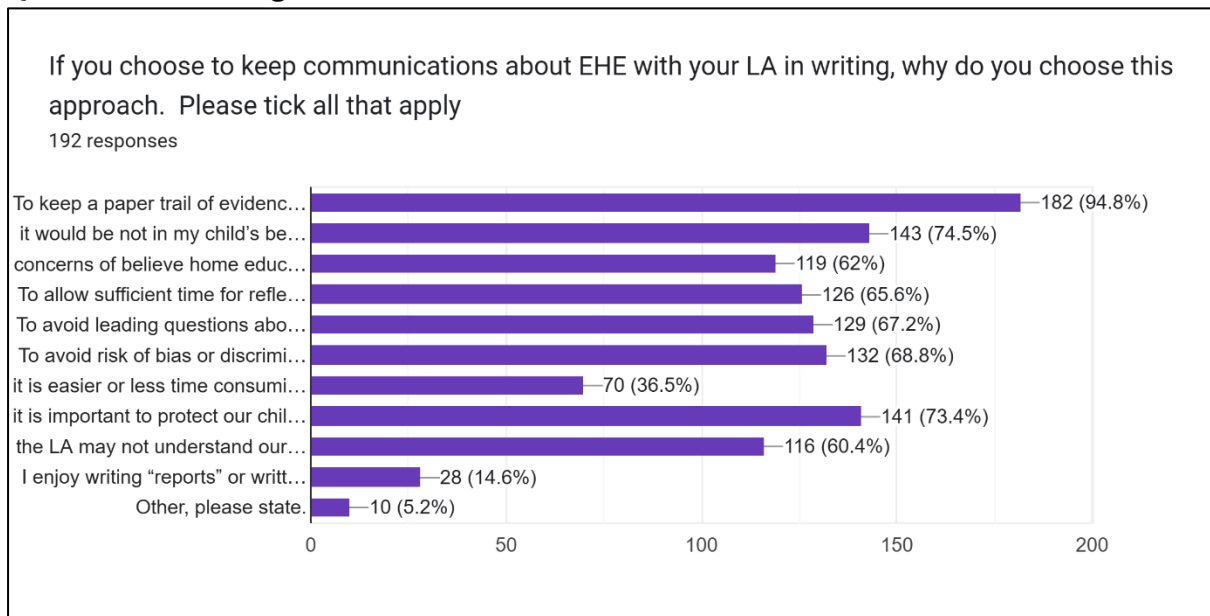
Section B.3

The data in this section relates to concerns frequently expressed by home educators on various common forms of overstepping of LAs

Section B.3.1

Data to establish the baseline of preferred ways of communication with the LA.

Question B.3.1. – Figure B.3.1..



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Data from Figure B.3.1.1 is also demonstrated in the table below to allow each reason to be clearly appreciated

Data from Figure B.3.1.1 Reasons given for keeping communications with LA in writing	Numbers	Percentage of total survey respondents
To keep a paper trail of evidence of what has been said by each party	182	94
It would be not in my child’s best interests to meet or be interviewed by the LA in person	143	74.5
It is important to protect our children’s rights by ensuring conduct is according to lawful remits	141	73.4
To avoid risk of bias or discrimination influencing views	132	68.8
To avoid leading questions about information that may consider inappropriate or unnecessary	129	67.2
To allow sufficient time for reflection on what said	126	65.5
Concerns of believe home educators being treated with suspicion or mistrust	119	62
The LA may not understand our approach to education unless explained in writing	116	60.4
It is easier or less time consuming	70	36.5
I enjoy writing “reports” or written responses	28	14.6
Other	10	5.2

An awareness of a need to keep a “paper trail” as evidence of outcomes of engagement with council staff is the main motivating factor given, with 94% of the 192 respondents to this question citing this reason.

Protection and safeguarding of their children are the common factor in the next two most frequently cited reasons. Acting in children’s best interests is a strongly motivating factor influencing family choices.

Strikingly, over two-thirds of respondents (68.8%) indicate an awareness of discrimination or bias of council staff as a potential influencing factor of how they or their educational provision would be viewed.

This is relevant when one considers there is presently no independent appeals, complaints, tribunal, mediation or advocacy service or system for home educating families in relation to conduct or decisions on EHE related matters by council staff, nor are there any plans for such under markedly increased powers and remits in the CWS Bill. Likewise, the WG-commissioned evaluation of their guidance makes no consideration of a potential need for such mechanisms.

Even if there is no possibility of bias or discrimination affecting conduct or decisions of council staff in relation to EHE, the fact that over two-thirds of families surveyed



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considered there to be so would alone indicate a need for independent mediation, advocacy, complaints, appeals and tribunal services.

The perception of being treated with suspicion by council staff influencing engagement with the LA (indicated by 62% of respondents) is another factor that must be of note for those considering any policy development in this area.

This is mirrored over two-thirds of respondents (67.2%) citing a need to avoid leading questions as a reason to keep communications in writing.

It could be argued that, as the lawful remit of council staff employed for such engagement is to identify children not in receipt of suitable education and take legal measures enforcing school attendance against will if they consider that is the case, that such suspicion is not unfounded and could be considered sensible and prudent. If families are aware that the person is there to see if there are grounds to suspect them of evidence of educational neglect, or other forms of neglect or abuse, it is quite understandable that they would “suspect” the person in return.

There is an inherent conflict of interests of the same person or department being expected to both enact such lawful remits in screening for whether SAOs should be issued and also being in a non-lawfully binding potential role of “support”, to offer “advice and information” as the CWS Bill puts it.

Likewise, an awareness that council staff may or may not understand home educating families’ approaches to education is a fundamental issue that must be appreciated by any considering developing policy or legislation in relation to EHE. The potential for considerable lack of understanding or appreciation of such approaches to education

The awareness of home educators that council staff may not understand or appreciate approaches to education is both echoed and verified in the concepts and proposals advocated by council staff in the WG-commissioned evaluation of its EHE guidance. This was demonstrated in so many of the qualitative response to even Questions A.5, A.6 and A.7 alone, available in Section C, and earlier summarised as:

***Tell me you don’t understand home education
without telling me you don’t understand home education.***

Indeed, the responses to such proposals and ideas for regulation of home education indicate that even the consideration of these has a **counterproductive effect of increasing suspicion and mistrust**, let alone any attempts at enactment or enforcement of these.



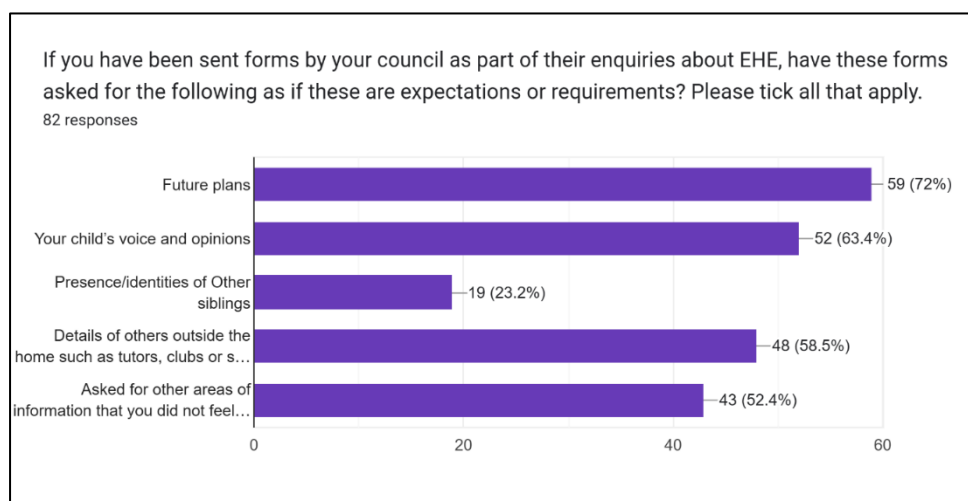
Section B.3.2

Use of forms by LAs for completion by parents/children as part of informal enquiries about educational provision.

It is a common complaint of home educators in Wales that the council send forms as if completion of these is a requirement and/or that these forms overstep by asking for more information than is required.

The following questions were to evaluate the extent and range of experience of this.

Question B.3.2. – Figure B.3.2.



