

## Education (Amendment) Bill – Public Consultation

The activity ran from 2<sup>nd</sup> May – 15<sup>th</sup> June 2025

Responses to this survey: **387**

### Are you responding as:

There were **387 responses** to this part of the question.

Option	Total	Percent*
A parent/carers with one or more children registered at one of the Department's schools or UCM	211	55%
A member of the public	60	16%
A teacher or Education Professional	77	20%
Prefer not to say	16	4%
A parent/carers with one or more children not registered at one of the Department's schools or UCM (home schooling or private school)	15	4%
A member of an organization	6	2%
A child or young person	1	0.26%
Not Answered	0	0%
A student at UCM	1	0.26%
A member of an advocacy group	0	0%

\*All percentages have been rounded for readability

## Supporting children who are looked after

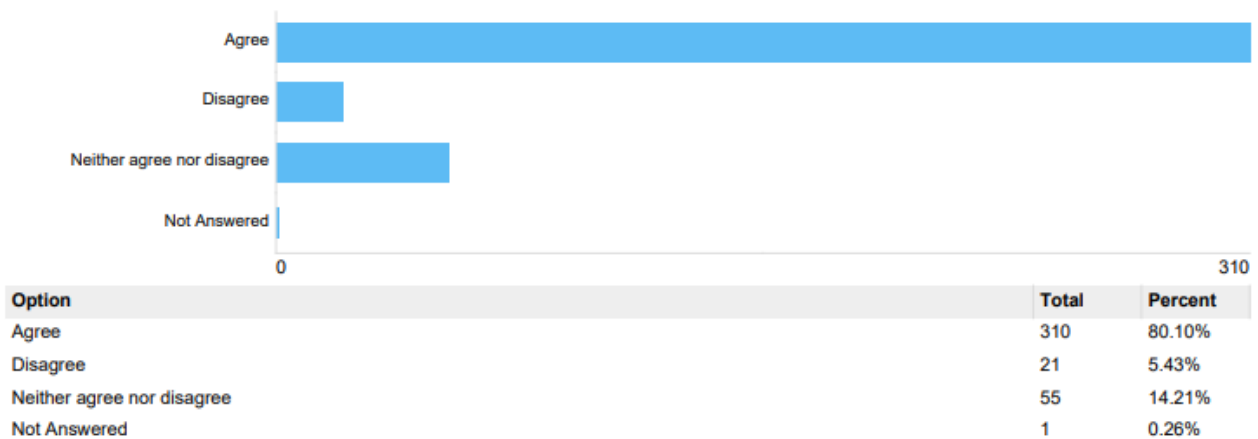
### Changes:

Clause 5 allows the Department to create a virtual school by Order. By creating a virtual school it would allow the Department to promote the educational achievement of children aged 5-19 who are subject to a care order, an interim care order or qualify under section 25, section 27, section 76 of the Children and Young Persons Act 2001.

### Question 1:

Do you agree/disagree/neither agree nor disagree with the Department introducing this strategic duty?

There were **387** responses to this part of the question.



### Please use this space for any further comments you wish to make:

Of the **63** comments to this part of the question

- 18 misunderstood the virtual school as being 'online learning'
- 8 stated that the age should be increased to allow for university education.
- 7 stated that every child has the right to education

*"This is very important. I have seen first hand how traumatic it is for a young person to lose that support."*

*"All children should be given equal opportunity and priority."*

*"Why stop at 19 when the young person could want to take a degree course which in most cases would take them to age 21."*

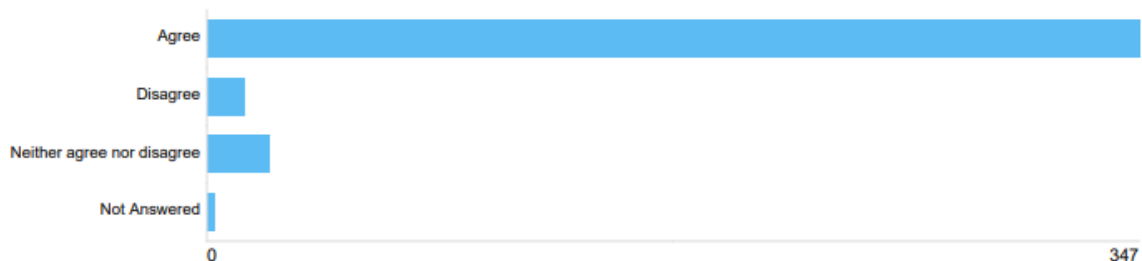
## Alternative Provision of Education

### Changes:

Clause 4 provides that the centres will have the primary purpose of providing education and support for children who cannot be safely educated in a provided, maintained or special school because they are subject to court orders or are at risk of significant harm to themselves and/or others. This ensures that children who cannot be safely or effectively educated in a traditional school setting still receive a suitable education.

