**Item: 3**

**Education, Communities and Housing Committee: 11 November 2026.**

**Home Education, Flexi-Schooling and Part-time Timetables Policy.**

**Report by Director of Education, Communities and Housing.**

## 1. Overview

1.1. This report presents the Home Education, Flexi-Schooling and Part-Time Timetables Policy, for approval. The Policy brings together three areas of educational provisions which have previously been supported through separate guidance and local procedures.

1.2. Over recent years there have been a number of changes to national guidance, particularly in relation to home education, attendance, children's rights and the use of reduced learning hours. While much of the Council's current practice already reflects these changes, the existing guidance has become dated and there is now a need to update and consolidate it.

1.3. Although home education, flexi-schooling and part-time timetables are different arrangements, they all require schools to make decisions about children's education, wellbeing and attendance. Bringing them together into one policy provides a clearer point of reference for schools, parents and officers and helps ensure that similar decisions are made consistently across all Orkney schools.

1.4. The Home Education, Flexi-Schooling and Part-Time Timetables Policy, attached as Appendix 1 to this report, sets out the circumstances in which each arrangement may be considered, the responsibilities of parents, schools and the Education Service, and the arrangements for approval, review and ongoing contact.

1.5. If approved, the Policy will replace the Council's existing policies in these areas and will become the Council's agreed approach.

## 2. Recommendations

2.1. It is recommended that members of the Committee:

i. Approve the Home Education, Flexi-Schooling and Part-Time Timetables Policy, attached as Appendix 1.

## 3. Policy Development

3.1. Parents have the right to choose different educational arrangements for their children, and schools have a responsibility to respond to these requests in a way that is lawful, consistent and focused on the best interests of the child.

3.2. The Council already has procedures in place for home education and manages requests for flexi-schooling and reduced learning hours. However, these have developed over time and are not currently brought together within a single policy.

3.3. The publication of revised Scottish Government Home Education Guidance in 2025 and Included, Engaged and Involved Part 1 in 2026 provided an opportunity to review existing arrangements. During that review it became clear that a single policy would make expectations clearer for both schools and families.

3.4. The proposed policy distinguishes between three different arrangements.

- **Home education** remains a parental choice where responsibility for education sits with parents.
- **Flexi-schooling** is a shared arrangement between parents and the school, with the child remaining on the school roll.
- **Part-time timetables** are temporary arrangements where the Council continues to hold full responsibility for the child's education and are intended only for exceptional circumstances.

3.5. The Policy introduces a more consistent approach across schools. It makes clear who can approve each type of arrangement, how decisions should be recorded and how often they should be reviewed. Standard documentation has been developed to support schools in applying the policy consistently.

3.6. While the Policy reflects current national guidance, it has also been written to recognise Orkney's own circumstances. This includes the additional challenges associated with delivering education across island communities, where flexibility is sometimes needed to support children and families while maintaining appropriate educational oversight.

3.7. Should the Home Education, Flexi-Schooling and Part-Time Timetables Policy be approved, the Education Service will monitor implementation across all schools and review the Policy periodically to reflect any future changes in national legislation or guidance.

## 4. Consultation

4.1. The draft Policy has been developed with input from Head Teachers, Service Managers and officers across the Education Service.

4.2. Educational Psychology colleagues and officers with responsibility for Additional Support Needs also contributed to development of the Policy.

4.3. Families of children who have been home educated have been involved in the consultation.

4.4. Comments received during drafting led to a number of changes, including clearer approval arrangements, revised review timescales and additional guidance for schools on safeguarding, attendance recording and communication with parents.

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**Implications of Report**

1. **Financial** – None directly relating to the recommendations in this report. Any additional costs associated with this Policy will need to be met within existing resources.
2. **Legal** - The Policy has been developed having regard to relevant legislation and national guidance, including the Education (Scotland) Act 1980, the Standards in Scotland's Schools etc. Act 2000 and associated Scottish Government guidance. It provides a framework for the lawful and consistent consideration of requests relating to home education, flexi-schooling and part-time timetables.
3. **Corporate Governance** – Not applicable.
4. **Human Resources** – Not applicable.
5. **Equalities** – An Equality Impact Assessment has been undertaken and is attached as Appendix 2 to this report.
6. **Island Communities Impact** – An Island Communities Impact Assessment has been undertaken and is attached as Appendix 3 to this report.
7. **Links to Council Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Council Plan strategic priorities:
   ☐Growing our economy.
   ☒Strengthening our Communities.
   ☐Developing our Infrastructure.
   ☐Transforming our Council.

8. **Links to Local Outcomes Improvement Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Local Outcomes Improvement Plan priorities:

   ☐Cost of Living.

   ☐Sustainable Development.

   ☒Local Equality.

   ☐Improving Population Health.

9. **Environmental and Climate Risk** – Not applicable.
10. **Risk –** There are no risks arising directly from this report. The policy mitigates existing operational and governance risks by promoting consistency of decision making across schools.
11. **Procurement** – Not applicable.
12. **Health and Safety** – Not applicable.
13. **Property and Assets** – Not applicable.
14. **Information Technology** – Not applicable.
15. **Cost of Living** – Not applicable.

**List of Background Papers**

Home Education Guidance (Scottish Government, 2025).
Included, Engaged and Involved Part 1: Improving Attendance in Scotland's Schools (2026).
Included, Engaged and Involved Part 2: Preventing and Managing School Exclusions (2017).
Education (Scotland) Act 1980.
Standards in Scotland's Schools etc. Act 2000.
Education (Additional Support for Learning) (Scotland) Act 2004.
Equality Act 2010.
Children and Young People (Scotland) Act 2014.

**Appendices**

Appendix 1 – Home Education, Flexi-Schooling and Part-Time Timetables Policy.

Appendix 2 – Equality Impact Assessment.

Appendix 3 – Island Communities Impact Assessment.

Appendix 1

ORKNEY
ISLANDS COUNCIL

## Education, Communities and Housing

# Home Education, Flexi-schooling and Part-time Timetables Policy

## Version Control

| Document Reference. | Revision. | Issue Date. | Reason for Issue. | Reviewer. |
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| ELH005. | 00. | 13 July 1999. | New Procedure. | Project Officer. |
| ELH005. | 01. | 1 February 2011. | Reviewed and updated. | Project Manager. |
| ELH005. | 02. | 5 November 2015. | Accessible format. | Project Manager. |
| ELH005. | 03. | November 2026. | Updated Policy. | Service Manager (Secondary and Tertiary Education). |

## Contents


Introduction....5
Monitoring and Review....6
Section 1 – Home Education....7
1. Introduction....7
2. Legal Context....7
3. Becoming a Home Educator....8
4. Consent Process....8
5. Decision and Review of decision....10
6. Contact Arrangements....10
7. Relationships and Support....12
8. Access Arrangements....12
9. Pupils with Additional Support Needs....13
10. Resources and Support....13
11. Exceptional Circumstances....14
Section 2 – Flexi-Schooling....16
1. Principles....16
2. Legal Context....17
3. Circumstances Where Flexi-Schooling May Be Considered....17
4. Flexi-schooling should not be used:....17
5. Consent Process....17
6. Decision and Review of decision....19
7. Review, Monitoring and Contact Arrangements....19
8. Ending a Flexi-Schooling Arrangement....19
9. Relationships and Support....20
10. Additional Support Needs and Equality....20
Section 3 – Part-Time Timetables / Reduced Learning Hours....22
1. Principles....22
2. Legal Context....22
3. Additional Support Needs and Equality....24
4. Consent Process....24
5. Review of the arrangements....25
6. Support....25
7. Disagreement....26
Appendix 1 – Home Education Summary Guide for Parents....27
Appendix 2 – Flexi-Schooling Summary Guide for Parents....28
Appendix 3 – Part-Time Timetables Summary Guide for Parents....29

Appendix 4 – Information and Support Organisations .....30

## Introduction

This Policy aligns all guidance linked to the delivery of education either through education delivered at home, flexi schooling, a mix of home and school engagement and in part-time timetabled arrangements.