Data from Figure B.3.2 is also demonstrated in tabulated form to allow each reason to be clearly appreciated

Data from Figure B.3.2: Information requested on council form as if providing the information is a requirement.	Number of respondents	Percentage of total survey respondents
Future plans	59	72
Your child's voice and opinions	52	63.4
Details of others outside the home such as tutors, clubs or social contacts	48	58.5
Asked for other areas of information that you did not feel comfortable providing or did not feel necessary	43	52.4
Presence or identities of other siblings	19	23.2



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The issues and problems with considering a requirement for the provision of “future plans” are addressed as part of this article, in the final section.

<https://wellbeingineducationwales.co.uk/2026/02/10/cws-pilots-of-mandatory-meetings-to-deregister-a-child-from-school/>

An appreciation of the problems with what may appear to the onlooker seem a simple and reasonable matter is vital for those considering developing policy and especially for those passing legislation on home education related matters.

Whilst parents may or may not choose to make “plans”, a requirement or expectation to make or provide the LA with such future plans discriminates against child-led and child focused pedagogy and approaches.

It inevitably enforces a degree of a more limited, adult-led, school-like concept of education that may well have already failed the child or that families have already decided is not the optimal approach.

Any plans that home educators make **can and should change with time**, as the education received by home educated children has to be suitable to “age aptitude and ability”, all of which also inevitably change with time. Likewise, one of the strengths of home education is the ability to explore differing educational approaches, and which approaches suit each child best are likely to change with the development of the child too.

However, education has to be not just “suitable” but “**efficient**”, to achieve that which it sets out to achieve. So if parents are required, or expected, to provide future plans, then as and when these plans change and are not fulfilled or “achieved”, the risk is of education then not being considered “efficient” and therefore deemed not suitable, especially if the council member of staff as particularly biases or views of how education should look, or acts out of other influences or motivations that may encourage a less flexible understanding.

Future plans are not a requirement for council staff to fulfil their duty of identifying those who are not in receipt of suitable education (that education being past or present, not future). The issue of any expectations of the provision of such plans becomes particularly problematic if and when council staff convey the impression that these are a **requirement** and not simply a voluntary option.

Then, the issues relating to making future plans are compounded by being misled into providing, without informed consent, information that could be used as legal evidence against oneself. Even if the information is not used in such a way, **an awareness of staff giving, or having given such a misleading impression increases mistrust and suspicion further.**



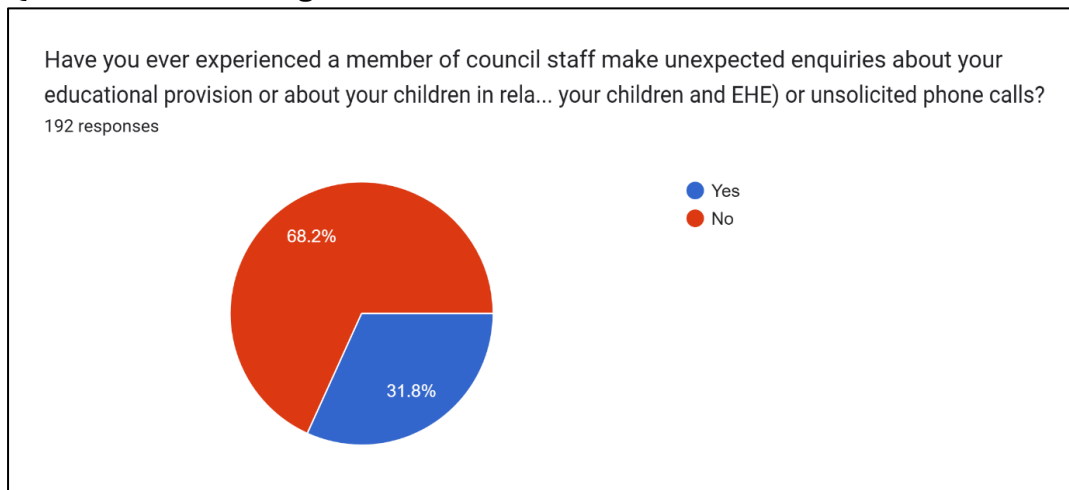
Section B.3.3

Cold-calling by the LA - Unsolicited communications

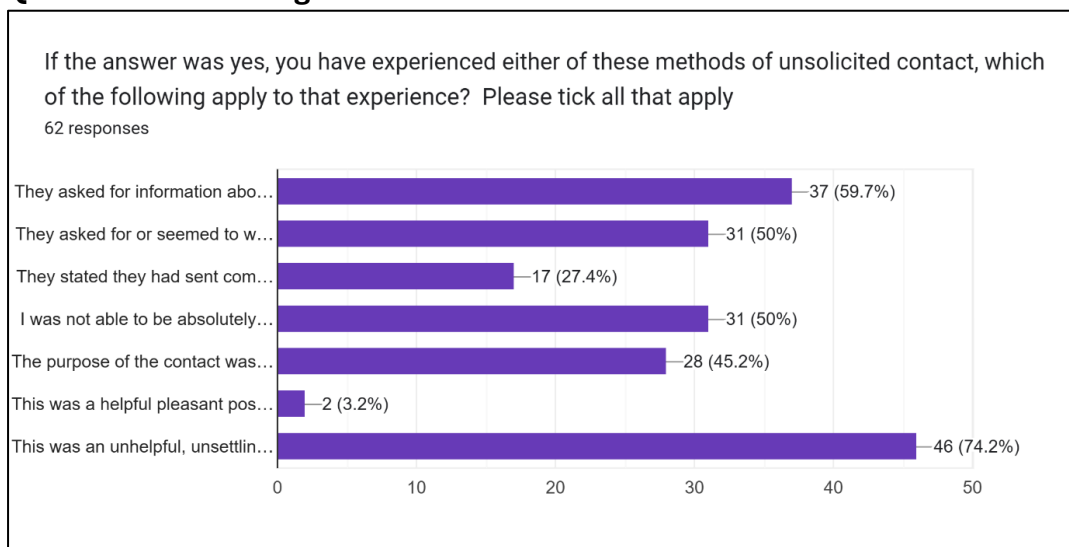
Unsolicited communications from the LA, for example unannounced home visits (“doorstopping”) or unexpected phone calls, are frequently cited as sources of concern and problem by home educators.

The following questions were to objectively evaluate the extent and range of experience of this.

Question B.3.3.1 – Figure B.3.3.1



Question B.3.3.2 - Figure B.3.3.2



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Data from Figure B.3.3.2 is also demonstrated in table format to allow each reason to be clearly appreciated

Data from Figure B.3.3.2: Experience and impact of unexpected/unsolicited contact from LA staff on parents and children.	Numbers	Percentage
This was an unhelpful, unsettling or anxiety-causing experience for myself or my children	46	74.2
This was a helpful pleasant positive experience for myself and my children	2	3.2
They asked for information about my children/the children in my care	37	59.7
They asked for or seemed to want access into my home	31	50
I was not able to be absolutely sure who I was speaking to	31	50
The purpose of the contact was not completely clear	28	45.2
They stated they had sent communications announcing a meeting/visit but we had not received any such emails or letter.	17	27.4

74% of respondents who had experienced cold-calling from the LA (“doorstopping” or unsolicited, unexpected phone calls) considered this to be “an **unhelpful, unsettling or anxiety-causing** experience for myself or my children”, Whereas only 3.2% of respondents considered it to be a “helpful pleasant positive experience”.

This strongly echoes the results and observations from Questions B.2.1 and B.2.2 of preferred modes of communication, where a clearly marked preference for communications from and in response to LAs to be in writing (email or sometimes letter).

