

PE1730/D

Petitioner submission of 11 February 2020

In early 2018, all 32 local authorities were contacted to ask how many Section 37(1) had been implemented over a three-year period from 2015 – 2018. Responses from 23 local authorities were received.

Of the 23 local authorities that responded only 5 local authorities in Scotland had any concerns that a child in their local authority area, either registered or none registered as being home schooled were deemed not to be receiving an education suitable to age, ability and aptitude.

Angus	1
East Dunbartonshire	1
East Lothian	3
Perth & Kinross	3
South Ayrshire	21

18 authorities 0

9 did not provide response

From our analysis of the information ONLY 5 local authorities in Scotland have had concerns regarding children registered or none registered regarding the suitable provision of an education suitable to age, ability and aptitude.

I would ask the Committee to explore this inconsistent approach. If existing legislation in place to protect minors is not being referenced or sanctioned and there is no formal or recognised methods of assessment or monitoring, then it would appear that there are no checks and balances in place for the Protection of Vulnerable Groups and basic human rights are being denied for the most vulnerable in our society across the 32 Regional Authorities.

I would urge the Committee to contact Senior Management team in South Ayrshire to ask them why they had concerns over 21 children in their local authority area. What methods of assessment were used and if they would be concerned that across the other 21 authorities who replied, there were only concerns raised regarding 6 children across the whole of Scotland over a three-year period? As children are minors and fall under the Protection of Vulnerable Groups, they are utterly dependent on the observations and assessments of responsible parents and professional people.

It does not appear that the existing legislation is being referenced, sanctioned or that there are any robust or standardised methods for recording or reporting on neglect and the denial of a basic human right for children. These are fundamental for safeguarding and a corporate requirement?

Please can the Public Petitions Committee have access to and reference the existing and relevant legislation please:

UNCRC

[United Nations Convention on the Rights of the Child](#)

The Human Rights Act 1998

[Article 2 - of the first protocol: right to education.](#)

Education (Scotland) Act 1980

[Section 30](#)

[Section 31](#)

[Section 35](#)

[Section 36](#)

[Section 37](#)

[Children and Young Peoples \(Scotland\) Act 2014](#)

[GIRFEC - Getting It Right For Every Child](#)

[National Guidance for Child Protection in Scotland 2014](#)

Early Intervention is Critical

When intervention is delayed, it takes four times as long to intervene in fourth grade as it does in kindergarten because of brain development and because of the increase in content for students to learn as they grow older.

National Institute of Child Health and Human Development