While these arrangements share a common focus on supporting children and young people to access suitable education, they operate under different legal frameworks. These frameworks place different responsibilities on parents, schools and the council. It is therefore important that parents, carers, schools and partners understand the distinction between them.

**Section 1 – Home Education** explains the arrangements that apply when parents choose to take full responsibility for their child's education and the child is removed from the school roll. This section outlines parental rights and responsibilities, the Council's role, consent arrangements where required, and the support that may be available to home educating families.

**Section 2 – Flexi-Schooling** outlines the arrangements that may be agreed where a child remains enrolled at school but attends on a part-time basis. Parents or carers assume responsibility for education during agreed periods away from school. This section explains the application process, responsibilities of all parties, and review arrangements.

**Section 3 – Part-Time Timetables (Reduced Learning Hours)** sets out the arrangements that may be used in exceptional circumstances where a child or young person temporarily receives fewer than the recommended learning hours. Unlike home education or flexi-schooling, responsibility for the child's education remains with the local authority throughout. This section explains approval processes, safeguards, review requirements and expectations for a planned return to full-time education where appropriate.

Across all three sections, the Council is committed to promoting children's rights, wellbeing, inclusion, safeguarding and educational progress, while ensuring that decisions are made in the best interests of each individual child or young person.

The Council will review all procedures and practices in relation to education at home, flexi-schooling and part-time timetables on a regular basis to see if improvements can be made to further develop relationships and meet the needs of children and parents.

The Council will maintain a register of home educating families, pupils with flexi-schooling and pupils on part-time timetables in accordance with data protection protocols.

| Arrangement | Named on School Roll | Responsibility for education | Usually Requested By |
|---|---|---|---|
| Home Education | No | Parent/carer | Parent/carer |
| Flexi-Schooling | Yes | Shared | Parent/carer and school agreement |
| Part-Time Timetables (Reduced Learning Hours) | Yes | Council/School | School and Council as part of support planning |

**Monitoring and Review**

This Policy will be reviewed regularly to ensure that it remains consistent with legislation, national guidance and local priorities. Orkney Islands Council will monitor implementation of this Policy and maintain relevant records.

## Section 1 – Home Education

### 1. Introduction

The purpose of this Policy is to provide a framework which supports a collaborative, rights-based approach between the Council and parents who choose to home-educate their children, in line with 2025 National Guidance and UNCRC Principles. This Policy reflects the Scottish Government Home Education Guidance (January 2025).

This Policy is based upon the following key principles:

- Home education is a key aspect of parental choice.
- Home education is a lawful way for parents to fulfil their duty to provide education.

The development of a relationship between the Council and home educators, based on mutual trust and respect and focused on safeguarding the educational interests of children and young people, is essential.

Throughout this Policy, references to 'parents' should be read as including parents and carers.

Parents have the right to choose home education, provided they fulfil their legal duty to provide an efficient education suitable for the child's age, ability and aptitude.

The views of the child will be actively sought and given due weight in line with UNCRC Articles 2, 3, 12, 23 and 28.

The Council recognises that some children and young people may benefit from alternative educational arrangements. These are considered separately within this Policy.

### 2. Legal Context

The responsibility for a child’s education rests with their parents. Whilst most parents discharge this responsibility by sending their children to school, others may choose to provide home-based education.

The definition of a parent includes a guardian and any person who is liable to maintain or has parental responsibilities (see Section 135 (1) of the Education (Scotland) Act 1980) in relation to, or has care of, a child or young person.

How and where a child is educated is a matter for their parents, as required by Section 30 of the Education (Scotland) Act 1980 which states, that “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. The Council may become involved where there is reason to believe that a child is not receiving a suitable education, or where it has wider statutory responsibilities relating to a child's wellbeing, safety or protection.

The Scottish Government Home Education Guidance (2025) states: "There is no statutory duty upon local authorities to monitor ongoing home education provision.

However, in law local authorities have a duty to take action where they are not satisfied that a parent/carer is providing efficient education suitable to their child's age, ability and aptitude."

## 3. Becoming a Home Educator

Many parents decide that they wish to educate their children at home without ever having enrolled them in school. In circumstances such as these, parents are not required to make any contact with the Council. It would be beneficial, however, for the Council to be aware of those families educating their children at home in order that appropriate contact and support may be provided.

While there is no legal requirement to do so, families may find it helpful to notify the Council so that information and support can be made available.

Parents are therefore encouraged to advise the Council of their intention to educate at home.

Children may attend pre-school before parents decide that they wish to educate their children at home. Under these circumstances, there is no requirement for parents to seek the consent of the Council because the child has not yet been enrolled into school.

The period of schooling is from commencement of schooling following enrolment into P1 until the earliest leaving date after the young person attains 16 years of age.

Parents are not required to seek the consent of the Council to home-educate their child if:

- Their child has never attended a public school.
- Their child has never attended a public school in that Council's area.
- Their child is being withdrawn from an independent school.
- Their child has finished primary education in one school but has not started secondary education in another school.
- The school the child has been attending has closed.
- In the last two cases parents may simply notify the Council that they intend to home educate.

If the child has attended public school on one or more occasions, then parents are required to advise the Council of their intention to home educate.

## 4. Consent Process

Consent is required to withdraw a child from the roll of a public school. In reaching a decision, the Council will have regard to the Scottish Government Home Education Guidance (2025). Consent will not be unreasonably withheld, and all requests will be considered in accordance with the Scottish Government Home Education Guidance (2025).

Parents have a responsibility to inform the Council that they wish to withdraw their child from school to educate them at home and to request the Council’s consent.

Parents need to complete this Application to Home Education to apply for Home Education: Application to Home Education – Fill in form. Parents are asked to email education.leisure@orkney.gov.uk to inform the Council that an application has been submitted.

To avoid unnecessarily unsettling the child, parents should write to the Council as early as possible and in advance of the date that they wish to withdraw their child from school.

Upon receipt of the completed application, the Council will aim to respond within six weeks. Where more than six weeks is required, parents will be informed and kept up to date in relation to the progress of their request.

The application to withdraw will be considered by the relevant Service Manager on behalf of the Council. Where necessary, the matter may be escalated to the Head of Service or Director. Applicants have the right to appeal the decision and can do so within 14 days by resubmitting an application. Where information available to the Council gives rise to reasonable concerns regarding the proposed educational provision, the Council may seek further information from parents before reaching a decision.

Relevant educational records, including attendance information where appropriate, may be considered alongside all other available information when determining a request.