The combination of clear preferences in modes of communications, and how frequently any attempts at cold-calling are considered to be an “unhelpful, unsettling or anxiety-causing experience for myself or my children” **contrasts markedly to the WG-commissioned evaluation of their EHE guidance.**

That “evaluation” repeatedly expresses beliefs by council staff employed to contact home educators that unsolicited and unexpected phone calls or visits to house (“doorstepping”) are beneficial, engaging and welcome by home educators, even with the admission that as well as being unsolicited that these methods are chosen to try to

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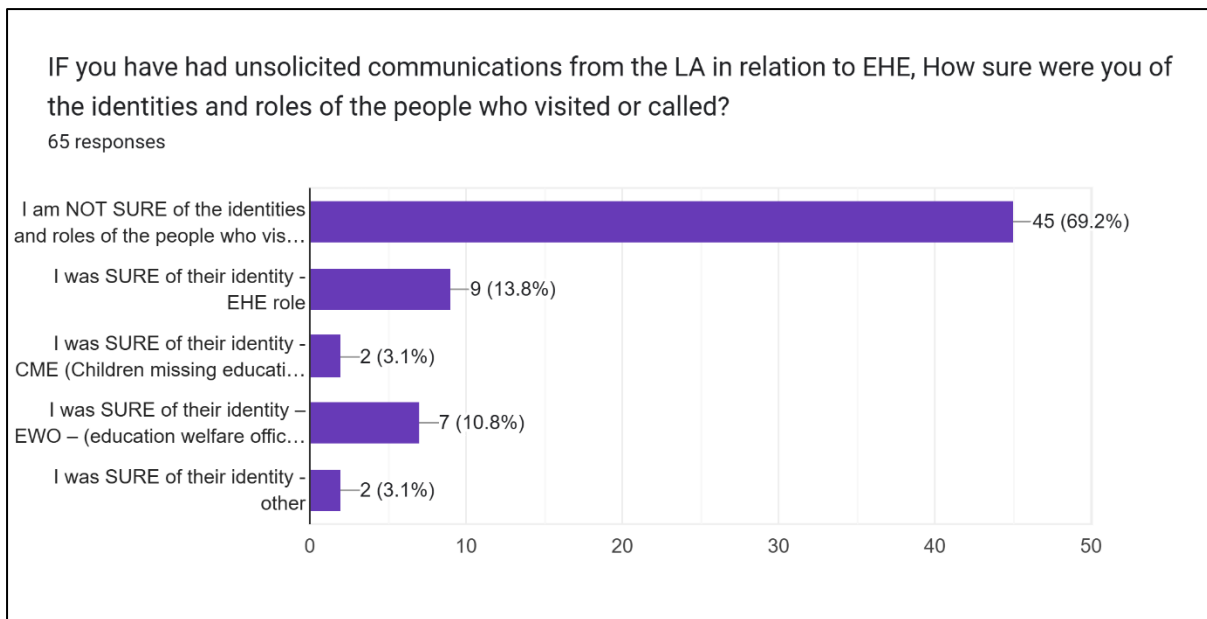
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see children or obtain information about them while parents are not expecting such encounters.

This strongly suggest that the council staff involved in that WG evaluation of their guidance are not very in tune with the experiences of home educators, the impacts of their conduct in relation to them, or the perception of their actions.

If the staff involved in that “evaluation” are aware of the preferences of home educators, then their comments in that evaluation risk strongly indicate a deliberate choice to discount or override the experience and choices of families.

Question B.3.3.3 - Figure B.3.3.3.



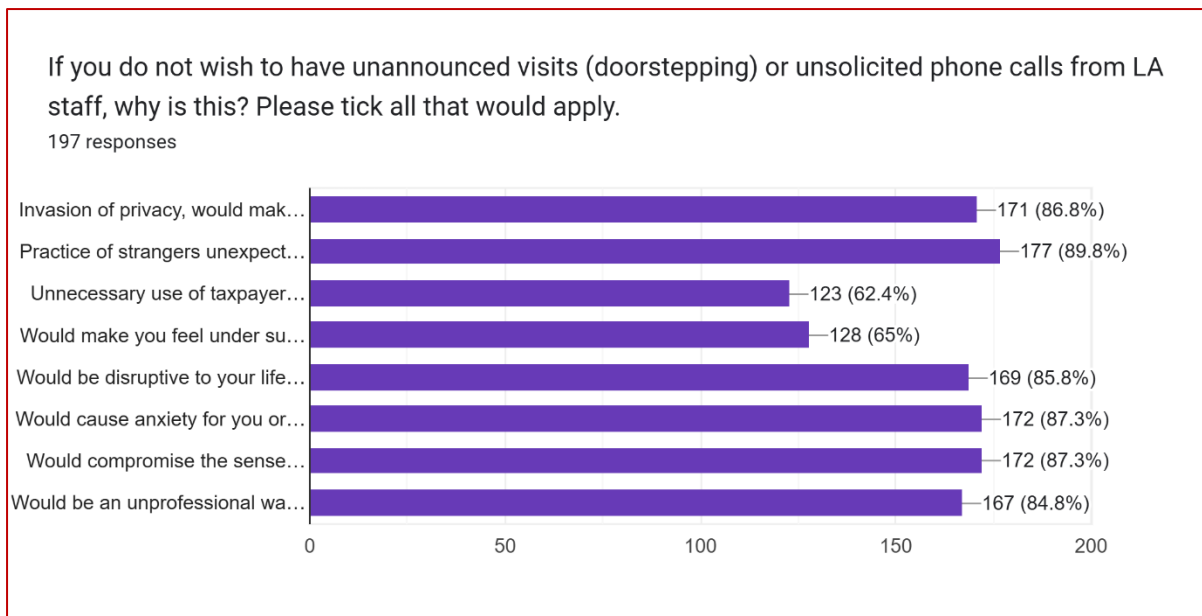
Very concerningly, given the information sought and expectations of those making such cold-calls,

Over two-thirds (69.2%) of respondents said they were not able to be sure of the identities of those calling.

This identifies a clear safeguarding issue, especially when such callers are seeking **information about children and entrance into family homes,**

And further brings into question the wisdom or not of considering these to be an acceptable form of practice, let alone one to be advocated and promoted.

Question B.3.3.4 - Figure B.3.3.4



Data from Figure B.3.3.4 is also demonstrated in table format to allow each reason to be clearly appreciated

Data from Figure B.3.3.4: Reasons given for not wanting unannounced visits or unsolicited phone calls from council staff	Number	Percentage
Practice of strangers unexpectedly asking for information about children can be a safeguarding risk	177	89.8
Would cause anxiety for you or your children	172	87.3
Would compromise the sense of home as a safe space	172	87.3
Invasion of privacy , would make you feel under suspicion	171	86.8
Would be disruptive to your life and/or home education at the time	169	85.8
Would be an unprofessional way to try to engage/or unproductive way to exchange information	167	84.8
Would make you feel under suspicion	128	65
Unnecessary use of taxpayer money	123	62.4

89.8% of respondents also identified the practice of cold-calling to be a safeguarding risk, despite it being one commonly utilised by council staff in the claim of being a safeguarding practice.

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Respondents also frequently cited a wide range of problems with the practice of cold-calling, with the most commonly ones **relating to harm to a child’s wellbeing and education.**

For example:

- Would cause anxiety for you or your children – 87.3%
- Would compromise the sense of home as a safe space - 87.3%
- Invasion of privacy, would make you feel under suspicion – 86.8%
- Would be disruptive to your life and/or home education at the time – 85.8%

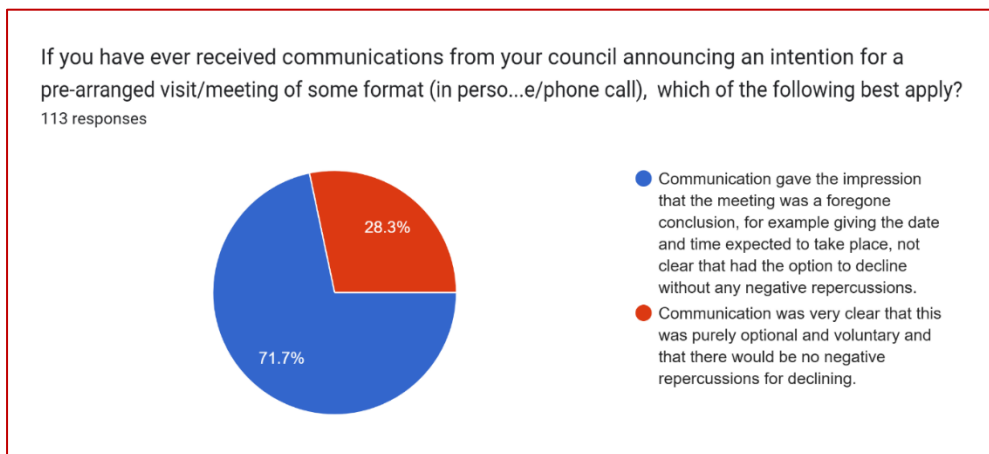
This demonstrates the prioritisation of the best interests of children by families.

It also demonstrates a full contradiction to the presumption in the CWS Bill that councils will always act in a child’s “best interests”.

Section B.3.4

Pre-arranged home visits or meetings.