### Question 2:

Do you agree/disagree/neither agree nor disagree with the establishment of alternative provision centres who will have the primary purpose of providing education and support for children who cannot be safely educated in a provided, maintained or special school because they are subject to court orders or are at risk of significant harm to themselves and/or others? There were **387** responses to this part of the question.



Option	Total	Percent
Agree	347	89.66%
Disagree	14	3.62%
Neither agree nor disagree	23	5.94%
Not Answered	3	0.78%

### Please use this space for any further comments you wish to make:

Of the **77** comments to this part of the question

- 8 stated in order to provide alternative provision adequate funding would be needed
- 8 stated appropriately trained staff would be needed
- 5 stated a balance in educational settings is needed
- 5 stated that capacity at Thie Ny Shee should be increased

*"The lack of provision off site is causing children who are not coping in mainstream to cause too much disruption to the learning of others."*

*"This is already taking place at my school, and it really makes a difference to the children within lessons. The children taught off site have more opportunity, and the children left in school are taught without disruptions."*

*" I believe this is ineffective and a poor use of Government funding. To create 'alternative provision centre' for children who may be a danger to themselves, or others just segregates them from normal schooling making them feel isolated and not looked after."*

*"Segregation can and does have a negative psychological impact on children. It creates division and fosters perceptions of elitism or stupidity. Either way it fosters in / out group mindsets."*

# Religious Education

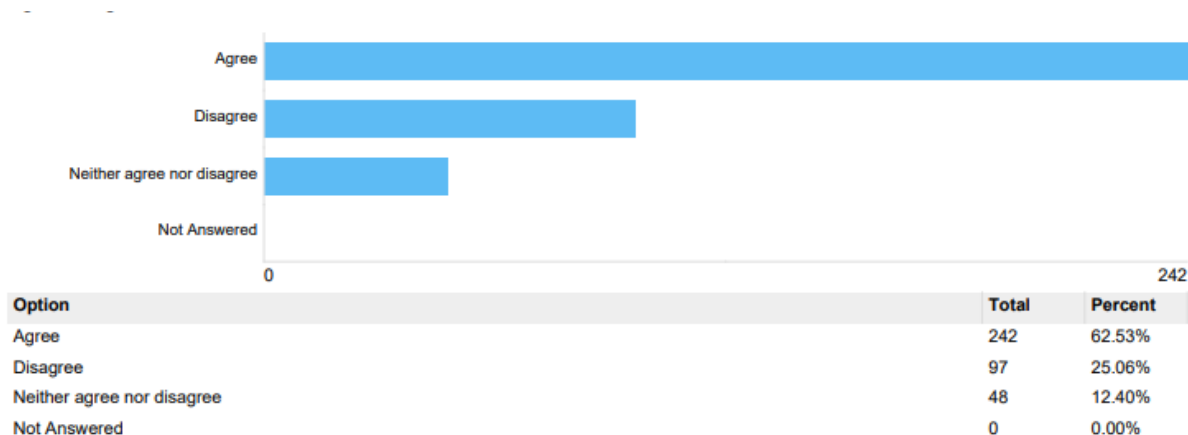
## Changes:

- Clause 7 amends Section 12 of the Act to broaden Religious Education to include multiple beliefs, not just Christianity.

## Question 3:

Do you agree/disagree/neither agree nor disagree to the changes to Section 12 of the Education Act 2001 to cover multiple beliefs?

There were **387** responses to this part of the question.



## Please use this space for any further comments you wish to make:

Of the **150** comments to this part of the question

- 53 stated a balanced curriculum, to cover many religions, philosophies and non-philosophical beliefs
- 31 stated remain broadly Christian
- 22 stated no Religious Education in schools
- 8 stated this already takes place in schools

*"This is positive for creating an inclusive environment and discussions amongst children and young people. It can also spark curiosity for others to learn about different faiths/cultures."*

*"Schools should be inclusive of all religious beliefs and none religious beliefs."*

*"Amending this clause is overdue. All the major religious and philosophical positions should be taught to allow a proper overview of young people's choices of belief and to ensure better understanding between religions and philosophies."*

*"This is a Christian country and state funded education should reflect this."*

## Admissions and schools' capacity

### Changes:

Current provisions within the Act do not provide the Department and schools with any powers to restrict admission to a school that is already at or over capacity.