Specific instances where consent may not be able to be granted immediately include:

- Where a child has been referred to social work or the police for child protection reasons, and the matter is being investigated.
- Where a child is on the child protection register.
- Where a child has been referred to the reporter on care and protection grounds, and the referral is being considered.
- Where the child is the subject of a supervision requirement.

Parents will be given the opportunity to address any specific concerns that the Council has. The child should also be given the opportunity to express their views.

In considering an application, the Council will have regard to the Scottish Government Home Education Guidance and any information voluntarily provided by parents regarding their proposed educational approach. The Council will not assess home education against a prescribed curriculum, methodology or framework.

Where consent is not granted, the reasons for the decision will be provided in writing. Parents will have one further opportunity to submit further information for consideration and request that the Council reviews its decision.

Applications for Home Education can be submitted once per academic session, unless there has been a significant change in circumstances.

When consent is given to withdraw, the Service Manager will establish a commencement date in consultation with parents and will then inform the child's school.

Children should continue to attend school pending the decision on consent. If a child fails to attend school without the consent of the Council, the normal procedures for dealing with unauthorised absence will apply.

## 5. Decision and Review of decision

Where consent to withdraw a child from school is withheld, the Council will provide the parent/carer with its decision in writing, including the reasons and grounds for refusal. The parent/carer will be given 10 working days to provide further information addressing those grounds and to request reconsideration of the decision.

There is no statutory right of appeal against a decision to withhold consent. A parent/carer may request an internal review of the decision and will also be provided with information about the Council's complaints procedure.

The reviewer will be appointed by the Director of Education, Communities and Housing.

## 6. Contact Arrangements

Upon receipt of a parent's request for consent to withdraw their child from school in order to provide home education, the assigned Service Manager will contact the parent(s) to confirm their intention and commence the process for considering the request.

Service Managers will complete the following Service Manager Response to Home Education – Fill in form for record keeping and review purposes:

- Preliminary contact with the parents will be made to confirm the parents' intentions and reasons for requesting Home Education. Parents are not required to give reasons, and any reasons given should not determine whether consent is granted.
- Discuss the legal obligations of parents or guardians.
- Outline the Council's duties and available support/signposting.
- Notify the parents of appropriate alternative school places (where relevant).
- Discuss any information parents may wish to provide about their proposed educational arrangements.
- Make arrangements for capturing the views of children.

In accordance with the United Nations Convention on Rights of a Child, (UNCRC) children and young people must be involved in decisions affecting their lives.

The relevant Service Manager will therefore seek the views and opinions of the child or young person for whom home education is being considered by their parents or carers.

The relevant Service Manager will be the contact person for parents and carers as well as the child or young person.

| Descriptor of Home Educated Child/Young Person | Contact Person |
|---|---|
| Primary School-Age (with no identified additional support needs). | Service Manager (Primary). |
| Secondary School-Age (with no identified additional support needs). | Service Manager (Secondary). |
| School-Age child/young person with identified additional support needs. | Service Manager (Support for Learning and Inclusion). |

Where parents choose to provide information regarding their proposed educational arrangements, the Service Manager will consider the information and may arrange a meeting with the parents to discuss the proposed educational approach where further discussion would be helpful. The parents will be notified in writing of the Council's decision.

The Council may offer annual contact with home educating families through a collaborative, relationship-based approach intended to support dialogue and maintain positive relationships rather than monitor provision.

It should be assumed that efficient educational provision is taking place, which is suitable for the child, unless there is evidence to the contrary.

If there is reason to believe that an efficient education is not being provided, the Council has a duty to act. This duty applies equally in relation to all children, regardless of whether they have previously attended a Council school in the area.

There is no specific requirement in the Education (Scotland) Act 1980 for education authorities to investigate actively whether parents are complying with their Section 30 duty.

Where there are concerns about the efficiency or suitability of the education being provided for the child, more frequent discussion may be required. In those circumstances, any concerns should be discussed with the child’s parents with a view to helping them improve their provision in the best interests of the child.

The Scottish Government Home Education Guidance identifies a range of characteristics that may commonly be present in efficient and suitable educational provision. These characteristics are illustrative rather than prescriptive and should not be regarded as requirements.

Home educating families may adopt a wide range of educational approaches, including structured, child-led, informal or experiential methods.

No single educational method, curriculum or style of provision should be regarded as necessary.

Where information available to the Council gives rise to reasonable concerns that a child may not be receiving efficient education suitable to their age, ability and aptitude, the Council will discuss those concerns with parents and seek to resolve matters collaboratively in the first instance.

## 7. Relationships and Support

Central to this Policy is to ensure effective relationships are maintained to safeguard the educational interests of children and young people. Relationships that are grounded in mutual understanding, trust, and respect. A positive relationship will also provide a sound basis if circumstances arise that require the Council to investigate assertions from any source that an efficient education is not being provided.

Parents' educational provisions will reflect a diversity of approaches and interests. Some parents may wish to provide education in a formal and structured manner, following a traditional curriculum and using a fixed timetable aligned with school hours and term dates. Other parents may decide to make more informal provisions that are responsive to the developing interests of their child.

Although some parents may welcome general advice and suggestions about resources, methods and materials, the Council should not specify a curriculum which parents must follow.

Children learn in different ways and at different times and speeds. It should be appreciated that parents and their children might require a period of adjustment before finding their preferred mode of learning.

Parents may choose to provide information about their educational approach, objectives and resources where they consider this helpful in supporting discussions with the Council.

The Council will provide written information for parents on home education that is clear and accurate, and which sets out the legal position. Contact details for home education support organisations will also be provided.

## 8. Access Arrangements

Some families may choose to invite Council officers to meet with them or visit the learning environment. Others may prefer alternative methods of communication. The Council recognises that participation in any visit is entirely voluntary.

Some parents may not feel comfortable in allowing the Service Manager access to their child or family home. Trusting relationships may need time to develop, and it is only the context of a supportive and trusting partnership that will provide the opportunity to meet the child and visit the home.

Although it is recognised that the learning environment can have a bearing on the effectiveness of learning, the Service Manager should be able to discuss information shared by parents about their educational provision by alternative means.

The safeguarding and protection of all children, both those who attend school and those who are educated by other means, is of paramount concern. It is no more likely that child protection issues will arise in relation to home educated children than school educated children. However, if such concerns do arise, they should be referred to by the appropriate authorities in accordance with the guidance in Orkney's Child Protection Procedures.

## 9. Pupils with Additional Support Needs

Parents' right to educate their child at home applies equally where the child has Additional Support Needs (ASN).

The fact that a child has Additional Support Needs should not be a reason to refuse an application to educate at home. Additional considerations do, however, apply.

When considering a request for consent, the Council may need to consider the proposed educational environment in relation to the individual child's age, ability, aptitude and identified support needs.

The Council may seek advice from the Educational Psychology Service where appropriate and with regard to the individual circumstances of the child or young person.

Where a child has ASN, the Council may identify the school that would normally be expected to meet those needs should school attendance be considered. However, home education is not precluded where there are additional support needs, and there should be discussion between the Council and the parents, with a view to discussing the child's needs and how these may be met appropriately.

In the case of children with Additional Support Needs, the Council must keep under consideration the child's ASN profile. The child's parents can specifically request the Council to conduct a review of their child's record, so long as this is not within a year of a previous review. Under section 65A of the Education (Scotland) Act 1980 (as amended), authorities have a duty to review a child's record to determine whether it continues to be appropriate. This duty also applies in the case of children who are being educated at home.