Question B.3.4.1 – Figure B.3.4.1

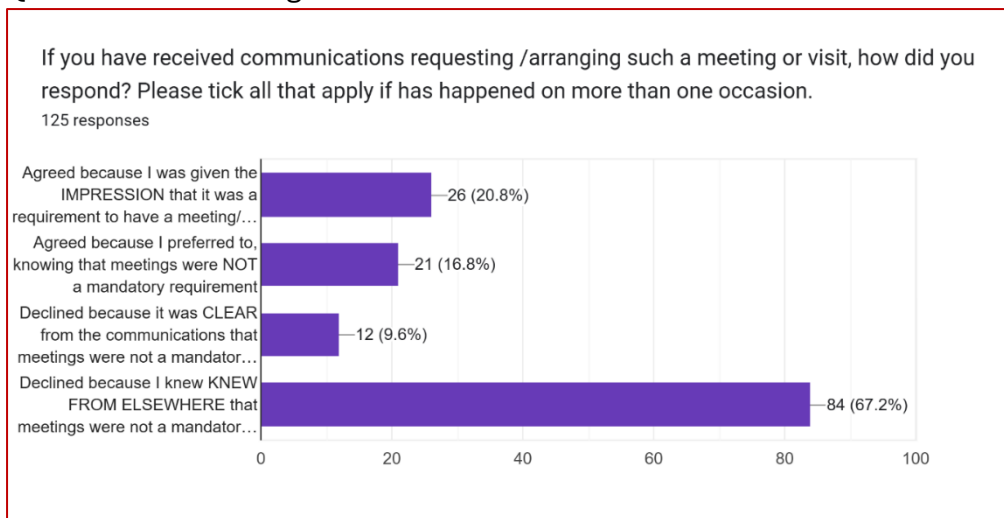


When asked about communications from council staff to pre-arrange home visits or meetings,

over two thirds (71.7%) of respondents to this question indicated that they had received communications from council staff that gave the appearance that such meetings or visits were not optional.

Less than one-third (28.3%) of communications from the council enabled respondents to exercise informed consent in relation to such meetings.

Question B.3.4.2 – Figure B.3.4.2



Data from Figure B.3.4.2 is also demonstrated in table format to allow each reason to be clearly appreciated

Data from Figure B.3.4.2: Responses to communications specifying home visits or meetings	Number	Percentage
Declined because I knew from elsewhere that meetings were not a mandatory requirement	84	67.2
Agreed because I was given the impression that it was a requirement to have a meeting/visit	26	20.8
Agreed because I preferred to, knowing that meetings were not a mandatory requirement	21	16.8
Declined because it was clear from the communications that meetings were not a mandatory requirement	12	9.6

Concerningly, 20.8% of respondents to this question had only agreed to home visits or meetings because they were given the impression by the LA that these were a requirement.

This is particularly problematic and concerning when one considers that information gathered on such a visit could be used as part of legal proceedings if the council were to proceed to SAOs, with this information having been gathered by misleading the family in question and without fully informed consent.

Less than 45% of those who agreed to home visits or meetings did so with fully informed consent, knowing these were not a requirement. (21/ 26 + 21)



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Over 55% of respondents who agreed to home visits or meetings did so because of misleading information or communications from the council rather than through informed consent and free choice.

Of the 96 respondents to this question who were able to decline what should have been an open and unconditional voluntary offer of a home visit or meeting, **only 12.5% were able to do so because the council had given them this option by providing clear and appropriate information.** (12 / 12+84). 87.5% of those who were able to exercise lawful rights were only able to do so because of having obtained accurate and lawful information from elsewhere.

82.2% (67.2 + 21) of respondents to this question indicated they were only able to make informed decisions about how to engage because of accurate and reliable information that was **available from elsewhere**, where **this information was not conveyed by local authorities.**

The data drawn from this question corroborates data earlier in this survey (in relation to Question B.1.2) that demonstrated fellow home educators and home education groups are felt to be the most reliable source of information for home educators

This data also stands in very stark contrast to the information and impressions conveyed in the WG-commissioned evaluation of their EHE guidance.

If accurate and lawful information had not been available to home educators from other sources, it would be reasonable to assume that the rates of families agreeing to home visits and meetings because of misleading communications from the council, without informed consent, would be significantly higher.



Question B.3.4.3 – Figure B.3.4.3.



Just over one-fifth of respondents, 20.3% (19 out of 94 respondents), who exercised their lawful rights to decline a home visit or meeting, indicated that they had met some form of difficulties from their LA for doing so.

Free text descriptions of the difficulties and consequences faced for declining what lawfully should be only an “voluntary offer” of a meeting included reference to:

- “Anxiety”, “stress”, “fears”, “worrying”
- “intimidated”, “scared”, “nervous”
- “Not taking no for answer, trying to influence decision”
- “Unsolicited calls”, “doorstepping”.
- “Pushback and pressure”
- “Threatened”, “threatened with SAO”.
- “Told it would count as a 'refusal to visit' which feels like a loaded way to put things”
- Needed to “persist” and “quote the law”
- kept demanding in a rather threatening way more information than is required to confirm my child was not their remit.
- “Took fending off so many intimidating and threatening communications.
- “exhausting having to deal with this, it took so much time. It took time away from being with my child”



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Examples of misinformation given and descriptions of inappropriate conduct to try to force actions without lawful remit included respondents who were:

- Told that it was a management decision whether acceptable to not have a meeting
- Told in way that made it “*sound like it's mandatory*” that “*they are unable to judge education without seeing the home environment, meeting the child and seeing 'samples' of work*”.
- “***(Threatened) that if we don't send samples or agree to visits, this would be considered a sign that we are not educating appropriately and would probably lead to an SAO.***”
- “***Threatened with SAO, unlawfully***”
- “***I was told I must have someone come to my house to complete forms to apply for EHE or I risk getting fined. And was told I need to accept someone coming to home visit once a year and see samples of work***”.
- “***Threatened child services involvement (for declining a meeting) even though said the education provided was more than satisfactory***”
- They issued a SAO letter (for declining a meeting) – (respondent had previously been doorstepped and accepted visits because had been led to believe they were a requirement, until realised they were not and instead expressed a preference for communications in writing by letter).
- The LA person told me she knows we are (providing a great education”) but that she still has to check up on us anyway (by visits that the respondent felt too “**scared**” to say no to).

Those responses describe receiving incorrect information and inappropriate conduct.

Concerningly one of the cold calls was a man wanting to visit the home when did not know the names of the children who lived there and did not know the name of the manager of the department he claimed to work for.

That was for a family where the LA had already been confirmed only months before that the child was not missing education and therefore not under the council’s remit.

A number of responses were from home educators who had “given in” to pressure to demands for things that are not lawful requirements.

Reasons for this included:

- Being given impression home visits were a requirement – and feeling “*betrayed by the LA*” on finding they were not.
- Feeling “*too intimidated and scared to say no to meetings*” even though the LA have confirmed there no concerns about educational provision.