Clause 9 amends Section 15 to allow for the restriction of admissions to a particular school year group once they have reached capacity. This empowers schools to manage their student numbers more effectively and maintain a conducive learning environment.

Clause 9 amends Section 15 to include the power for the Head teacher (with Department approval) to refuse admission to any child whose admission would seriously prejudice the admission of any child already registered at the school. This ensures that the safety and educational needs of existing students which are prioritised.

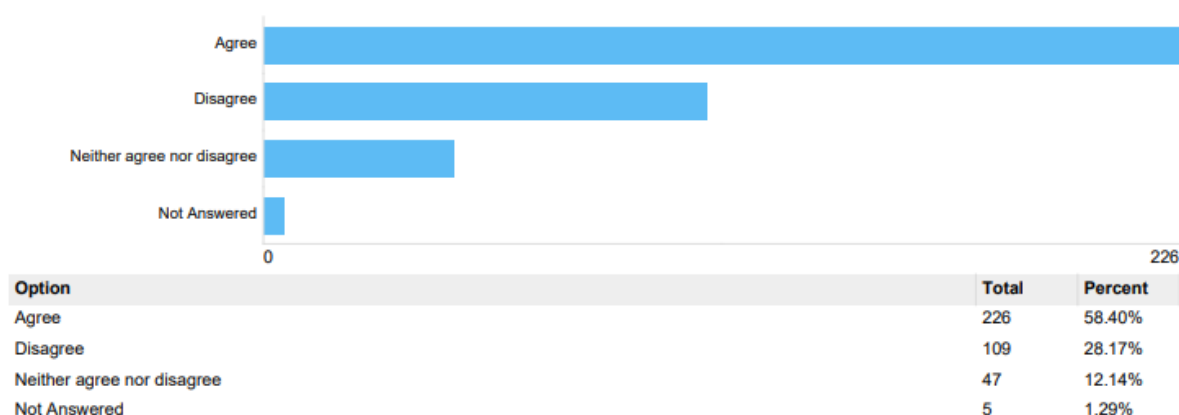
Clause 10 adds Section 15A which allows for the school to redirect them to another school or Alternative Provision Centre.

Clause 27 introduces an independent appeals process, providing for an independent body to hear appeals for matters regarding school admissions.

### Question 4:

Should schools with Department approval have the powers to declare the year group, class or school full upon reaching capacity, even where this would deny entry to a new child within the school's catchment area?

There were **387** responses to this part of the question.



### Please use this space for any further comments you wish to make:

Of the **125** comments to this part of the question

- 21 stated catchment should be priority
- 15 stated they have concerns about the impact on vulnerable children as well as social impact.
- 12 stated concerns around extra transport costs
- 11 stated children have the right to attend catchment school

*"Absolutely! There are times that I have taught on my own children have been in classes of 34! This is too hard to manage!"*

*"We are fast getting into a situation where classes are way too big, discipline is going out the window and all these new mega estates are causing major issue within the classroom."*

*"Yes schools should be able to declare when capacity is reached as they would have neither the correct staffing nor space to provide a suitable education experience and structure."*

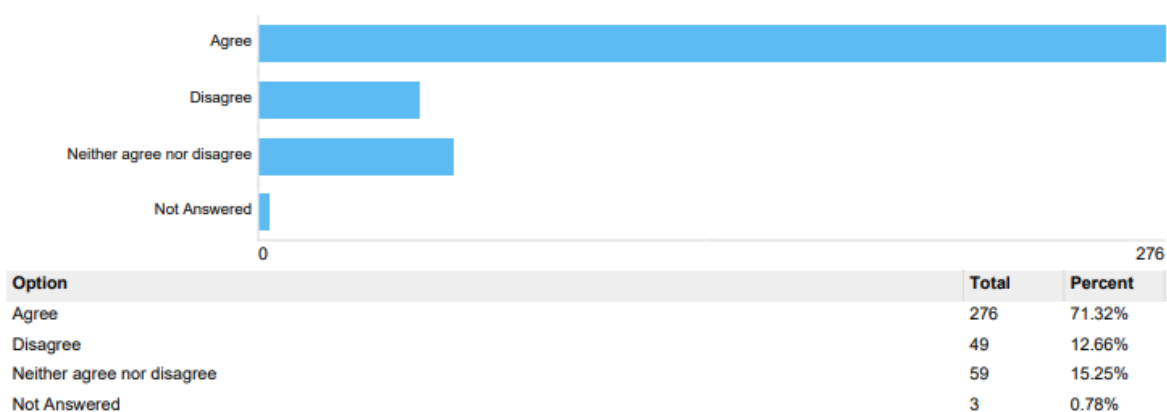
*"Provision must be made to help with transport costs for those children then unable to attend their nearest school."*

