Our ref:  FOI/16/02131
18 January 2017

Thank you for your request dated 20 December 2016 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

The terms of your request were as follows:

“To request all documentation, reports, communication etc or the information contained therein relating to the testing of the Named Person service for Home Schooled children. The minutes of the GIRFEC NISG meeting of 20 August 2014 record this as follows:

“guidance for the NP service for Home Schooled children has begun and is expected to be trialled with a small number of families.”

Response to your request

I enclose a copy of the information you requested attached at Annex A.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to DirectorforChildrenandFamilies@gov.scot. Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.
If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner’s website at:

Victoria Quay, Edinburgh  EH6 6QQ
www.gov.scot
Children and Young People (Scotland) Act 2014

Part 4 - Named Person provisions

Briefing Paper – Home Educators

1. The Children and Young People (Scotland) Act (C&YP), enacted in April 2014, puts aspects of the Getting it right for every child (GIRFEC) policy on a statutory footing. The GIRFEC parts of the Act – Parts 4, 5 and 18 – are planned to come into force in August 2016.

2. The Act does not change any of the provisions in the 1980 Education Act including the right of parents to choose home education for their child.

3. Part 4 of the C&YP Act provides for a Named Person for every child from birth until their 18th birthday (or beyond if still in school). The health visitor will generally be the Named Person from birth to 5 years. For school age children the local authority of residence, or the local authority where the child attends school, or the grant aided or independent school attended, will be responsible for making the Named Person available.

4. The Named Person will be made available for home educated children by their local authority of residence. Although it will be up to each local authority to make arrangements to suit local circumstances, the identified Named Person is likely to be a centrally based manager or Quality Improvement Officer.

5. When parents seek agreement to withdraw their child from a local authority school in order to home educate, it is expected that the Named Person arrangements will be put in place as part of the usual review and support arrangements.

6. Where parents make the choice to home educate before the child is registered for school, the Health Board where they live, who will be the Named Person provider pre-school, will have a duty to advise the local authority that responsibility passes to them to provide the Named Person for the home educated child.
7. The local authority will then have a duty to inform the child and the parents of the Named Person arrangements and how to contact the Named Person.

8. Similarly, if a parent opts for home education at designated points after the child has been registered at a school, the Named Person provider responsible at that time, will have a duty to continue to provide the Named Person via new arrangements, or will advise the new Named Person provider that arrangements should be put in place for the child.

9. In all cases, the Named Person is available as a single point of contact to provide information, advice and support if there is a wellbeing concern about the child. The child and the parents will be entitled to seek advice from the Named Person but will be under no obligation to engage with the Named Person if they have no wellbeing concerns for which they wish assistance from the Named Person.

10. The Named Person role also provides a single point of contact for others who may have a wellbeing concern about a child. Where there are no wellbeing concerns raised by the child, parents or others, the Named Person will have no reason to actively engage with the child or parents.

11. The Scottish Government is currently developing statutory guidance for public bodies to support implementation of the Act, and that guidance will be subject to formal consultation in 2015.

12. In addition, practice guidance will be developed for practitioners and information and advice will be developed with and for children, young people and parents.

**Issues to consider**

I. What are your views on the Named Person provisions for home educated children who are supported by the local authority?

II. Can you see any specific advantages or disadvantages of the proposed Named Person arrangements?

III. How do you think the provisions may work for children who may be unknown to the local authority currently?

IV. Are there any issues which you think should be highlighted in the statutory guidance, or in future in the practice guidance?

V. What information about the Act would be helpful for home educating parents / and children?

Lynn Townsend
Implementation Advisor
Scottish Government GIRFEC Team
September 2014.

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Children and Young People (Scotland) Act 2014

Part 4 - Named Person provisions

Briefing Paper – Home Educators

13. The Children and Young People (Scotland) Act (C&YP), enacted in April 2014, puts aspects of the Getting it right for every child (GIRFEC) policy on a statutory footing. The GIRFEC parts of the Act – Parts 4, 5 and 18 – are planned to come into force in August 2016.

14. The Act does not change any of the provisions in the 1980 Education Act including the right of parents to choose home education for their child.

15. Part 4 of the C&YP Act provides for a Named Person to be made available for every child from birth until their 18th birthday (or beyond if still in school). The health visitor will generally be the Named Person from birth to 5 years/school entry. For school age children the local authority of residence, or the local authority where the child attends school, or the grant aided or independent school attended, will be responsible for making the Named Person available.

16. The Named Person will be made available for home educated children by their local authority of residence. Although it will be up to each local authority to make arrangements to suit local circumstances, the identified Named Person is likely to be a centrally based officer with appropriate experience and training.

17. When parents seek agreement to withdraw their child from a local authority school in order to home educate, it is expected that the Named Person service arrangements will be put in place as part of the usual review and support arrangements.

18. Where parents make the choice to home educate before the child is registered for school, the Health Board where they live, who will be the Named Person service provider pre-school, will have a duty to advise the local authority that responsibility passes to them to provide the Named Person service for the home educated child.

19. The local authority will then have a duty to inform the child and the parents of the Named Person arrangements and how to contact the Named Person.
20. Similarly, if a parent opts for home education at designated points after the child has been registered at a school, the Named Person service provider responsible at that time, will have a duty to continue to provide the Named Person via new arrangements, or will advise the new Named Person service provider that arrangements should be put in place for the child.

21. In all cases, the Named Person is available as a single point of contact to provide information, advice and support if there is a wellbeing concern about the child. The child and the parents will be entitled to seek advice from the Named Person but will be under no obligation to engage with the Named Person if they have no wellbeing concerns for which they wish assistance from the Named Person.

22. The Named Person service also provides a single point of contact for others who may have a wellbeing concern about a child. Where there are no wellbeing concerns raised by the child, parents or others, the Named Person will have no reason to actively engage with the child or parents.

23. The Scottish Government has produced draft statutory guidance for public bodies to support implementation of the Act, and that guidance will be published in final form in spring/summer 2016.

24. In addition, practice guidance will be developed for practitioners and information and advice will be developed with and for children, young people and parents.

**Issues to consider**

VI. How do you think the Named Person provisions for home educated children who are supported by the local authority should work in practice?

VII. Can you see any specific advantages or disadvantages of the proposed Named Person service arrangements?

VIII. How do you think the provisions may work for children who may be unknown to the local authority currently?

IX. Are there any issues which you think should be highlighted in the statutory guidance, or in future in the practice guidance?

X. What information about the Act would be helpful for home educating parents / and children?

Lynn Townsend
Implementation Advisor
Scottish Government GIRFEC Team
September 2014 (updated April 2016)