Once home education has begun, the child's parents and the Council may agree that it is no longer necessary for an Additional Support Need plan such as a Child's Plan to continue. Where a child's plan remains open, the child's parents continue to have responsibility for the education provided. Annual reviews of the plan may continue. The Council retains its statutory responsibilities in relation to any ASN record and may act where there is reason to believe a child is not receiving efficient education suitable to their age, ability and aptitude.

For each young person with Additional Support Needs who has a Child's Plan, the Council has a duty to consider and prepare a report on the provision that may be required to support the young person after they cease to be of school age. Prior to this, an assessment must be undertaken to establish whether the young person has a disability, with Social Work services typically involved in the assessment process. The Future Needs Assessment should be completed when the young person is between 14 years old and 15 years and 3 months of age.

## 10. Resources and Support

There are no legal obligations to provide any resources for home-educated children. However, the Council will adopt a reasonable and flexible approach in this respect, particularly where there are minimal resource implications.

In addition to providing general support and advice, the approach taken may include:

- Allowing planned access to centrally held resources; allowing access to school resources where feasible.
- Allowing access to centres which are accredited to deliver qualifications and awards, to sit examinations where feasible and subject to capacity and agreement. However, this does not mean that a school will be able to provide the supervision for full awards.
- Facilitating access to discounted rates for educational materials.
- Providing information for local community and sports facilities or arts events on the same basis as school children.
- Providing some access (where feasible) to school-based extracurricular activities.
- Informing home educating families of any projects or programmes.

Where children and young people participate in activities led by the school, full details of needs (learning, medical) should be provided well in advance. A parent of the home educated child may be asked to accompany their child to provide supervision for them throughout the event.

The Policy makes no provision for Children and Young people who are home-educated to participate in the residential programme of the school. Parents should take this into consideration when making decisions.

Where parents intend home education to be a temporary arrangement and anticipate that their child or young person will return to school in the future, they may choose to provide learning experiences that support future reintegration into school.

In these circumstances, the Council will support effective transition planning by facilitating the involvement of staff from the child or young person's school in discussions with parents prior to the commencement of home education and again before the learner's return to school. This is intended to help maintain continuity in learning and support a smooth transition both into and out of home education.

For primary-aged children, the headteacher will normally undertake this role. For secondary-aged young people, this will usually be a member of the guidance team. The school will offer one planning meeting prior to the start of the period of home education and one meeting prior to the learner returning to school.

Parents will remain responsible for delivering the home education provision, including agreed aspects of learning, and may make use of online and other appropriate educational resources. Schools will not provide direct lesson content or deliver ongoing teaching as part of an arrangement that includes planned reintegration following a period of home education.

Parents should be aware that they take responsibility for arrangements and costs for qualifications and should consider access to Qualifications Scotland/other qualifications before withdrawing. This may include additional costs for staff, e.g. invigilator time or teacher time spent on an additional candidate.

## 11. Exceptional Circumstances

For some children, because of the location of their home and extreme remoteness from the nearest educational establishment, the Council may agree that it is

unreasonable to expect them to attend school. The Council may agree to make special arrangements for them to receive education elsewhere than at an educational establishment (Section 40 of the Standards in Scotland's Schools etc. Act 2000).

Where parents choose to live in very remote areas where there is no established school provision, arrangements may be made for them to enter a form of supported home education with the Council. This may constitute part-time attendance at school as detailed below, or reasonable provision of some or all the following:

- Council staff support.
- Curricular packages and access to photocopiable materials.
- Access to specialist support for additional support needs.
- Access to ICT software/hardware to facilitate use of email and the internet.

The provision of support will be dependent upon a full assessment of the circumstances of each case, including the coordination of travel and the resources available to the department.

As Council-supported arrangements involve the provision of resources and support, annual contact will normally be maintained on a collaborative basis.

Parents who wish to be considered for this additional support should contact the Council in order that an investigation of the circumstances can begin.

Where agreement is reached, the extent and level of support will vary dependent upon an assessment of the individual circumstances of the case.

Arrangements may be made for their children to attend a neighbouring school for part of the school session, or to attend activities (e.g., swimming). Where agreement is reached on part-year attendance, the following will apply:

- The pupil's name will be temporarily added to the register of the school for the period of attendance and removed once they return home.
- Resources will be allocated to the school on a pro-rata basis for pupils who are temporarily enrolled.
- The parents will provide the school with a report on the progress of the pupils against the curricular plan submitted to the Council.
- Materials allocated to the pupils in school may, by arrangement with the Head Teacher, be allowed to travel home once the period of temporary enrolment has ceased.
- Access to photocopiable materials to support home education may be granted at the school's discretion following agreement with the parents on payment of copy costs.
- ICT hardware or software may be provided.

## Section 2 – Flexi-Schooling

### 1. Principles

This Policy has been developed in line with current Scottish Government guidance and national legislation relating to attendance, inclusion, children's rights, Additional Support Needs, and wellbeing.

Orkney Islands Council recognises that, in limited circumstances, a flexible approach to education may support the wellbeing, engagement and learning needs of an individual child or young person.

This Policy sets out the arrangements for flexi-schooling requests in Orkney schools and provides guidance for schools, parents/carers and education staff regarding expectations, responsibilities, monitoring and review arrangements.

Flexi-schooling is not a legal entitlement, and requests will be considered on an individual basis, taking account of the child or young person's best interests, wellbeing, educational progress, rights and safeguarding needs.

Flexi-schooling is an arrangement where a child or young person remains on the roll of an Orkney school but attends school on a part-time basis, with parents/carers assuming responsibility for education during agreed periods out with school. For those periods, the child or young person is not on school premises.

Flexi-schooling is different from:

- **Home education**, where parents assume full responsibility for education and the child is removed from the school roll.
- **A part-time timetable (reduced learning hours)**, where the Council remains fully responsible for education and the arrangement is temporary and linked to well-being or support needs.

Any flexi-schooling arrangement in Orkney should:

- Place the child or young person's well-being, rights, and educational progress at the centre of decision-making.
- Support inclusion, engagement, and participation.
- Be based on collaboration and trust between school and parents/carers.
- Have clearly defined responsibilities.
- Include clear arrangements for safeguarding and communication.
- Support continuity in learning.
- Be subject to regular review.
- Be capable of being ended if it is no longer meeting the child's needs.

While the child remains enrolled at school, responsibility for educational provision is shared between the school and parent(s)/carer(s) in accordance with the agreed flexi-schooling arrangement. The Council remains responsible for the provision delivered by the school.

## 2. Legal Context

This Policy should be read alongside:

- Education (Scotland) Act 1980.
- Standards in Scotland's Schools etc. Act 2000.
- Education (Additional Support for Learning) (Scotland) Act 2004, as amended.
- Equality Act 2010.
- Children and Young People (Scotland) Act 2014.
- United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024.
- Getting It Rights for Every Child (GIRFEC) national practice model.
- Scottish Government Home Education Guidance (2025).
- Included, Engaged and Involved Part 1: Improving Attendance in Scotland's Schools (2026).
- Included, Engaged and Involved Part 2: Preventing and Managing School Exclusions (2017).