*"Whilst I understand the rationale for this I suspect that administering this change will cause significant angst for all involved."*

### Question 5:

Should schools have the power to refuse entry to a child whose admission would seriously prejudice any child already registered at the school?

There were **387** responses to this part of the question.



**Please use this space for any further comments you wish to make:**

Of the **88** comments to this part of the question

- 17 stated all children deserve an education
- 11 stated clear criteria would be needed
- 10 stated refusal of entry should only be in exceptional circumstances

*"All children deserve an education and diversion, and engagement can be key to that child turning their lives around."*

*"This should only be done after an alternative provision has been identified."*

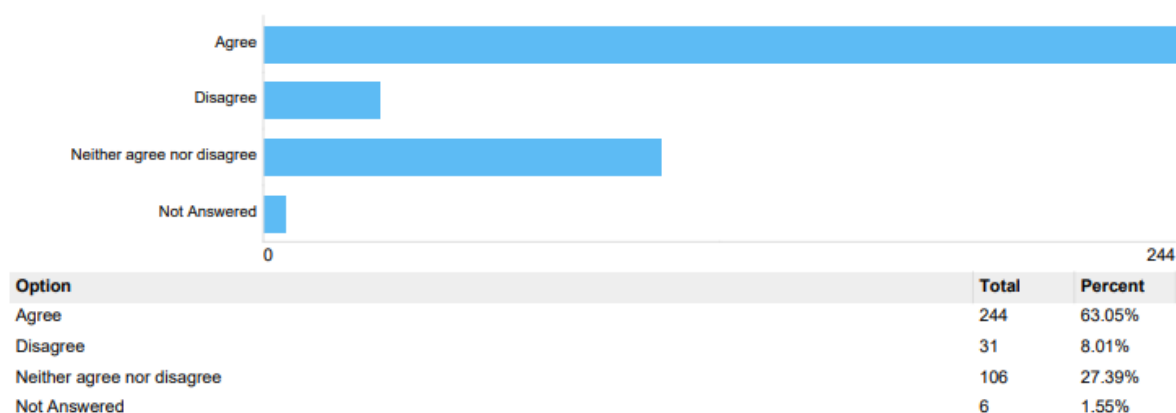
*"There needs to be a test of reasonableness before such powers can be invoked."*

*"This seems very open to interpretation – conditions would need to be very transparent to avoid potential bias or inappropriate lobbying of head teachers."*

### Question 6:

Do you agree/disagree/neither agree nor disagree with the proposed changes to the independent appeals process?

There were **387** responses to this part of the question



**Please use this space for any further comments you wish to make:**

Of the **44** comments to this part of the question

*"There has to be an independent appeal body to implement these changes."*

*"As long as the independent body understands the vulnerability of young people and has a variety of experience."*

*"Sounds like it will cost more money, which would be better spent improving schools."*



## Additional Safeguarding Measures

### Changes:

Clause 11 establishes a clear legal framework for information sharing duty as a clear legal basis to both disclose and request information about a child for the purposes of safeguarding and promotion of welfare. This will promote a more seamless sharing of information so that professionals can consider the full picture of a child's life.

Pursuant to Article 6(1)(e) of the GDPR, this processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (i.e., child protection and safeguarding purposes).

Clause 11 amends Section 16 to create powers where a notification of home schooling is received by the Department for a child who is registered at a school that is subject to a Section 46 enquiry or has a Child Protection Plan under the Children and Young Persons Act 2001.

Safeguarding consideration would be given with respect to matters connected with the education of the child via a multi-agency risk assessment made by the child's core group as to whether the child can be removed from the school register and the Department will have powers to keep them on the school register where it is determined that the risk of the child suffering significant harm is increased, if removed from school and therefore prudent for the school to continue to take an interest in the child's educational progress. This ensures that decisions are made based on a comprehensive understanding of the child's circumstances.