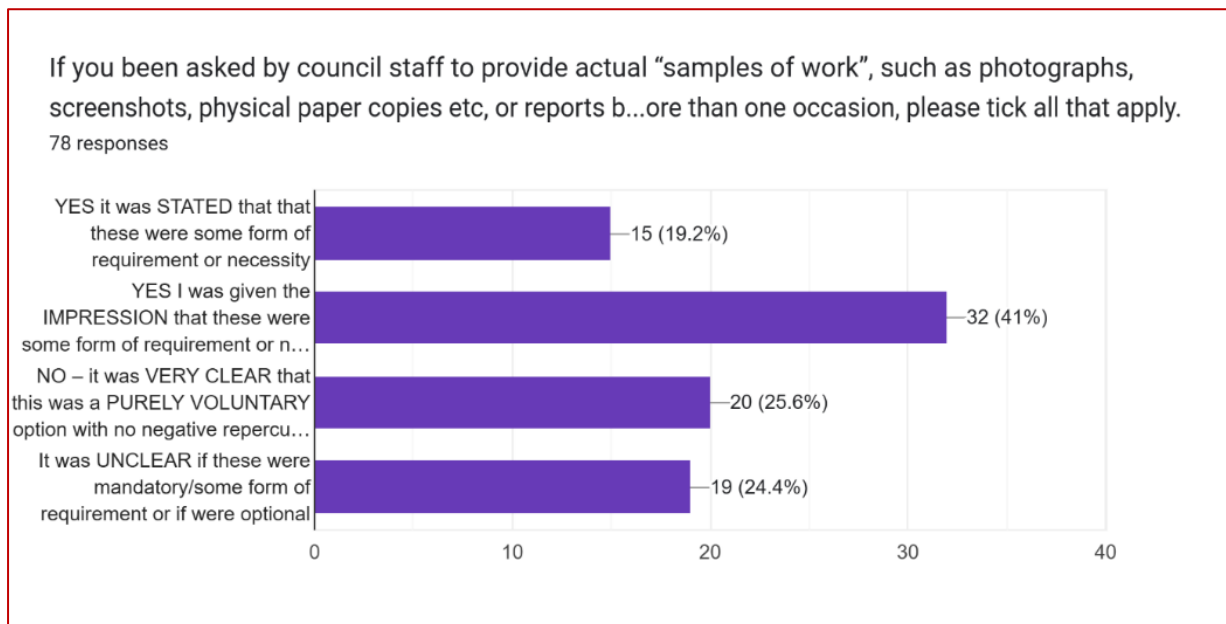


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- *“Feel too nervous and worried about repercussions to say no to meetings with the LA. It's just easier to agree to them than try to fight the battle of saying we don't need to have them. That isn't right, we know, but we just have too much on our plate already in caring for children to have to fight the LA too. It's really wrong that the LA put us in such positions.”*
- *Felt I would make life more difficult for myself if I didn't”* – in relation to completing forms from the LA when the respondent had already provided the required information in a written response in their own format.
- When cold-called by “doorstepping”, *“felt like we had to let her in as didn't know the rules then*

Section B.3.5 **“Samples of work”**

Question B.3.5.1 – Figure B.3.5.1



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Data from Figure B.3.5.1 is also demonstrated in table form to allow each reason to be clearly appreciated

Data from Figure B.3.5.1: If you were asked by council staff to provide actual “samples of work”, such as photographs, screenshots, physical paper copies etc, or reports by tutors, did the communications give the impression that these were some form of requirement/somehow necessary?	Numbers	Percentage
Yes, I was given the impression that these were some form of requirement or necessity	32	41
Yes, it was stated that that these were some form of requirement or necessity	15	19.2
It was unclear if these were mandatory/some form of requirement or if were optional	19	24.4
No – it was very clear that this was a purely voluntary option with no negative repercussions of not providing.	20	25.6

Whilst there is nothing to prevent LAs “asking” for samples of work, there is no lawful requirement to provide these.

The “Portsmouth” judicial review confirmed that a policy of routinely requesting these would not be lawful, and validated a written policy by that LA that such samples were not routinely required, thereby confirming that “written responses” are an acceptable mode of communication.

There is however a difference between a voluntary offer of “asking” and conveying that these are some form of “requirement” without lawful basis for this. Therefore, to convey a message that these are a requirement or to adopt a blanket policy of requesting these would be, at best, to provide misinformation and incorrect conduct.

Samples of work are pieces of evidence that can be used in a court of law. They are also the intellectual property of the child, and are covered by copyright law, as discussed in relation to responses to Question A.4.

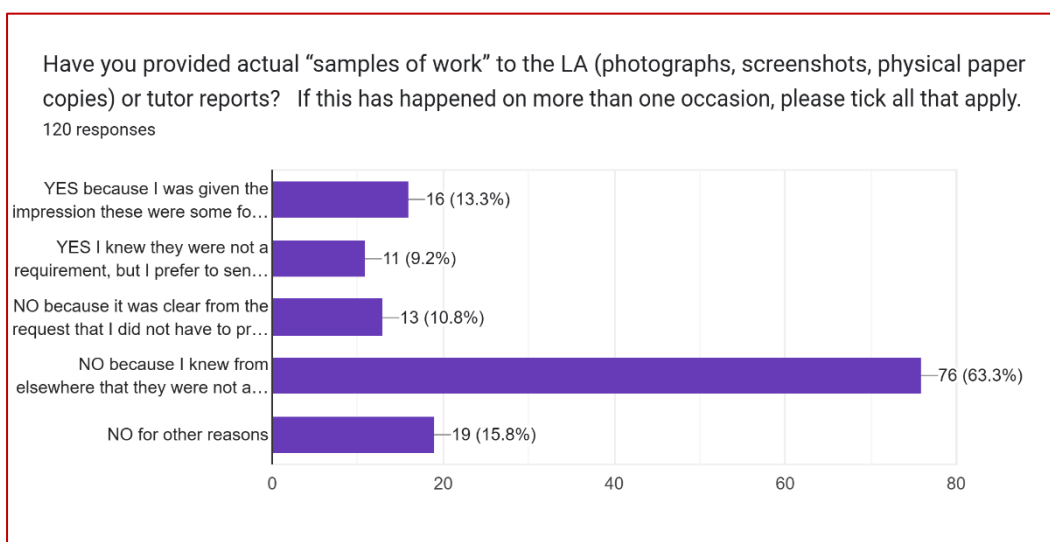
(Copyright, Designs and Patents act of 1988
<https://www.legislation.gov.uk/ukpga/1988/48/contents>).
<https://www.tes.com/.../who-owns-childs-work-not-teacher>

Therefore obtaining these without informed consent carries significant potential implications for councils and their employees.

The data in this survey concerningly demonstrates that the extent of misleading, inappropriate or unclear communications from the council would have allowed samples of work to have been obtained with fully informed consent in **only 25.6% of cases.**

To obtain what could be used as evidence in taking legal proceedings against families is obviously highly questionable, let alone the personal and professional implications for all involved. Further indications of the implications of deliberately or inadvertently misleading information from councils are given in the selection of qualitative data in Section C.

Question B.3.5.2 – Figure B.3.5.2



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Data from Figure B.3.5.2 is also demonstrated in table format. to allow each reason to be clearly appreciated

Data from Figure B.3.5.2: Have you provided actual “samples of work” to the LA (photographs, screenshots, physical paper copies) or tutor reports?	Numbers	Percentage
No, because I knew from elsewhere that they were not a requirement/necessity	76	63.3
No, for other reasons	19	15.8
No, because it was clear from the request that I did not have to provide these	13	10.8
Yes, I knew they were not a requirement, but I prefer to send these anyway	11	9.2
Yes, because I was given the impression these were some form of requirement/necessity, or because I feared negative repercussions if I did not.	16	13.3

On 13.3% of occasions, respondents provided samples of work not because of free choice but because they were given the impression by the LA these were a requirement, and/or because they feared negative repercussions if they did not provide these.

In **only 24% of cases** (13 +11) **were respondents able to make informed choices on how to respond to such a request based on information given by the council.**

The main outcome in response to such requests was respondents only being able to make lawful choices and exercise informed consent because of information they had obtained from elsewhere and not being able to rely on information given by the council.

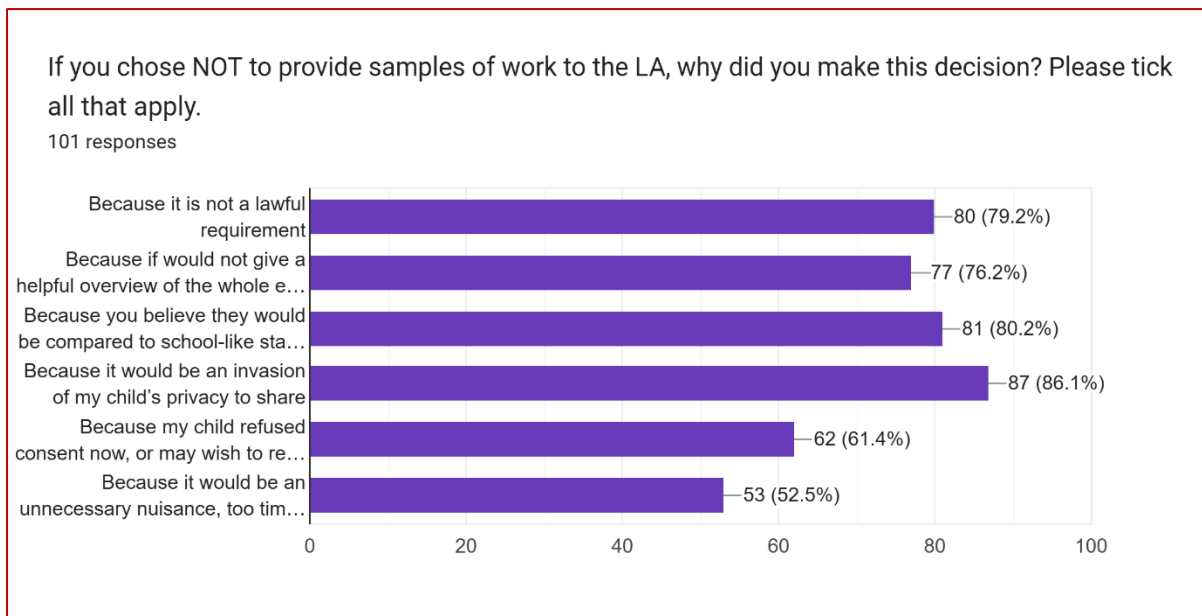
Again, this contrasts markedly with the impressions conveyed in the WG-commissioned evaluation of their 2023 guidance on EHE.