## 3. Circumstances Where Flexi-Schooling May Be Considered

Flexi-schooling may be considered where there is evidence that it would support the child or young person's:

- Wellbeing.
- Engagement with learning.
- Attendance.
- Inclusion.
- Additional Support Needs (ASN).
- Medical or mental health needs.
- Individual talents, interests, or circumstances.

## 4. Flexi-schooling should not be used:

- As an alternative to appropriate ASN support.
- Because of unresolved conflict between school and family.
- To avoid exclusion processes.
- As a long-term substitute for appropriate provision.
- Where safeguarding concerns outweigh potential benefits.

Where flexi-schooling is approved a written agreement will be created which includes a plan for review of the arrangements. The first review should normally take place within six weeks and thereafter at agreed intervals.

## 5. Consent Process

Parents wishing to request flexi-schooling should discuss this with the headteacher or Principal Teacher of Guidance at their child's school. Parents and the staff member

should then complete the following Application to Flexi-Schooling – Fill in form, which requires the following information:

- Reasons for the request.
- Proposed pattern of attendance.
- Educational arrangements during time away from school.
- Expected benefits for the child or young person.
- Any relevant wellbeing or support information.

There is no statutory right of appeal against a decision to withhold consent. A parent/carer may request an internal review of the decision and will also be provided with information about the Council's complaints procedure.

The relevant Service Manager completes this Application for Flexi-Schooling Requests to record details and next steps: Service Manager Response to Flexi-Schooling Requests – Fill in form

Where flexi-schooling is approved, a written agreement must be completed and signed by:

- Parent/carer.
- Head Teacher.
- Relevant Service Manager.

The agreement should include:

- Agreed days/times of school attendance.
- Parental responsibilities during home-learning periods.
- School responsibilities.
- Curriculum arrangements.
- Safeguarding arrangements.
- Communication arrangements.
- Review dates.
- Transport arrangements.
- Expectations around attendance, attainment, and wellbeing.
- Arrangements for assessments and qualifications.
- Circumstances in which the arrangement may be reviewed or ended.

Where consent is not granted, the reasons for the decision will be provided in writing. Parent(s) will have one further opportunity to submit further information for consideration and request that the Council reviews its decision.

Applications for flexi-schooling can be submitted once per academic session.

Children and young people approved for flexi-schooling remain on the school roll.

Attendance coding must accurately reflect agreed flexi-schooling arrangements in line with Council and SEEMiS guidance.

Schools must ensure attendance records clearly distinguish between:

- School attendance.
- Authorised flexi-schooling absence.
- Unauthorised absence.

Attendance will be recorded in line with the Council attendance guidance ensuring that the record accurately reflects whether the child is attending school, attending another agreed provision, or absent from school. Attendance will be logged within the Council's management information system SEEMiS.

## 6. Decision and Review of decision

Where consent to withdraw a child from school is withheld, the Council will provide the parent/carer with its decision in writing, including the reasons and grounds for refusal. The parent/carer will be given 10 working days to provide further information addressing those grounds and to request reconsideration of the decision.

There is no statutory right of appeal against a decision to withhold consent. A parent/carer may request an internal review of the decision and will also be provided with information about the Council's complaints procedure.

The reviewer will be appointed by the Director of Education, Communities and Housing.

## 7. Review, Monitoring and Contact Arrangements

All flexi-schooling arrangements must be reviewed regularly. The first review should normally take place within six weeks, followed by termly reviews unless otherwise agreed, or sooner if circumstances change.

Reviews should consider:

- Attendance.
- Attainment and progress.
- Wellbeing.
- Engagement.
- Views of the child or young person.
- Parental feedback.
- Effectiveness of the arrangement.

## 8. Ending a Flexi-Schooling Arrangement

A flexi-schooling arrangement may end:

- By agreement between parents/carers and the school.
- At the request of parents/carers.
- Where the Council determines the arrangement is no longer appropriate.
- Where safeguarding or educational concerns arise.
- Where attendance or engagement significantly deteriorates.

A planned transition back to full-time schooling should normally be supported where appropriate.

The Council will monitor:

- The number of flexi-schooling arrangements across Orkney.
- Duration and patterns.
- Wellbeing and attainment outcomes.
- ASN and equality considerations.
- Consistency of practice across schools.

This monitoring will support quality assurance and ensure flexi-schooling remains a carefully considered and child-centered approach.

## 9. Relationships and Support

Schools should work collaboratively with families to support continuity in learning.

However, parents/carers are responsible for educational provision during agreed flexi-schooling periods out with school.

Schools should make clear:

- Which parts of the curriculum will be delivered in school.
- What learning families are responsible for.
- Expectations around homework and coursework.
- Arrangements for qualifications and assessments.
- Any limitations relating to practical subjects, group work, or timetabling.

## 10. Additional Support Needs and Equality

Where a child or young person has Additional Support Needs, schools must continue to meet their duties under the Additional Support for Learning legislation while the learner remains on roll.

Schools must also consider duties under the Equality Act 2010, including reasonable adjustments for disabled learners.

Flexi-schooling should not reduce a child or young person’s access to support they are entitled to receive.

Before approving flexi-schooling arrangements, schools must consider:

- Supervision arrangements during time out with school.
- Considerations for child protection.
- Wellbeing indicators.
- Social interaction and inclusion.
- Impact on learning and relationships.

- Risks associated with reduced school attendance.

Where safeguarding concerns arise, flexi-schooling arrangements may be reviewed immediately.

## Section 3 – Part-Time Timetables / Reduced Learning Hours

### 1. Principles

This Policy has been developed in line with current Scottish Government guidance and national legislation relating to attendance, inclusion, additional support needs, children's rights, and wellbeing.

Orkney Islands Council is committed to ensuring that all children and young people are included, engaged, and involved in education. A part-time timetable (reduced learning hours) must only be used in exceptional circumstances where it is clearly in the best interests of the child or young person and forms part of a planned, reviewed and documented support process.

This Policy sets out the expectations for all Orkney schools when considering, agreeing, recording and reviewing a part-time timetable.

A part-time timetable is where a child or young person receives less than the recommended learning hours and is not attending school or another Council-arranged learning provision for part of the school week.

This is different from a flexible timetable, where the child or young person may attend school, college, work experience, alternative provision or another agreed setting but is still receiving full-time education through a Council-arranged package.

Flexi-schooling is also different. In flexi-schooling, parents and the Council agree to share responsibility for the child's education. In a part-time timetable, the Council school remains fully responsible for the child or young person's education.

### 2. Legal Context

This Policy should be read alongside:

- Education (Scotland) Act 1980.
- Standards in Scotland's Schools etc. Act 2000.
- Education (Additional Support for Learning) (Scotland) Act 2004, as amended.
- Equality Act 2010; Children and Young People (Scotland) Act 2014.
- United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024.
- UNCRC requirements and children's rights duties.
- GIRFEC national practice model.
- Included, Engaged and Involved Part 1: Improving Attendance in Scotland's Schools (2026).
- Included, Engaged and Involved Part 2: Preventing and Managing School Exclusions (2017).

Consideration of a part-time timetable:

- A part-time timetable may be considered where it supports a child or young person to access education more successfully, for example:

  - Following significant illness, anxiety, trauma, or bereavement.
  - As part of a carefully planned return after prolonged absence.
  - Following exclusion, where a short-phased return is needed.
  - Where a child or young person's current wellbeing needs mean they cannot manage a full school day.
  - Where there is robust assessment evidence that a temporary reduction is necessary while further support is arranged.