### Question 7:

Do you agree/disagree/neither agree nor disagree that the Department should have a clear framework to share the register of children not educated in our schools with other Government agencies, for the purposes of safeguarding?

There were **387** responses to this part of the question.



Option	Total	Percent
Agree	324	83.72%
Disagree	30	7.75%
Neither agree nor disagree	32	8.27%
Not Answered	1	0.26%

**Please use this space for any further comments you wish to make:**

Of the **66** comments to this part of the question

- 23 stated this is important for safeguarding
- 9 stated that there should be additional checks
- 6 stated this should be a multi-agency approach

*"This is absolutely essential and shouldn't need to be justified."*

*"Opting out of education should only be agreed after investigation to ensure that provision will be provided and it is in the interest of the child. Safeguarding must be a first concern. Home schooling in many cases can prevent socialisation causing future issues."*

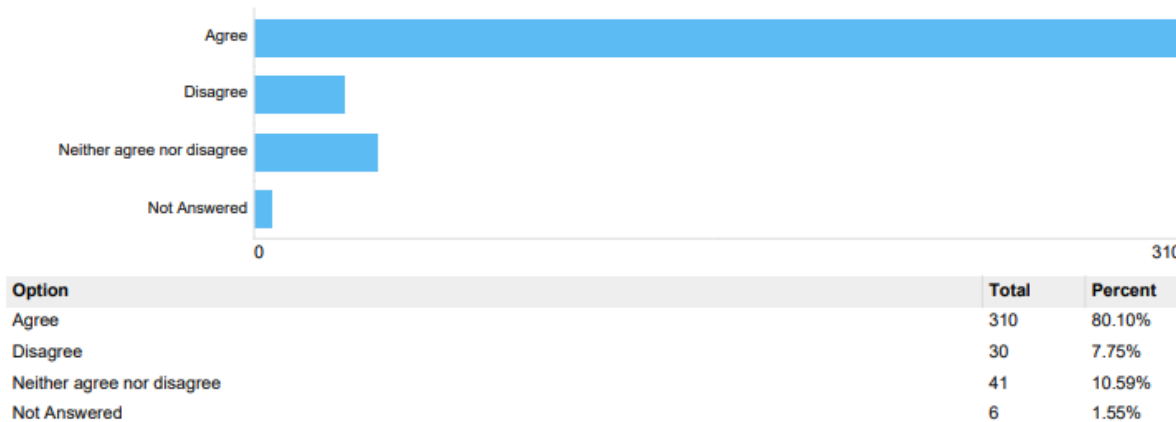
*"Homeschooling can be a way of preventing outside persons having awareness of a child who may be neglected or suffering from abuse. Home schooled children regardless of concerns prior school always be checked on and information sharing is vital."*

*"Forcing some of these vulnerable children to stay in formal education setting can be equally as abusive and traumatic and can then impact on long term outcomes and mental health."*

**Question 8:**

Do you agree/disagree/neither agree nor disagree that the Department should have the powers to keep children on the school register where it is determined that the risk of the child suffering significant harm is increased, if removed from school?

There were **387** responses to this part of the question.



**Please use this space for any further comments you wish to make:**

Of the **62** comments to this part of the question

- 23 stated in the interests of safeguarding
- 8 stated there should be a multi-agency approach
- 7 stated homeschooling should still be an option

*"The child's safeguarding is of priority not a parent right to homeschool."*

*"Absolutely agree! Children in the UK have been removed from education to be homeschooled, whilst there have been safeguarding concerns, where this has unfortunately resulted in a death of a child. Homeschooling should absolutely be prevented if safeguarding concerns are present."*

*"Depends on the circumstances. The school may have been part of the problem or not taken the parents' concerns seriously."*

*"How will keeping them on the register help? If there are safeguarding concerns they should be followed up with the right departments. Some people would genuinely prefer to homeschool after experiencing school life. The school could still surely welcome students back if situations change."*

