

# School attendance

This factsheet explains the law<sup>1</sup> on school attendance, and what happens if your child cannot attend school regularly.

There can be many reasons for a child or young person not to attend school. Your child may be having problems at school such as bullying or feeling isolated, or may be off school due to ill-health, family problems, or because of exclusion. You may have decided to educate your child at home.

The law says you must ensure your child has an education that is provided efficiently and is suited to their age, ability and aptitude. You can do this by sending them to a local authority school or an independent school, or by educating them at home. You must make sure your child attends regularly if they are registered at a local authority school.

## What can I do if my child is having problems at school?

Under the law<sup>2</sup>, all children must be given support to ensure they receive the education they are entitled to. Children who are not attending school regularly may need additional support to enable them to continue their education.

There is a general duty on schools and local authorities to ensure the safety of pupils while at school and every school should have an anti-bullying policy, which you can ask to see. If your child seems to be having problems which are affecting his or her willingness or ability to go to school, it is important to talk to the guidance teacher, class/form teacher, or perhaps the head teacher.

You can let them know about the problems and ask for support from the school and the home-school link worker in encouraging your child to attend regularly. You may also wish to consult the authority's educational psychology service or your GP about the situation.

<sup>1</sup> The Standards in Scotland's Schools etc Act 2000

<sup>2</sup> The Education (Additional Support for Learning) (Scotland) Act 2004 (as amended)

Some further education colleges may offer support to children with additional support needs by working in partnership with the school to offer courses for children under school-leaving age.

## What if my child can't attend school due to illness, being needed at home or exclusion?

If the reason your child is not going to school is ill-health or the need to care for another family member, the local authority must make arrangements for alternative education. If the reason is due to exclusion the local authority should find another school for your child without undue delay, or should make arrangements for alternative education. For more information see **Enquire factsheet 11: Exclusion from school** and **Enquire factsheet 17: When a child can't go to school**

## What if my child refuses to go to school due to anxiety?

If your child refuses to go to school due to anxiety, it is important to follow the steps on page 1 by speaking to the school and asking for support. You could also speak to your child's GP to raise your concerns and discuss whether or not your child should be referred to other services. If needed, your GP may be able to provide a note you can give to the school to explain your child's absences. If your child is too ill to attend school, due to their anxiety, the local authority has a duty to provide alternative forms of education.

## What does the law say about school attendance?

All children and young people enrolled at local authority schools should attend regularly, and should not be absent without a reasonable excuse. Most local authorities employ home-school link workers, who will contact the family of any pupil not attending regularly, to help resolve any problems.

If your child continues to be regularly absent from school, the law says that you may be guilty of an offence. The local authority could do any of the following:

- refer you and your child to the Children's Reporter
- make an attendance order
- as a last resort, take you to court, where you could be fined or imprisoned.

## What if I choose to educate my child at home?

Education is compulsory but school is not. Some parents choose to educate their child at home instead.

If your child has been attending a local authority school and you want to educate them at home, you must ask the local authority for permission. Local authorities should not refuse permission unreasonably, and should have clear policies on the procedures for dealing with requests to withdraw pupils from school.

You will not need permission to withdraw your child from school if:

- they have never attended a local authority school

- they have never attended a local authority school in that authority's area
- they have finished primary education in one school but have not started secondary education in another
- their current school has closed
- their current school is an independent (private) school.

In these cases you should simply notify the local authority that you intend to educate your child at home. If you are thinking about educating your child at home, contact the local authority for the name of someone who can give you information and advice.

Your right to educate your child at home applies equally if they have additional support needs. However, a local authority may apply some extra considerations to ensure the education you propose is suitable for your child. This could be considering how you intend to cater for your child's needs at home or checking the suitability of the environment in which your child is to be educated. With your agreement, an educational psychologist may also be involved in assessing the education you are proposing to give your child.

Local authorities have no legal duty to provide any resources for children or young people who are educated at home, but may do so if they wish.

