#

# Requesting to Withdraw Your Child from School for Home Education

# A Parent / Carer Guide

### Introduction:

In Scotland every child of school age has a right to an education and it is the duty of their parent or carer to provide this by sending them to school or by other means.[[1]](#footnote-1)

Withdrawing your child from school for the purposes of home education is considered an equally valid choice alongside the option to send your child to school.

East Lothian Council aims to ensure that all requests to withdraw children from school for home education are considered in a way that is fair, timeous, consistent and accurate. The purpose of this guidance is to outline East Lothian Council’s processes.

### Why Parents / Carers May Chose to Home Educate:

Parents and carers may choose to home educate their child for a variety of reasons. Parents and Carers do not need to give a reason for their request. It is, however, helpful for us to understand the reasons for the request and if this is as a result of dissatisfaction with the school we would wish to work with you to resolve this.

### Who Needs Consent?

Parents or carers of a child who has attended a local authority school must seek the local authority’s consent before withdrawing their child from the school. The local authority must not unreasonably withhold consent.

Consent is not required in the following circumstances:

* 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* The child is being withdrawn from an independent school.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 in another.
* The school the child has been attending has closed.

### The Process

### Frequently Asked Questions

1. Why am I asked to provide consent for you to contact other agencies?

*In assessing a parent or carer’s ability to provide an efficient and suitable education, it is important to understand a child or young person’s wellbeing needs. Sometimes wellbeing needs are met by agencies other than education. In line with General Data Protection Regulation (GDPR) we will seek your consent and your child’s consent (if over the age of 12 and with capacity) to share information. We only share information that is necessary, proportionate and relevant. The only exception to this is if we feel a child or young person is a risk of harm.*

1. What does ‘efficient and suitable’ education mean?

*There is no legal definition of this. It is generally regarded as an education which prepares a child or young person to live in our modern world and enables them to reach their potential.*

1. Why are requests to withdraw from school in East Lothian Council considered by a panel of three education officers?

*It is important that all request are considered in a fair and consistent way. East Lothian Council determines that to achieve this, a dedicated meeting of three education officers is the best way to achieve this.*

1. What ongoing contact will I have with East Lothian Council?

*Although it is not a statutory requirement, East Lothian Council will contact you each year to request an update on your child’s progress. This is to satisfy our requirement to ensure education continues to be efficient and suitable.*

1. My child has additional support needs can I still request consent to withdraw from school?

*Yes, a parent / carer’s right to educate their child at home applies equally if the child has additional support needs. Parents / carers should be aware, however, that local authorities have no statutory obligation to provide financial or other support to children with additional support needs who are educated at home.*

### Sources of Further Information

[Home Education Guidance (www.gov.scot)](https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2008/01/home-education-guidance/documents/0055026-pdf/0055026-pdf/govscot%3Adocument/0055026.pdf)

[Thinking about home educating your child? | Home education | East Lothian Council](https://www.eastlothian.gov.uk/info/210557/schools_and_learning/12291/home_education)

[Schoolhouse | Supporting Home Education in Scotland – Information, Support and Resources](https://www.schoolhouse.org.uk/)

[Parentzone Scotland | Education Scotland](https://education.gov.scot/parentzone/)

1. Education (Scotland) Act 1980 – Section 30 (1) It shall be the duty of the parent of every child of school age to provide efficient education for him suitable to his age, ability and aptitude either by causing him to attend a public school regularly or by other means. [↑](#footnote-ref-1)