# Emergency School Closures

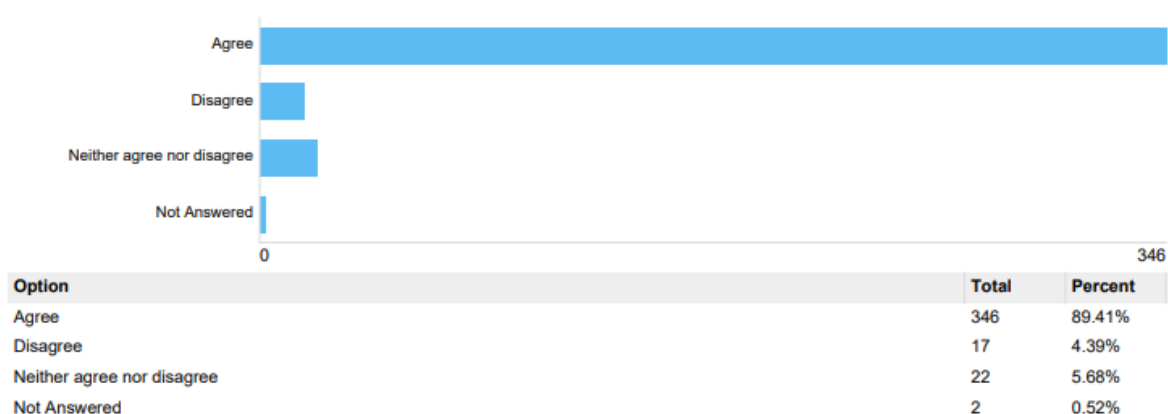
## Changes:

Clause 14 grants the Department the power to direct any school to close in an emergency situation. This ensures that decisions can be made swiftly and appropriately.

## Question 9:

Do you agree/disagree/neither agree nor disagree to place authority on the Department to exercise the power to close schools in an emergency?

There were **387** responses to this part of the question.



## Please use this space for any further comments you wish to make:

Of the **50** comments to this part of the question

- 7 stated the head teacher should have the authority
- 4 stated they would like more notice of the closure to be provided

*"It will speed up the process of parents being informed."*

*"It goes without saying. The safety of children come first."*

*"More notice would be good for those who travel further do don't start journey."*

*"It is up to the school to determine status, who are better aware of circumstances. The Department should only have an advisory role."*

*"Emergencies including adverse weather needs immediate response to allow headteachers to communicate closure asap. Involvement of Ministerial permission can only slow this process as they may not be available."*

## Children who are not in school

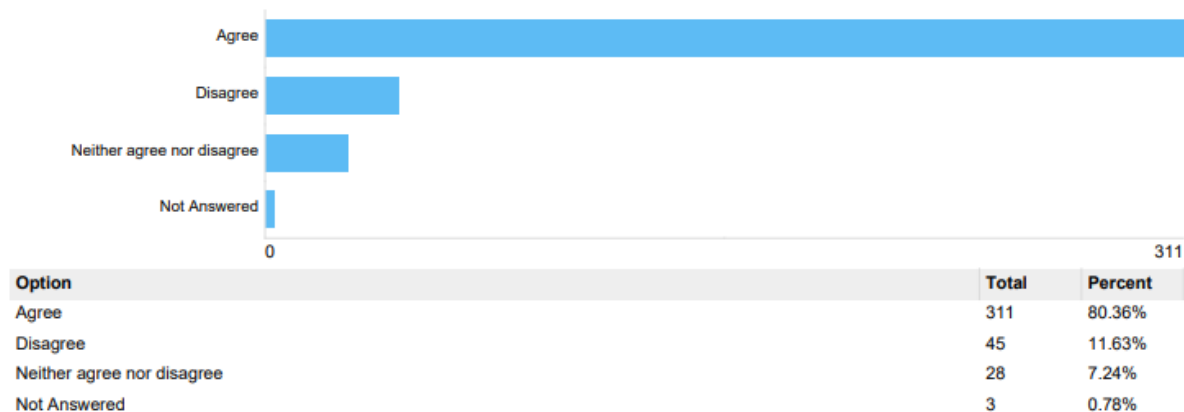
### Changes:

Clause 15 amends Section 24A of the Act so that parents who choose to educate their child outside of Department schools will be required to notify the Department in the first term of each academic year rather than just once.

### Question 10:

Do you agree/disagree/neither agree nor disagree with the amendment that parents are required to notify the Department in the first term of each academic year if they choose to educate their child outside of the Department's schools?

There were **387** responses to this part of the question.