Furthermore, $63.3 + 15.8 + 10.8 = 89.9\%$ of respondents have NOT provided “samples of work”.

This is in marked contrast to claims by some council staff as given in the WG-commissioned evaluation of their EHE guidance that in their considerations of home educators during informal assessments, *“the emphasis is often on samples of work”*, and that parents *“often provided extensive samples”*.

Such claims by council staff were taken without question as part of that WG-commissioned evaluation of the considered efficacy of their guidance.

Question B.3.5.3- Figure B.3.5.3



Data from Figure B.3.5.3 is also demonstrated in table format to allow each reason to be clearly appreciated

Data from Figure B.3.5.3: If you chose NOT to provide samples of work to the LA, why did you make this decision?	Number	Percentage
Because it would be an invasion of my child's privacy to share	87	86.1
Because you believe they would be compared to school-like standardised expectations which you feel are not relevant or applicable to your approach to home education, because you wish your child to develop along their own individual learning trajectory.	81	80.2
Because it is not a lawful requirement	80	79.2
Because if would not give a helpful overview of the whole educational provision or leaning experience	77	76.2
Because my child refused consent now, or may wish to remove consent in the future	62	61.4
Because it would be an unnecessary nuisance, too time-consuming and/or would detract too much from your time spent in home education	53	52.5



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To enable non-home educators to better understand the lived experiences of home educators, the reasons for choosing not to provide samples of work to council staff were surveyed

Recommendations in the WG-commissioned evaluation of their guidance, based on information given by council staff of their conduct, such as “ *Local authority officers should continue to **routinely** use brief **in-visit assessment tasks** and arrange **observations** in neutral venues or small group settings to see the child learning*” are demonstrated to bear no correlation to the accounts and responses given in this survey of lived experience of Welsh home educators.

The evidence provided here indicated the opposite of claims or beliefs that home educators “**routinely**” participate in visits or provision of samples of work, let alone “routinely” “*participate in assessment tasks*” (staff providing “work” and witnessing the production of “samples of work”).

The evidence in this survey would raise questions about the likelihood of fully informed consent “*routinely*” forming the basis for any such assessments and observations.

This is just one example of the statements within the WG-commissioned evaluation of their guidance that does not match with shared conversation of lived experience or with the quantitative and qualitative data provided here.

If and when any measures are conducted on the basis of giving the impression they are or should be a requirement, when they are not, then that would be to behave dishonestly or even unlawfully.

That cannot be acceptable conduct for council staff.

This is further confirmation for significant re-evaluation and review before any consideration can be made of further extending powers and remits, Especially in the absence of independent complaints, appeals, mediation, advocacy or tribunal systems or services.



Question B.3.5.4- Figure B.3.5.4



It is notable that no respondent believed that council staff personally witnessing children producing samples of work would be beneficial to children’s wellbeing and education, and that indeed **the vast majority (over 90%) believed this would be detrimental to the wellbeing and education of children.**

The WG-commissioned evaluation of their EHE guidance contained reference to perceived desires by LA staff to witness each EHE child producing samples of work only to assess their “work” but also to ensure that the “work” was that of the child and no-one else’s.

The evaluation referenced doubting the “source” of “work”, questioning the “*attribution of work to the child*”, “*attributing work to the child (e.g. in-visit short tasks, or video-recorded activities where consented)*”, “*one local authority said they “will accept written reports, although we don’t feel that by itself is sufficient as we can’t directly attribute everything to the child”* .

Apart from the previously expressed concerns of how this was felt to be “insulting”, as explored extensively in response to Question A.8,

It is notable that the **priority of parents in approaching the concept of samples of work is the wellbeing of their children,**

Whereas the approaches to obtaining, observing or assessing samples of work given in the WG-commissioned evaluation of their EHE guidance took a very different tone without evidence of consideration of the impact on wellbeing of the children involved.

This again **questions the concept of council staff being considered to be in a better position than parents to determine what is in the “best interests” of a child, not just educationally but holistically.**



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Section B.3.6

Other forms of overstepping and the response of LAs when home educators try to engage to deal with overstepping.

Question B.3.6.1

Respondents were given the opportunity to comment on the following question.

"Have you ever experienced overstepping or inappropriate conduct by your LA in some other ways? If so, could you kindly share below:

Responses demonstrated a spectrum of ways where council staff had overstepped respectful or lawful remits and/or acted in ways that were not in the “best interests” of the wellbeing of the child.

These can be found in Section D.

Question B.3.6.2

Was an opportunity to explore any challenges experienced in trying to feed back to LAs about policy or conduct.

A number of responses reflected difficulties or obstructions to doing so, for example:

- *Yes, I know some home educators try to explain to LAs when they overstep that they shouldn't really be doing that, that what they are doing is misleading or wrong, but that puts those home educators in the firing line. So most home educators are too scared to try to stand up to councils when they overstep and misuse their powers. How much worse will that be if even more powers were given*
- *Home Ed Cymru have sent out regular communications to try to encourage LAs to listen to home educators in their area, to help encourage LAs to keep within lawful remits .But LAs don't seem interested in keeping to lawful remits, only in pushing for power and control over people, only to tick their boxes rather than act in ways that benefit families.*

This is of particular concern for Wales in terms of the CWS Bill, more so than England. This is because not only is there no provision for independent complaints, appeals, advocacy, mediation or tribunal services, but the only CNIS amendment that the





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Welsh Government has not requested should apply to Wales is the one that would place a duty on LAs to meeting at least biannually with home educators in the area if they requested this to allow a forum for concerns or issues in conduct to be raised.

This is one of many points that were omitted from the justification of continuing to press for the CWS Bill to apply to Wales that was used as a copy-and-paste response by WG to concerns raised about the Bill, as discussed in this article.

<https://wellbeingineducationwales.co.uk/2026/02/12/evaluation-and-rebuttal-of-welsh-governments-present-justification-of-westminsters-cws-bill/>

That amendment still would not provide any form of independent process, those being required to raise issues would be the same home educators who face risks of LAs behaving in the ways described by survey respondents so far. Respondents have already raised the problem of fear of potential consequences for being considered to be “non-compliant” even when they are lawfully so.

Plus, there is still no duty on the LAs in England to do anything about the feedback given.

But for reasons that have not been given, the Welsh Government have excluded this lone clause that would require at least an appearance of listening to concerns of those with lived experience from applying to Wales.

This is rather ironic and somewhat contradictory, given how the Cabinet Secretary for Education in Wales recently told a meeting of the Children, Young People and Education Committee that “*local authorities are not as good as they should be at self-evaluation*”, <https://wellbeingineducationwales.co.uk/2026/02/15/welsh-cabinet-secretary-for-education-before-the-cype-committee-what-can-we-learn/>

Section B.3.7

Complaints processes.

As already mentioned, there is presently no independent complaints, appeals, mediation, advocacy or tribunal system in place to address issues with conduct and decisions by LAs in Wales, despite the council having the capacity to instigate legal action against families.

The only way that families can have independent input to address decisions made by councils that they feel are mistaken is to allow themselves to be taken to court for non-compliance of SAOs in the hope that a magistrate has sufficient understanding of alternative educational pedagogy and educational law to be able to appreciate their family’s approach and choices. To do so obviously carries profound implications



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for the family on personal, psychological, financial and domestic levels, risking a criminal record and all the resultant consequences of that in order to have such an opportunity. Families in such situations usually do not have legal representation due to prohibitive costs and therefore have to defend themselves.

