

Home education and additional support for learning

This factsheet explains:

- what the law says about home education
- the local authority's responsibilities to children who are home educated
- what you need to do if you want to educate your child at home.

Home education and the law

Every child has a right to an education, and you must provide your child with an education that is suitable to their age, ability and aptitude from the age of five until they turn 16. You can either do this by sending your child to school, or by educating your child at home.

Home education is an equally valid choice and there are lots of reasons why parents might choose this for their child. In the rest of this factsheet we have answered some of the key questions that families ask us about home education and additional support for learning.

What support does the local authority have to give my child if I home educate them?

Local authorities should have regard to the views of parents and decisions they make about their child's education. They should seek to support parents' choices by offering advice, clear and accurate information, and resources where this is feasible.

For children who attend school, the local authority is responsible for their education and for fulfilling a range of duties under the law on additional support for learning. This includes duties to identify their needs and provide them with the support they need to fully benefit from their education. These duties are explained in our factsheet [Additional support for learning: key facts](#).

If you choose to home educate your child, the local authority will not be responsible for their education, and therefore they will not have any legal duties under additional support for learning law.

This means that you can still ask the local authority to provide support for your child, or for things like assessments of their needs, but they would not have to say yes. If your child needs extra help to learn, it may be helpful to discuss what support might be available for them with the local authority.

What do I need to do if I want to home educate my child?

If your child is already enrolled at a school, you need to get the local authority's consent to take your child out of school so that they can be educated at home. The local authority must not refuse consent for you to withdraw your child from school unless they have good reason to do so – for example if they are worried about your child's welfare, or do not think you can give them the education and support they need.

If your child is not enrolled at a school, for example if:

- they have not yet started either their primary school or secondary school, or
- you have moved into a different local authority area and they have not started school in the new area

then you do not need consent from the local authority.

How do I ask for consent to withdraw my child from school?

Most local authorities have a contact person or team that consider requests to withdraw a child from school. You can find out who to contact in your area on your local authority's website, or by contacting the local authority's education department.

The local authority will need to be satisfied that you can provide your child with an 'efficient and suitable' education at home, so you will need to provide some information about how you will do this in your request. The local authority might ask you to give more detailed information if they feel they need it to make a decision.

The education authority may ask you to provide information about things such as:

- how your child's education will help to prepare them for life in modern society and achieve their full potential
- your approach to home educating your child and how enthusiastic and committed you are to home education
- how much the education you intend to provide supports your child's needs, attitudes and aspirations
- the kinds of resources and materials your child will have access to
- how your child will have opportunities to interact with other children and adults, and have an appropriate level of physical activity
- how your child will be involved in a broad spectrum of activities and be stimulated by their learning experiences
- how you will cater for your child's additional support needs.

You do not need to have any formal training or qualifications to home educate your child.

The local authority should aim to decide within six weeks of receiving your request to withdraw your child from school, though this may take longer in some circumstances. The local authority should not unreasonably refuse your request.

If the local authority refuses your request, there is no formal right of appeal. However, you may get the opportunity to resubmit your request with further information. You can also ask if the local authority can review their decision. If you feel the local authority has been unreasonable in turning down your request, you could also consider making a formal complaint

Do I have to report to the local authority about the education I am giving my child?

The law does not require local authorities to monitor the home education provision you are giving to your child. However, they do have a duty to take action if they are not satisfied that the education being provided at home is 'efficient and suitable'. The law does not say how they should make sure of this. Scottish Government guidance recommends that local authorities make contact on an annual basis with families they know are home educating in their area.

If the local authority has concerns about the education you are providing, they must check whether it is suitable for your child by asking you to provide more information.

In exceptional circumstances, if the local authority does not think you are able to provide a suitable education for your child and do not think this can be resolved, they can make an attendance order requiring your child to go to school.

I want to home educate my child because they are not being supported at school

Home education should be a positive choice. If your child is at school, the local authority must provide them with the support they need to fully benefit from their education. If you are unhappy with the level of support your child is getting, there are steps that you can take to try and resolve this if you would like for your child to stay in school. If your child's current school cannot meet their needs, the local authority should explore other ways to provide the support. Find out more in our factsheet on [Avoiding and solving problems](#).

If you feel that home education would be best for your child, you can follow the steps above to request consent for your child to be withdrawn from school.

Can my child have a mixture of home and school education?

The law does not cover this kind of arrangement, so this is a complicated issue. Arrangements for a mixture of home and school education are known as 'flexi-schooling'. This would mean that:

- you and the local authority agree to have joint responsibility for educating your child
- your child would attend school some of the time (this may be for certain days or parts of the day, or for certain subjects), and be educated at home the rest of the time.

As the law does not say anything about this kind of arrangement, there is no specific right to ask for flexi-schooling for your child. Local authorities and schools should consider requests for flexi-schooling on a case by case basis. It is their decision whether they can support the arrangement.

Flexi-schooling is different to part-time education, where the local authority has full responsibility for providing a pupil with an education, but a decision has been made that is in their best interests to only attend school some of the time for a short period. This might be due to ill health or may be a temporary arrangement while more support or a different school placement is arranged. Find out more in our factsheet on [School attendance](#).

Where can I find out more?

Home education guidance (2008)

www.gov.scot/publications/home-education-guidance

This is the Scottish Government's guidance on home education. It explains the law on home education in detail, including the rights and responsibilities of parents and local authorities.

Organisations for families:

Home Education Scotland www.homeeducationscotland.org.uk

Scottish Home Education Forum www.scothomeed.co.uk



How Enquire can help

Enquire can help you understand your child's rights to additional support for learning and how to work in partnership with their school or nursery to make sure your child gets the support they need.

Enquire can:

- explain your child's rights to additional support for learning
- listen to any questions and concerns
- advise you on the way forward
- help you find local education and support services.

You can contact our helpline on **0345 123 2303** or **info@enquire.org.uk**
Access to interpreters is available.

You can also find lots more information about additional support for learning, including our full range of publications, at **www.enquire.org.uk**

The information on our website is available in over 100 languages and with a range of accessibility tools, such as text-to-speech.

Reach, as part of Enquire, provides advice and information for children, parents, carers and professionals about children's rights to additional support for learning: **www.reach.scot**

Enquire is also a partner in the My Rights, My Say service. My Rights, My Say supports children aged 12-15 with additional support needs to exercise their rights to be involved in decisions about their support in school:
www.myrightsmysay.scot

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