### Please use this space for any further comments you wish to make:

Of the **64** comments to this part of the question

- 11 stated the Department should have the power to monitor provision
- 4 stated it was unnecessary notifying the Department once would be sufficient
- 3 stated the Department should provide advice and support

*"Home schooling can be very successful provided the parent knows what is involved. Of course a notification to the Board of Education should be done regularly. Hopefully these parents will be inspected on a regular basis."*

*"This is unnecessary – reporting once is sufficient. I would assume if a parent decided to home school they will continue to do so unless they apply for the child to attend school. Parents who choose to home school do not pay attention to term times as it's irrelevant to them so your reporting will never be accurate so a pointless change."*

*"Notification at initial decision to homeschool is sufficient."*

## Educational Grants and Funding

### Changes:

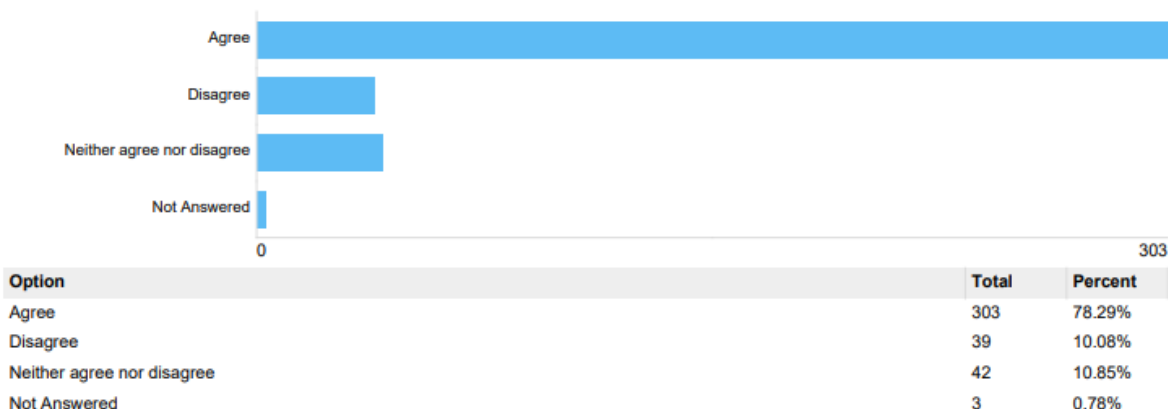
Clause 16 amends Section 37 of the Act to enable regulations to be made in relation to specify the courses of study for which funding can be made available under subsection (1) and conditions to which such availability is subject. This measure allows the Department to create regulations for the manner in which these bursaries will be made available, ensuring targeted support for critical sectors.

It also provides for the payment of childcare credit and connected matters. The Childcare Credit Scheme provides for the award and payment of childcare credits to child day care centres and childminders for children aged 3 and 4. These credits are paid monthly and can be used towards the total cost of childcare, ensuring consistent support for families. Current provisions for the Childcare Credit are made under Section 3 of the Financial Provisions and Currency Act 2011.

### Question 11:

Do you agree/disagree/neither agree nor disagree the amendment to the Act to enable regulations to be made in relation to specifying the courses of study for which funding can be made available ensuring targeted support for critical sectors?

There were **387** responses to this part of the question.



### Please use this space for any further comments you wish to make:

Of the **56** comments to this part of the question

8 stated all qualifications are equal

*"The Island is suffering a severe lack of professional and is rapidly losing the younger generation. If university costs were covered by the state for ALL students regardless of ability to pay and in return they must work on the Island for the same amount of years as the degree (eg 3 year degree equals 3 years) then it would really benefit the Island. The taxes they are likely to pay over the years will more than make up for covering the cost of future education."*

## Additional Educational Needs

### Changes:

Clause 19 amends terminology throughout the Act from 'special educational needs' to 'additional educational needs'.

Clause 20 amends terminology in Section 59(1) of the Act from 'difficulty' to 'need'.

Clause 12 amends an error in Act in s18(4)(b) which should read both 'maintained' and 'provided' schools rather than just 'provided'.

Clause 13 amends terminology in Section 19 and any other references through the Act from 'Report on child's special educational needs' to 'personalised learning plan' to reflect current practice.

Clause 13 creates a power for guidance to be published so that staff must have regard to such Department published guidance.

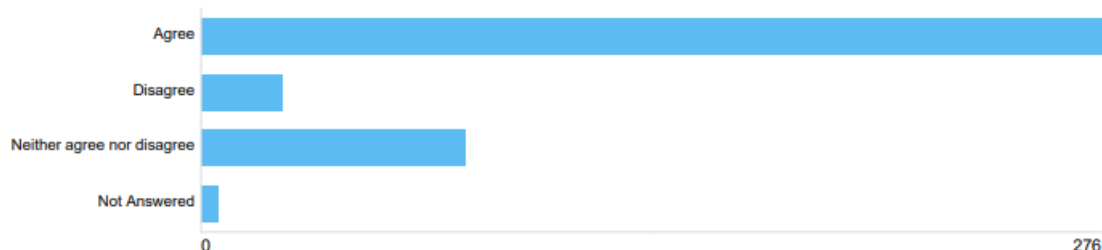
Clause 27 introduces an independent appeals process, providing for an independent body to hear appeals for matters regarding the Department's duty to take reasonable steps to identify all children with additional educational needs and in doing so, where required, make provision to meet their needs. Existing regulations Education (Special Educational Needs) Regulations 2004 will need to be updated to refer to the new appeals process.