- Schools must ensure that appropriate learning opportunities are available and proportionate to the child's needs and circumstances during any agreed reduction in attendance.
- It must not be used because staffing, resources or placement options are difficult. It should not be used to avoid formal exclusion procedures. A part-time timetable is used when it is necessary, proportionate and in the child's best interests.

Before reducing learning hours, schools must consider:

- Whether the child is safe when not in school.
- Supervision arrangements.
- Child protection concerns.
- Impact on family wellbeing.
- Impact on learning, friendships and belonging.
- Any risk of increased isolation.
- Transport and island context.
- Food, warmth, and poverty-related factors.
- Digital access if online learning is offered.

A part-time timetable must:

- Be used only in limited and exceptional circumstances.
- Be based on the wellbeing, needs and rights of the individual child or young person.
- Never be used as an informal exclusion or to manage behaviour.
- Be part of the staged intervention framework. An appropriate plan such as a Learning Plan, Child's Plan or Coordinated Support Plan should be used. A risk assessment may also be required.
- Be agreed with parents/carers and, wherever possible, the child or young person.
- Be time-limited, with a clear plan to increase attendance and return to full-time education where this is appropriate.
- Include arrangements for learning during any time the child or young person is not in school.
- Be accurately recorded, monitored, and reviewed.

Every part-time timetable plan must include:

- Reason for the part-time timetable (reduced learning hours).
- Evidence that alternatives have been considered.

- Start date and proposed end date.
- Exact days/times the child will attend.
- Learning to be provided when not in school.
- Named lead professional.
- Arrangements for well-being support.
- Risk assessment, where required.
- Transport considerations.
- Parent/carer agreement.
- Child or young person's views.
- Review dates.
- Plan for increasing attendance.
- Contingency plan if the arrangement is not working.

A part-time timetable should be for the shortest possible time.

## 3. Additional Support Needs and Equality

Part-time timetables must not disadvantage children because of disability or any other protected characteristics. Schools must consider reasonable adjustments under the Equality Act 2010 and additional support for learning legislation.

Where behaviour is a concern, the school must assess the child's needs and consider whether the behaviour is linked to unmet need, disability, trauma, communication, sensory needs, or mental health.

## 4. Consent Process

Before a part-time timetable is agreed, the school must:

- Complete an assessment of need using the Getting it Right for every child framework.
- Consider the child or young person's views.
- Consult parents/carers.
- Consider whether additional support needs, disability, care experience, trauma, mental health, risk, child protection, or equality duties are relevant.
- Consider whether reasonable adjustments or alternative provision could maintain full-time education.
- Prepare a written plan of what the part-time timetable will consist of and the educational provision within it including the planned reintegration of the child or young person into full-time education.
- Agree a planned date for the gradual reintegration of the child or young person into full-time education, with attendance and time in school increasing in a staged and supported manner.

Schools should consider whether reasonable adjustments, staged intervention or alternative provision could maintain full-time education before proposing a part-time timetable (reduced learning hours).

The school does not have the authority to make the final decision regarding the implementation of a part-time timetable. All proposed arrangements must be approved by the relevant Service Manager.

## 5. Review of the arrangements

The initial review meeting should take place within one week of the part-time timetable commencing. Thereafter, reviews should normally take place at least every two weeks to ensure that the arrangement remains appropriate, supportive and focused on increasing the child or young person's engagement in learning.

Where a part-time timetable continues beyond six weeks, a formal review involving the Educational Psychology Service and relevant Service Managers must take place to consider whether the arrangement remains appropriate, lawful and in the best interests of the child or young person. The Head of Service must also be notified of all part-time timetables extending beyond six weeks.

A central record of all children and young people on part-time timetables will be maintained and monitored monthly by the Service Manager team.

Where a child is on a part-time timetable and is not attending school or another agreed Council provision, this should be recorded as authorised absence.

Where the child is attending another agreed Council-arranged provision, such as college, work placement or alternative learning, this may be recorded as attendance, provided the provision is planned, agreed and monitored.

Schools must ensure that recording does not make it appear that a child is attending full-time when they are not.

## 6. Support

**Head Teachers** are responsible for ensuring that any part-time timetable is lawful, justified, recorded, reviewed and clearly linked to staged intervention.

The Lead Professional, who is the headteacher in primary and junior high schools and the Principal Teacher of Guidance in senior secondary schools, will coordinate the child's plan and ensure that both the child and their family are fully involved in the process.

**Parents/carers** should be fully involved in planning and review.

**Children and young people** should have their views sought and taken seriously, in line with age, stage and capacity.

**Orkney Islands Council** will provide advice, challenge and approval, and will monitor:

- Number of children and young people on part-time timetables and maintain a register of these.
- Duration of arrangements.
- Reasons for use.

- ASN status, care experienced status, disability and protected characteristic data where appropriate.
- School, sector and stage patterns.
- Review compliance.
- Outcomes and return to full-time learning.

This information will be used to identify patterns, strengthen inclusive practice and prevent part-time timetables (reduced learning hours) becoming normalised.

## 7. Disagreement

If parents/carers do not agree with a proposed part-time timetable, the school should arrange a meeting to discuss concerns, alternatives, and next steps. The child or young person should not be placed on a part-time timetable without clear agreement and senior review, unless there are exceptional safeguarding or wellbeing reasons requiring immediate temporary action pending senior management review.

Parents/carers should be given written information about:

- Why is the timetable proposed?
- How long will it last?
- How will learning continue?
- How will it be reviewed?
- Who to contact with concerns?

## Appendix 1 – Home Education Summary Guide for Parents

Parents or carers take responsibility for providing their child's education rather than their child attending school.

At a glance: Your child is not on the school roll. You are responsible for their education. You do not have to follow the school curriculum.

**Do I need permission?**

If your child has never attended a Council school, you would not normally need permission to home educate, although families are encouraged to let Orkney Islands Council know so that information and support can be offered.

If your child is currently on the roll of an Orkney Islands Council school, you must write to the Council to request consent to withdraw them. Your child should normally continue attending school until consent has been given.

**What information will I need to provide?**

Your general approach to your child's education and the kinds of learning opportunities you plan to provide.

Resources, activities and opportunities for interaction with other children and adults.

How your child's age, ability, aptitude and any additional support needs will be taken into account.

You do not need to be a qualified teacher, and you do not have to reproduce school at home. Different educational approaches can be equally valid.

**What happens after home education begins?**

The Council will normally make contact around once a year. The approach is intended to be collaborative and based on trust and respect. There is no requirement for a home visit; educational provision can be discussed in other appropriate ways.

If concerns arise about whether a child is receiving an efficient education suitable for their age, ability and aptitude, these will be discussed with parents and an opportunity given to address them.

**What support may be available?**

The Council is not legally required to provide resources for home education, but advice, guidance and some access to resources, activities or examination arrangements may be possible depending on circumstances and capacity.

Further information: Orkney Islands Council, tel: 01856 873535 or email - education.leisure@orkney.gov.uk

## Appendix 2 – Flexi-Schooling Summary Guide for Parents

Flexi-schooling is an agreed arrangement where a child remains enrolled at an Orkney school but attends an agreed part of the week. Parents or carers provide education during the agreed periods away from school.