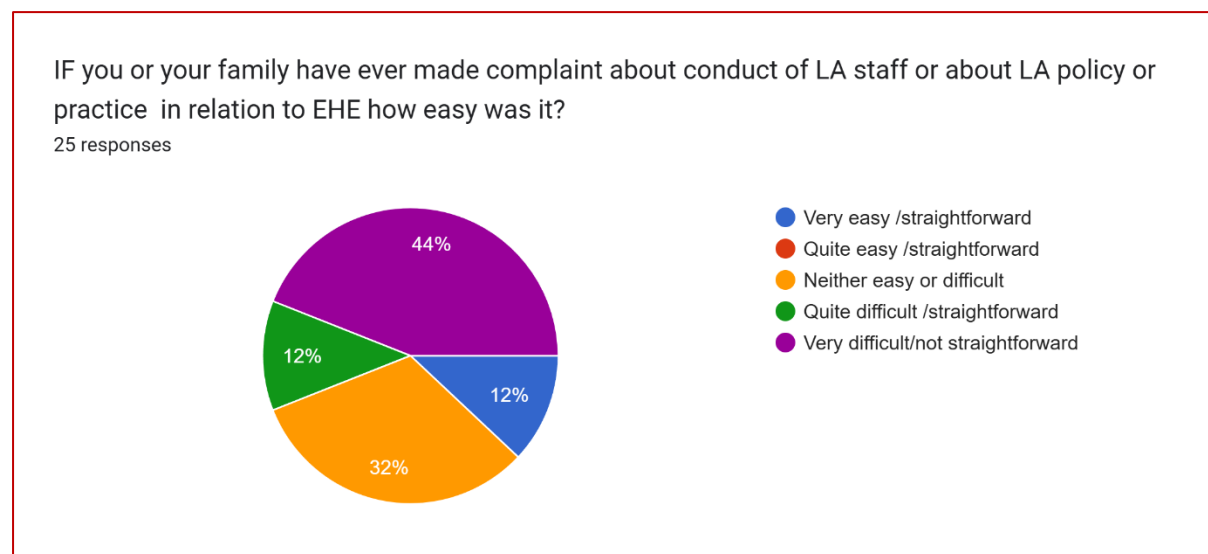
The need for some form of independent service to at the very least deal with differing understandings and viewpoints on educational provision was acknowledged a number of years ago by the Welsh Government and the former Children’s Commissioner for Wales but there have been no steps towards such systems for how council staff manage existing powers and remits.

<https://wellbeingineducationwales.co.uk/2026/02/10/chronology-of-former-ccfws-interactions-with-wg-tone-and-content/>

At present, any complaints about conduct of council staff in relation to home educators in the area are generally handled “in house” by the same individuals, departments or managers that home educators would then have to continue to have to deal with, the same people who have the capacity to instigate legal proceedings against them, the same people who they may feel have already not behaved or communicated in an appropriate, transparent or respectful manner, as touched on in previous aspects of this survey.

The responses to Questions B.3.7.1, B.3.7.2 and B.3.7.3 demonstrate the ineffectiveness and dissatisfaction with attempts at present of making internal complaints.

Question B.3.7.1 Figure B.3.7.1

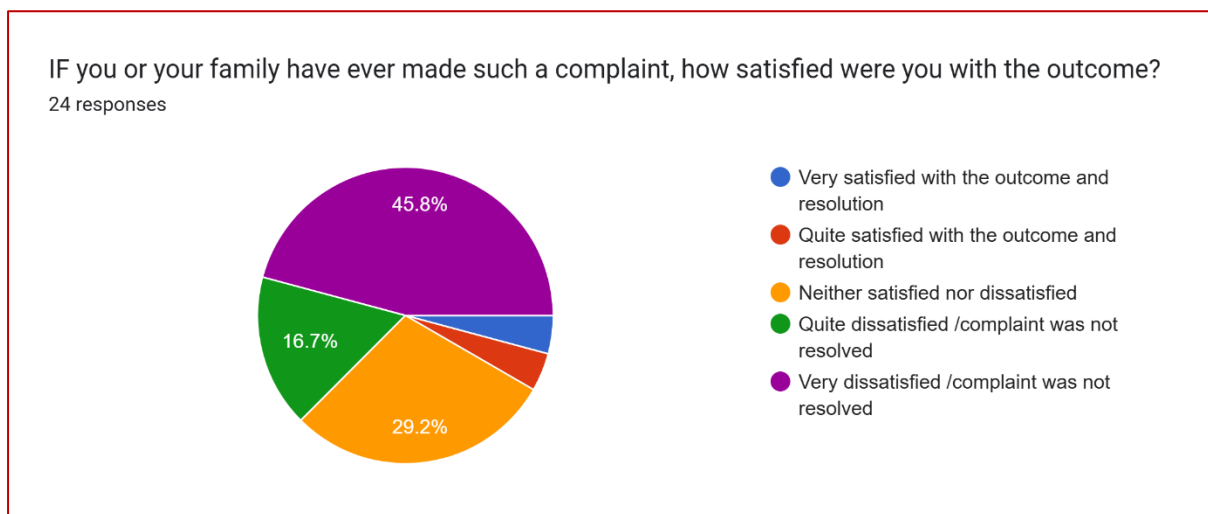


12.5% of the total number of respondents to this survey indicated that they had tried to make complaints about the conduct of LA staff or about LA policy and practice in relation to EHE.

The majority of these (56%) - found this process to be difficult or not straightforward, with most of these (44% of the total) considering the process to have been very difficult/not straight forward.

Only 12 % of respondents found the internal complaints process to be to any extent easy or straightforward.

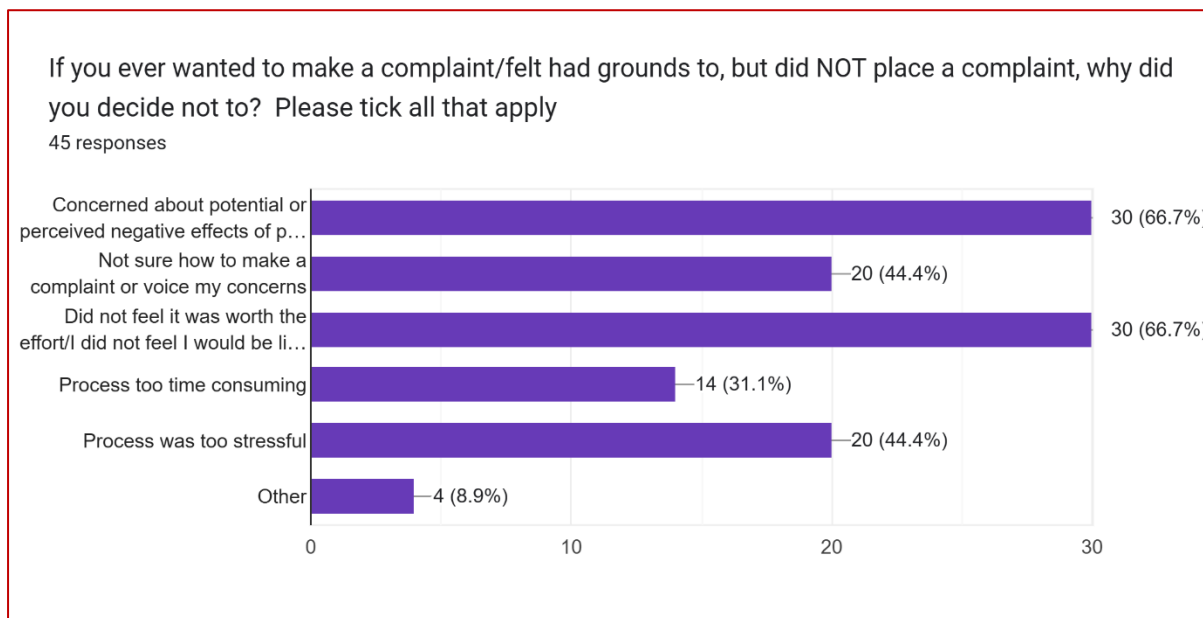
Question B.3.7.2 - Figure B.3.7.2



Only 2 (8%) respondents indicated they were in any way satisfied with the outcome and resolution of their complaints.

15 respondents (62.5%) were dissatisfied with the outcome of the complaint and/or stated their complaint was not resolved, 45.8% being very dissatisfied.

Question B.3.7.3 - Figure B.3.7.3



Nearly one-quarter of all who responded to this survey (45 out of 200) reported they felt they had wanted to make a complaint about LA conduct, or that they had grounds to, but did not.

Reasons for not proceeding to make a formal complaint are illustrated in Figure B.3.7.3.