The law also allows local authorities to give advice about children and young people whose education they are not directly responsible for. This could include children with additional support needs who are being educated at home or in an independent school.

## Part-time education

If a child is struggling to attend school, a part-time timetable may be put in place at school. This may be used for a short time and should not become permanent. Long-term part-time attendance may show that the right support is not in place for your child. See **Enquire factsheet 11: Exclusion from school** for more information.

## What if I want my child to attend an independent or grant-aided school?

Any parent is entitled to send their child to an independent (private) school. If they do so, they are responsible for paying the costs. If you choose this option, you must simply inform the local authority of your decision.

Under the law, if your child has additional support needs, you can make a placing request for them to attend an independent special school or a grant-aided special school in Scotland or the UK. The local authority must pay the associated costs of this if the placing request is successful. (This may or may not include transport costs.)

For more information, see **Enquire factsheet 2: Choosing a school** and **Enquire factsheet 3: Placing requests**.

# Where to get more information

## Publications

The parents' guide to additional support for learning, Enquire (2016)

A guide for parents about school attendance (2010) produced by the Scottish Government

[www.gov.scot/Publications/2009/12/04134640/0](http://www.gov.scot/Publications/2009/12/04134640/0)

Included, engaged and involved - part 1: Guidance on the management of attendance and absence in Scottish schools produced by the Scottish Executive

[www.gov.scot/Publications/2007/12/05100056/0](http://www.gov.scot/Publications/2007/12/05100056/0)

Guidance to parents and local authorities on home education produced by the Scottish Government [www.gov.scot/Resource/doc/207380/0055026.pdf](http://www.gov.scot/Resource/doc/207380/0055026.pdf)

Guidance on the education of children unable to attend school due to ill health produced by the Scottish Government [www.gov.scot/Publications/2015/06/6846](http://www.gov.scot/Publications/2015/06/6846)

## Organisations

Parentline Scotland is a listening and advice helpline for parents

Telephone: 0800 028 2233

## *Information on home education*

Schoolhouse provides information to families interested in home education, through their website and Home Education forums:

Schoolhouse Home Education Association  
Victoria Road  
Dundee DD1 1EL  
[www.schoolhouse.org.uk](http://www.schoolhouse.org.uk)

## *Information on independent schools*

Scottish Council of Independent Schools  
61 Dublin Street  
Edinburgh EH3 6NL

Telephone: 0131 556 2316

Email: [info@scis.org.uk](mailto:info@scis.org.uk)

[www.scis.org.uk](http://www.scis.org.uk)

## *Advice about your child's emotional health*

Young Minds Parents Information Service

Telephone: 0808 802 5544

Email: [parents@youngminds.org.uk](mailto:parents@youngminds.org.uk)

[www.youngminds.org.uk](http://www.youngminds.org.uk)

## *Information about bullying*

The Anti-Bullying Network provides useful information and downloadable factsheets on its website [www.antibullying.net](http://www.antibullying.net)

Respectme is Scotland's anti-bullying service and offers information and advice on its website [www.respectme.org.uk](http://www.respectme.org.uk)

The ChildLine Helpline offers children and young people information and confidential advice.

Helpline: 0800 1111

[www.childline.org.uk](http://www.childline.org.uk)

# ENQUIRE

Helping you understand additional support for learning

Enquire is the Scottish advice service for additional support for learning. We provide independent and impartial advice to parents and carers, to practitioners in education, social work and health services, and to children and young people themselves.

This factsheet has been awarded the Clear English Standard.



## Contact details

Enquire, Children in Scotland, Level 1, Rosebery House,  
9 Haymarket Terrace, Edinburgh EH12 5EZ

Helpline: **0345 123 2303**  
(Access to interpreters through Language Line)

Office: 0131 313 8800

Email: [info@enquire.org.uk](mailto:info@enquire.org.uk)

[www.enquire.org.uk](http://www.enquire.org.uk)

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