At a glance: Your child stays on the school roll. Responsibility for education is shared between the school and family. Flexi-schooling is not an automatic entitlement.

### Can I request flexi-schooling?

Yes. Requests are considered individually, taking account of the child or young person's best interests, wellbeing, learning, inclusion, attendance and support needs.

### How do I apply?

Parents or carers should make a written request to the Head Teacher. The request should outline:

- Why flexi-schooling is being requested and the expected benefit for the child or young person;
- The proposed pattern of school attendance;
- The educational arrangements during time away from school; and
- Any relevant wellbeing or support information.

The school will arrange a discussion with parents or carers and, where appropriate, the child or young person. The final decision rests with Orkney Islands Council.

### If the request is agreed

A written agreement will set out school attendance, parental and school responsibilities, curriculum and assessment arrangements, communication, safeguarding and review dates. The initial arrangement will normally be for six weeks.

### How will it be reviewed?

The first review will normally take place within six weeks, followed by termly reviews unless otherwise agreed. Reviews consider attendance, progress, wellbeing, engagement, the child's views, parental feedback, and whether the arrangement remains effective.

Flexi-schooling can be changed or ended if it is no longer meeting the child or young person's needs, or if safeguarding, attendance or educational concerns arise.

Further information: Orkney Islands Council, tel: 01856 873535 or email - education.leisure@orkney.gov.uk

## Appendix 3 – Part-Time Timetables Summary Guide for Parents

A part-time timetable means a child or young person temporarily receives fewer than the recommended learning hours. It should only be used in exceptional circumstances and where it is clearly in the child's best interests.

At a glance: The school and Council remain fully responsible for education. The arrangement is temporary, planned and regularly reviewed, with a clear aim to increase engagement and return to full-time education where appropriate.

**When might a part-time timetable (reduced learning hours) be considered?**

Following significant illness, anxiety, trauma or bereavement.

As part of a carefully planned return after prolonged absence or exclusion.

Where wellbeing needs temporarily make a full school day difficult.

Where robust assessment shows a temporary reduction is necessary while further support is arranged.

A part-time timetable must not be used simply to manage behaviour, as an informal exclusion, or because of staffing, resource or placement difficulties.

**How is a decision made?**

The school must first consider the child's needs, and whether reasonable adjustments, staged intervention or alternative provision could maintain full-time education. Parents and carers must be involved, and the child's views should be sought. The arrangement must be approved by the relevant Service Manager.

**What must the written plan include?**

The reason for reduced hours, exact attendance pattern, start and end date.

Learning and wellbeing support during time out of school.

The child's and parent's views, review dates and a named lead professional.

A clear plan for increasing attendance and a contingency plan if the arrangement is not working.

**How often is it reviewed?**

The first review should take place within one week, and reviews should normally take place at least every two weeks. If reduced hours continue beyond six weeks, a formal review involving Educational Psychology and Service Managers is required.

If you do not agree with a proposed part-time timetable, the school should meet with you to discuss your concerns, alternatives and next steps.

Further information: Orkney Islands Council, tel: 01856 873535 or email - education.leisure@orkney.gov.uk.

## Appendix 4 – Information and Support Organisations

The external organisations and websites listed in this appendix are provided for information and signposting purposes only. Inclusion within this document does not constitute endorsement by Orkney Islands Council of any organisation, website, publication, service, views or advice provided.

While every effort has been made to ensure that the information contained in this appendix is accurate at the time of publication, contact details, web addresses and services may change over time. Users are encouraged to verify information directly with the relevant organisation.

Orkney Islands Council accepts no responsibility for the content, availability, accuracy or accessibility of external websites or resources referenced within this document.

**Schoolhouse Home Education Association (Scotland)**
311 Perth Road
Dundee
DD2 1LG
Email: alison@schoolhouse.org.uk
Website: https://www.schoolhouse.org.uk

**Education Otherwise**
PO Box 7420
London
N9 9SG
Website: https://www.education-otherwise.org

**Home Service**
The Hawthorns
48 Heaton Moor Road
Heaton Moor
Stockport
SK4 4NX

**Home Education Advisory Service**
PO Box 98
Welwyn Garden City
Hertfordshire
AL8 6AN
Tel and Fax: 01707 371854
Email: admin@heas.org.uk
Website: https://www.heas.org.uk

**Home Education Resource and Learning Development (HERALD)**
Kelda Cottage
Lydbrook
Gloucestershire
GL17 9SX

Northstar UK
Home - North Star Academy Trust

**Education Now**
113 Arundel Drive
Bramcote Hills
Nottingham
NG9 3FQ
Online tutors | EducationNOW

Appendix 2

# Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a proposal or changes by anticipating the consequences and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

Should you have any questions or wish for your draft EqIA to be reviewed by our Equality, Diversity and Inclusion Adviser, please contact OD@orkney.gov.uk.

| 1. Identification of the Proposal or Change | |
|---|---|
| Name of proposal or change being assessed. | Home Education, Flexi-schooling and Part-time Timetable Policy. |
| Responsible Service and Directorate. | Education, Communities and Housing. |
| Date of assessment. | 21.10.2026 |
| Is the proposal or change existing? (Please indicate if the service is to be deleted, reduced or changed significantly). | Updating the policy and pulling three strands together into one cohesive approach. The service is not to be deleted, reduced or changed significantly but updated in line with government guidance. |

| 2. Primary Information | |
|---|---|
| What are the intended outcomes of the proposal or change? | The policy sets out how Orkney Islands Council will deal with requests for home education, flexi-schooling and part-time timetables. It replaces previous guidance and brings the three areas together within a single document.<br><br>The aim is to give schools, parents and Education Service staff a consistent approach while reflecting current legislation and Scottish Government guidance. |
| Is the proposal or change strategically important? | No. |
| State who is or may be affected by this proposal or change, and how? | • Children and young people attending Orkney schools.<br>• Parents and carers. |

| | |
|---|---|
| | • School staff.<br>• Children and young people with additional support needs.<br>• Disabled children and young people.<br>• Families living in island communities. |
| How have stakeholders been involved in the development of this proposal or change? | The educational psychologists, other service managers, headteachers, parent councils and families who are home educated have been or are being involved. |
| Is there any existing data and / or research relating to equalities issues in this policy area? Please summarise.<br>E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking. | There is some national research and consultation evidence relating to equality and home education, although data on the protected characteristics of home-educated children in Scotland is limited.<br><br>The Scottish Government's 2025 Equality Impact Assessment identified a number of relevant issues. Children with additional support needs, disabilities or anxiety may be more likely to move into home education, and bullying or negative experiences of school can also be a factor. Home education may also have a greater financial impact on lower-income families and on women, who are more likely to reduce working hours or give up work to provide education at home.<br><br>The national consultation also highlighted differences in access to qualifications, services and support. These issues can be particularly relevant for rural and island families, where distance and travel costs can create additional barriers.<br><br>Overall, the evidence highlights the need for a flexible and fair approach which takes account of individual circumstances, additional support needs and the views of children and young people.<br><br>**References** |