Data from Figure B.3.7.3 is also demonstrated in table format to allow each reason to be clearly appreciated

Data from Figure B.3.7.3: If you ever wanted to make a complaint/felt had grounds to, but did NOT place a complaint, why did you decide not to?	Number	Percentage
Concerned about potential or perceived negative effects of putting in a complaint or raising concerns	30	66.7
Did not feel it was worth the effort/I did not feel I would be listened to	30	66.7
Not sure how to make a complaint or voice my concerns	20	44.4
Process was too stressful	20	44.4
Process too time consuming	14	31.1
Other	4	8.9



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It is vital for non-home educators to appreciate these reasons, to give some degree of insight into the pressures home educators can face in relation to engagement with the local council even in relation to existing powers and remits.

Sections C and D - Qualitative data

The initial aim of providing opportunity for written comments in this survey was enable the provision of a small number of quotes that expressed or summaries issues and concerns in the own distinct voices of the respondents, and possibly to allow the summarisation of the semantic fields and strength of feeling on matters. However, on reviewing the very significant numbers of written comments – a total of over 1600 - it became clear that it would not be possible to simply summarise these comments without also somehow muting or diminishing the impact of these.

Hence the decision was made to instead publish this collation of a representative selection of the very significant amount of qualitative data provided by the many respondents,

The collation presented Sections C and D reflects a mindfulness not only of honouring the time and effort each respondent has made to convey their experiences but also of being able to present the data and the trends in a relatively manageable and readable way, to allow the strengths of feeling and the core messages to be able to be as clearly demonstrable as possible.

Views shared are naturally not necessarily reflective of those compiling the survey but are collated to be a representative selection of the responses given in a way that most optimally addresses each question.

Full (anonymised) responses have been kept on record for reference.

Section C contains qualitative data that relates to Section A, an exploration of views and opinions on a range of potential future measures in relation to EHE.

Section D contains qualitative data that relates to Section B – an exploration of **current** experiences of home educators in Wales in relation to WG EHE policy and LA conduct.

Both are produced as separate documents and webpages due to the volume of relevant data.





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Conclusions

The main issue highlighted by this survey is the need for ongoing conversations with home educators before any measures in relation to EHE can be reviewed, proposed, drafted or legislated upon, given the discrepancies identified between lived experience, governmental policy and proposal, and ideas and conduct of council staff.

Mandatory (or effectively mandatory) measures such as those contained in the CWS Bill or mentioned in the WG-commissioned evaluation of their EHE guidance were almost universally rejected as being considered suitable or acceptable.

No respondent believed that the CNIS clauses of the CWS Bill should apply to Wales. Reasons giving included not only disagreement with the content, the lack of sufficient scrutiny and understanding of impacts, and the presence of sufficient existing legislation that needs to be used correctly, but with nearly two-thirds of respondents indicating that they “*disagree with Westminster passing laws on a devolved issue*”.

Likewise, the intrinsic premise within the CWS Bill that councils can always be guaranteed to act in the “*best interest*” of children and therefore it is safe to not have any independent appeals, complaints, mediation, advocacy or tribunal systems was also almost universally rejected.

The responses to many of the proposals and ideas in the CWS Bill and the WG-commissioned evaluation of its guidance were most concisely summarised as “*Tell me you don’t understand home education without telling me you don’t understand home education*”

The wide range of responses gave significant insights into the concept of home education, as well as the difficulties and challenges that can already be faced by a number of Welsh home educators, and reading these would be a vital step before any consideration of development of policy or legislation.

Whilst full consideration of the range and depth of responses in Sections C and D would seem to be essential for anyone considering developing policy or voting on legislation in relation to EHE, some initial insight into the experiences of home educators can be gleaned from consideration of the semantic fields given in questions such as Question A.12 and Question B.3.4.3

A range of safeguarding risks from various measures within the CWS Bill were highlighted in number of sections of the survey.





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These include risks of self-harm and suicide of children in direct relation to impacts of proposed measures in the CWS Bill.

The data shows a distinct contrast to views and opinions given in the WG-commissioned evaluation of their EHE guidance, with marked discrepancy between how council staff portrayed normal conduct and experiences of home educators and accounts and information given by home educators in this survey.

A range of ways in which overstepping of respectful or lawful boundaries in LA conduct can impact home educators in Wales were highlighted and explored, raising questions on the wisdom and safety of any considerations of increasing council powers and remits.

The present WG guidance was generally felt to have worsened the experience of home educators in Wales, not because of need for “strengthening of powers”, or “powers to compel”, as the WG-commissioned evaluation of guidance puts it, but at least in part in relation to attempts of councils to overstep existing ones alongside concerns that this is encouraged rather than curbed by the present guidance.

The inherent conflict of interests was highlighted of the same person or department being expected to both enact lawful remits in screening for whether SAOs should be issued and also being in a non-lawfully binding potential role of “*support*”, to offer “*advice and information*” as the CWS Bill puts it.

The survey generated a wide range of quantitative data, which needs to be considered in the context of each question for the significance to be fully appreciated.

Key findings include:

- Over two-thirds of respondents (68.8%) indicated an awareness of potential discrimination or bias of council staff as a potential influencing factor of how they or their educational provision would be viewed, with nearly two-thirds indicating that feeling treated with suspicion impacted how they chose to engage with council staff.
- Nearly one-third of respondents had experienced cold-calling by council staff to make enquiries about their children and educational provision, with only 3% finding this helpful, pleasant or positive. Over two-thirds of respondents were unable to clearly identify the person visiting or calling despite information about children or access into family homes often being sought.
- Reasons for declining visits, unsolicited or prearranged, focused on concerns on parents safeguarding the wellbeing and education of children, as well as protection from bias and production of “paper trail” of evidence of engagements.





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- Over two thirds of respondents indicated that they had received misleading communications from council staff giving the impression or stating that visits were a requirement, with less than one-third of such communications enabled respondents to exercise informed consent in relation to meetings.
- Less than 45% of those who agreed to home visits or meetings did so with fully informed consent, knowing these were not a requirement.
- Of the respondents who declined requests or LA-scheduled appointments for home visits or meetings, only 12.5% were able to do so because the council had provided sufficiently clear and appropriate information for them to know this was an option.
- Just over one-fifth of respondents who exercised their lawful rights to decline a home visit or meeting, indicated that they had meet some form of difficulties from their LA for doing so, with the range of these explored.
- extent of misleading, inappropriate or unclear communications from the council would have allowed samples of work to have been obtained with fully informed consent in only 25.6% of cases.
- No respondent believed that council staff personally witnessing children producing samples of work would be beneficial to children's wellbeing and education, with over 90% deeming this to be detrimental to the wellbeing and education of children
- 12.5% of the total number of respondents to this survey indicated that they had tried to make an internal complaints about the conduct of LA staff or about LA policy and practice in relation to EHE, with only 12% of these having found the process to be to any extent easy or straightforward, and only 8% being in any way satisfied with the outcome or considering the issue to have been resolved.
- Nearly one-quarter of respondents reported they felt they had wanted to make a complaint about LA conduct, or that they had grounds to, but did not. Reasons included being concerned about potential or perceived negative effects of putting in a complaint or raising concerns (66%) or feeling it would not be worth the effort/would not be listened to (66%). Difficulties in the process were also given as reasons.

The survey has highlighted the mixed nature of experiences of home educators in Wales in relation to local authority conduct, some positive, some negative. The information in the survey strongly suggests the risks and concerns that an introduction of the CWS Bill would cause deterioration in all areas, with previously positive engagement becoming negative and with negative engagement becoming worse without any checks and balances or means of redress.

It is beyond the scope of this study to determine the reasons for the persistence of suboptimal conduct by some, such as misleading and inappropriate communications from councils. This study is not able to evaluate or establish whether this is intentional practice, repeated oversights or a commonly occurring lack of understanding.





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It is relevant to note that home educators as individuals and as groups have sought to engage with local authorities in Wales to provide constructive feedback and attempt to improve practice by ensuring correct information is provided to council staff.

Likewise, relevant information on commonly experienced issues that home educators can experience in engagement with the council is readily available in the public domain on websites of home education groups and charities.

It is hoped that attitudes conveyed in the WG-commissioned evaluation of their guidance of council staff towards home educators who seek to constructively engage are not factors in the lack of progress in such areas.

Likewise, it is hoped that research such as this is received in the spirit in which it is compiled and published, in the hope that the voices of those with a wealth of lived experience are not just heard, but appreciated and used to lead a more respectful engaging approach to home educators in Wales.

We particularly trust that politicians in Wales will adopt such a respectful and listening approach in hearing the voices of concern and objection, and reject attempts to “piggyback” onto Westminster’s CWS Bill.

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February 2026