### What does this mean:

- Terminology change from 'SEN' to 'AEN'.
- Terminology change from 'report on child's special educational needs' to 'Personalised learning plan'.
- Create Independent appeals process

### Question 12:

Do you agree/disagree/neither agree nor disagree with the proposed amendments to the terminology from special educational needs (SEN) to additional educational needs (AEN)? There were **387** responses to this part of the question.



Option	Total	Percent
Agree	276	71.32%
Disagree	25	6.46%
Neither agree nor disagree	81	20.93%
Not Answered	5	1.29%

**Please use this space for any further comments you wish to make:**

Of the **74** comments to this part of the question

- 13 stated adequate funding
- 11 stated it doesn't change anything
- 6 stated it is more inclusive terminology
- 5 stated it was unnecessary

*"More inclusive terminology"*

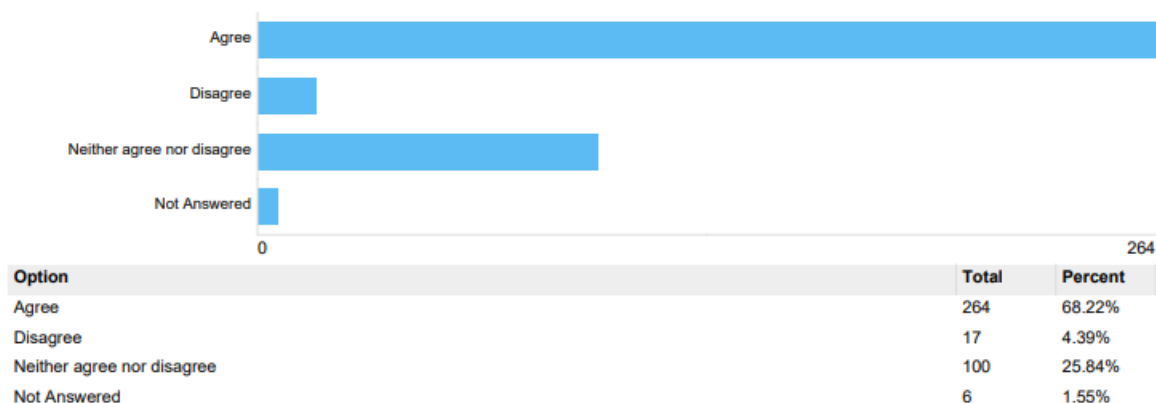
*"Already takes place in schools."*

*"What's the difference between special and additional in this context? I don't think there is one so the change is unnecessary."*

**Question 13:**

Are you content with the proposed changes to the Independent appeals process?

There were **387** responses to this part of the question.



**Please use this space for any further comments you wish to make:**

Of the **32** comments to this part of the question

*"I was lucky to be involved in a independent appeal at the department of education with my child. I found the process professional and much less biased."*

*"Not sure about this, It is good in principle, but I fear this could cost a lot of money that would be better spent on actually providing service for most children with AEN."*

*"While the introduction of an independent review process is a positive step towards greater transparency, it is essential that such a mechanism does not place an undue burden on schools. Education professionals must be trusted to make informed and appropriate decisions regarding provision and in my experience they typically do so with diligence and care. However expanding the right of appeal may inadvertently lead to an increased administrative workload, requiring schools to devote significant time and resources to defending decisions rather than focusing on the delivery of high quality support."*



- We asked** The purpose of the final consultation by the Department of Education, Sport and Culture was to seek stakeholder and public views on nine key areas considered appropriate for update in the proposed Education (Amendment) Bill. The consultation ran for 6 weeks from 2<sup>nd</sup> May 2025 – 15<sup>th</sup> June 2025.
- You said** There were 387 responses to the consultation.
- We did** The Department is grateful to all those who took time to respond to the consultation. The results will be considered and used to form the policy principles which will result in amendments to the existing Education legislation.