

REPORT TO: Education Committee

MEETING DATE: 11 June 2019

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Flexi-schooling

1 PURPOSE

The purpose of this report is to inform the Committee of the national guidance on flexi-schooling as outlined in the Scottish Government Home Education Guidance and to provide an overview of flexi-schooling within East Lothian.

2 RECOMMENDATIONS

- 2.1 The Committee is asked to
- i. Note the contents of the report.
 - ii. Note that the Education Service intends to review the East Lothian guideline 'Children Educated at Home - guidance for education service staff' as part of the ongoing review of all education policies and guidance. An Integrated Impact Assessment will be carried out when reviewing the guidelines.

3 BACKGROUND

- 3.1 Every child has a right to an education, and it is the duty of the parent of every school age child to provide that education, either by sending the child to school, or by other means.
- 3.2 The Education (Scotland) Act 1980 states: *'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.'* While most parents fulfil their responsibility to provide education by sending their children to school, others choose to provide home-based education.

- 3.3 In 2007, the Scottish Government published revised Home Education Guidance which sets out the legislative position and provides advice on the roles and responsibilities of local authorities and parents in relation to children who are home educated. It covers the statutory nature of the guidance, a child's right to an education, the parent's responsibility for providing that education, the need for consent to withdraw from a public school, and a local authority's responsibility to satisfy itself that suitable and efficient education is being provided.
- 3.4 Section 3.6 of the Home Education Guidance outlines expectations with regard to flexi schooling. The guidance states: *'Local authorities may occasionally receive a request to withdraw a child part time from school, e.g. for the child to attend school only on certain days, or for certain subjects. The feasibility of each request should be considered on its own merit, while taking into consideration that under Section 28 of the Education (Scotland) Act 1980 'so far as is compatible with the provision of suitable instruction and training and the avoidance of unreasonable public expenditure, pupils are to be educated in accordance with the wishes of their parents'. Ultimately, however, it is a decision for each local authority and school as to whether they can support such an arrangement.'* In East Lothian, each request for flexi schooling is considered on its own merit in line with section 3.6 of the Home Education Guidance.
- 3.5 All schools in East Lothian provide education in line with the principles and purpose of Curriculum for Excellence and use the East Lothian Council curriculum frameworks for learning in every curriculum area to track pupils against national and local benchmarks. With any flexi schooling arrangement, teachers would need to liaise and meet regularly with the families providing aspects of the curriculum in order to get a full picture of a child's attainment across the curriculum and to plan next steps. Overall, our schools have indicated that given current pressures and the teacher: pupil ratio, the capacity to support flexi schooling is challenging. Any child being flexi-schooled remains on the school roll and as such is included in both the school and local authority performance data. Unlike the local authority responsibilities in home education, the school and local authority are unable to influence the quality of education provided out with school.
- 3.6 As a result, it is the position of East Lothian Council that flexible schooling should only be granted in exceptional circumstances with the agreement of the school. Schools may offer flexi schooling in circumstances where a child has been educated at home and has never attended school to enable the child to make a positive transition to school. Occasionally schools may offer flexi schooling where a child is experiencing a complex/enduring medical condition. This is normally a short term situation and does not require permission for the child to be removed from the school roll. These decisions are normally taken at school level.
- 3.7 During session 2018/19, the authority has received six requests for flexi schooling with one request being granted on a temporary basis. The

reasons for requesting flexi schooling have been in relation to lifestyle choices such as spending more time as a family, the desire for more opportunities for certain aspects of the curriculum such as outdoor learning or excursions, health reasons, a softer transition into Primary 1 and dissatisfaction with aspects of the Scottish Education System.

4 POLICY IMPLICATIONS

The Education Service intends to review the East Lothian guideline 'Children Educated at Home - guidance for education service staff' as part of the ongoing review of all education policies and guidance. An Integrated Impact Assessment will be carried out when reviewing the guidelines.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - none
6.2 Personnel - none
6.3 Other -

7 BACKGROUND PAPERS

- 7.1 Scottish Government Home Education Guidance:
<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>

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