

1 Background

Children have a right to education. It is the duty of every parent to provide their child with an education. Since the Covid-19 Pandemic, where children were not in school, there has been a significant increase in the number of parents and carers seeking consent to remove their child(ren) from the roll of a school and home educate them. The requests can be for a range of reasons.

SG 2025 Home Education Guidance. City of Edinburgh Council Home Education.

7 'Unseen' child(ren)

Some children can become 'unseen' by services. This is worrying when they have additional vulnerabilities or adversities.

Local authorities should carefully consider a child's records and can withdraw consent if:

- There is a Child Protection concerns being investigated.
- The child is on the Child Protection Register.
- The child has been referred to the Children's Reporter or is subject to a legal order from a Children's Hearing.
- There is a history of domestic abuse within the family home.

6 Making a request

Parents who wish to home educate, where their children currently attend a public school, require to submit a letter outlining education provision to City of Edinburgh Council [Education Enquiries](#).

The local authority will make contact and seek the views of a child and their parents, where appropriate, before confirming consent.

5 Implications for Health and Wellbeing

If a child has not been registered for primary school, there will be no alert to the school nursing service, therefore the child would not be offered routine health assessments and vaccinations.

Similar vulnerabilities exist for children of those who conceal pregnancy. Health Visiting is non-statutory service, and parents have the right to decline this service. Sometimes there is no record of a child's birth, and families are therefore never offered the service.

2 Concern

There has always been a concern about the visibility to services of children who are home educated. This has received renewed focus given tragic recent cases, such as the murder of Sara Sharif in Surrey August 2023 and a recent Learning Review in South Lanarkshire, where home educated children were subject to significant neglect.

3 The Law

Under Section 35 of the Education (Scotland) Act 1980, parents of a child who has been attending a public school must seek the local authority's consent before withdrawing their child from that school. Parents do not need consent to home educate or where:

- The child has never attended a public school.
- The child has never attended a public school in that authority's area.
- The child is being withdrawn from an independent school.
- The child has finished primary education in one school but has not started secondary education.
- The school the child has been attending has closed.

4 Decision-Making and Monitoring

When a home education application is made, the local authority should satisfy themselves that suitable and efficient education will be provided and that any child who is vulnerable will have their needs met and rights upheld.

The authority must not unreasonably withhold consent.

There is no legal duty on a local authority to monitor home education arrangements. Nonetheless, they should act if they are unsatisfied about the home-education of a child. National Guidance encourages an annual conversation to review.