| | |
|---|---|
| | Scottish Government (2025), *Home Education Guidance: Equality Impact Assessment*. (Equality Impact Assessment for Home education guidance - Home education guidance: equality impact assessment - gov.scot)<br><br>Scottish Government (2025), *Home Education Guidance: Island Communities Impact Assessment*. (Home education guidance: island communities impact assessment - gov.scot)<br><br>Scottish Government (2025), *Home Education Guidance Updates: Child Rights and Wellbeing Impact Assessment*. (Supporting documents - Home education guidance updates: child rights and wellbeing impact assessment - gov.scot)<br><br>Scottish Government (2023), *Home Education Guidance: Consultation Analysis Report*. (Home education guidance: consultation analysis - gov.scot) |
| Is there any existing evidence relating to socio-economic disadvantage and inequalities of outcome in this policy area? Please summarise.<br>E.g. For people living in poverty or for people of low income. See The Fairer Scotland Duty Guidance for Public Bodies for further information. | • Scottish Government Home Education Guidance (2025).<br>• Included, Engaged and Involved Part 1 (2026).<br>• Included, Engaged and Involved Part 2.<br>• Education (Scotland) Act 1980.<br>• Education (Additional Support for Learning) (Scotland) Act 2004.<br>• Equality Act 2010.<br>• Children and Young People (Scotland) Act 2014.<br>• UNCRC requirements.<br>• Current practice within Orkney's schools. |
| Could the proposal or change have a differential impact on any of the following equality areas? | Please provide any evidence – positive impacts / benefits, negative impacts and reasons: |

| | |
|---|---|
| 1. Race: this includes ethnic or national groups, colour and nationality. | The policy applies equally regardless of race or ethnicity. Schools should ensure that information is provided in a way that parents can understand and that interpreting or translation support is available where required. No negative impact has been identified. |
| 2. Sex: a man or a woman. | The policy applies equally to all children and young people. Nonegative impact has been identified. |
| 3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes. | The policy applies equally to all children and young people. No negative impact has been identified. |
| 4. Gender Reassignment: the process of transitioning from one gender to another. | The policy applies equally to all children and young people. No negative impact has been identified. |
| 5. Pregnancy and maternity. | No negative impact has been identified. |
| 6. Age: people of different ages. | The policy applies to children and young people of school age.<br><br>It requires decisions to take account of the child's age, stage of development and individual circumstances. It also makes clear that children and young people should be involved in decisions wherever appropriate.<br><br>No negative impact has been identified. |
| 7. Religion or beliefs or none (atheists). | Parents may choose home education for a range of reasons, including religious or philosophical beliefs. The policy reflects existing legislation and does not change parents' legal rights. No negative impact has been identified. |
| 8. Disability: people with disabilities (whether registered or not). | Some children who are considered for flexi-schooling or reduced learning hours may have disabilities or additional support needs.<br><br>The policy makes clear that these arrangements should not replace appropriate support or reasonable adjustments. Schools are expected to consider individual needs before |

| | |
|---|---|
| | any decision is made and continue to meet their duties under additional support for learning legislation.<br><br>The policy also requires regular review of any part-time timetable so that arrangements do not continue longer than necessary. |
| 9. Marriage and Civil Partnerships. | This characteristic is not considered relevant to the policy. |
| 10. Caring responsibilities | Pupils with care responsibilities/young carers may be affected by the policy. Home education may offer greater flexibility for a young person with caring responsibilities. However, there is also a risk that their caring role and any associated support needs may be less visible when they are not attending school. The policy should therefore ensure that the child's views, wellbeing and support needs are considered as part of ongoing contact with the family, with appropriate signposting to support where required. |
| 11. Socio-economic disadvantage. | Some families may find home education or flexi-schooling more difficult because of financial pressures, access to transport or digital connectivity. The policy cannot remove these issues, but it does require schools to consider the individual circumstances of each child before decisions are made. |
| 12. Care experienced | Care experienced children and young people may be affected by the policy. Their individual circumstances and previous experiences of education may need to be taken into account. Where a child is currently looked after by the local authority, there are additional statutory responsibilities for their care, education and wellbeing, and any decision about home education would need to be considered alongside the child's care planning and any other legal arrangements in place. The child's views should be heard and their educational needs, wellbeing and access to appropriate support considered. |

## 3. Impact Assessment

| | |
|---|---|
| Does the analysis above identify any differential impacts which need to be addressed? | No significant adverse equality impacts have been identified. |
| Does the analysis above identify any potential negative impacts? | No |

| | |
|---|---|
| Do you have enough information to make a judgement? If no, what information do you require? | The policy largely brings together existing practice into a single document and updates it to reflect current legislation and national guidance. It provides schools with clearer guidance and more consistent processes while continuing to recognise the individual circumstances of children, young people and their families.<br><br>The main consideration during implementation will be ensuring that arrangements continue to be made on an individual basis and that schools take account of their duties under equality and additional support for learning legislation. |

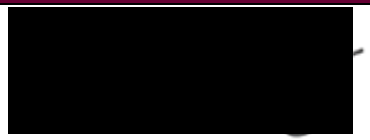
## 4. Equality Impact Assessment Action Plan

Please complete the following action plan where you have identified any differential impacts or potential negative impacts in Section 3 of the Equality Impact Assessment.

| Impact Identified | Action to be taken | Owner | How will it be monitored | Date Action to be completed |
|---|---|---|---|---|
| Potential for inconsistent practice to affect children and families differently, including those with additional support needs or other individual circumstances. | Provide schools with guidance to support consistent implementation. | Education Service | Feedback from schools and families and issues raised through implementation. | Following approval of the policy and ongoing. |

| Impact Identified | Action to be taken | Owner | How will it be monitored | Date Action to be completed |
|---|---|---|---|---|
| Children and young people with additional support needs, disabilities, caring responsibilities or care experience may require individual consideration and appropriate support. | Ensure individual circumstances, support needs and the views of the child or young person are considered when implementing the policy. | Schools/Education Service | Review through individual cases, feedback and existing support and wellbeing processes. | Ongoing. |
| Families may experience different levels of access to education, qualifications and support, particularly in rural and island communities. | Ensure families are provided with clear information about available support, services and routes to qualifications, where appropriate. | Education Service | Feedback from families and issues identified through annual contact and policy review. | Ongoing. |
| Flexi-schooling and part-time timetables could be applied inconsistently or disproportionately to particular groups of pupils. | Monitor the use of flexi-schooling and part-time timetables across the authority. | Education Service | Review of applicants and other data sets from Seemis (Local Authority Information management platform). | Ongoing. |

| Impact Identified | Action to be taken | Owner | How will it be monitored | Date Action to be completed |
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| Changes to legislation or national guidance could affect the equality implications of the policy. | Review the policy regularly to reflect changes in legislation or national guidance. | Education Service | Review of Scottish Government guidance and relevant legislation. | In line with policy review cycle or earlier if required. |
| Equality impacts may emerge as the policy is put into practice which are not currently evident from the available data. | Keep the Equality Impact Assessment under review as the policy is implemented. | Education Service | Feedback, complaints, case experience and any available equality data will be considered as part of policy review. | Ongoing and at formal policy review. |

| 5. Sign and Date | |
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| **Signature:** |  |
| **Name:** | Petra McLay |
| **Date:** | 10.10.2026 |

# Island Communities Impact Assessment

## Home Education, Flexi-schooling and Part-time Timetables Policy

| Preliminary Considerations | Response |
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| Please provide a brief description or summary of the policy, strategy or service under review for the purposes of this assessment. | The policy brings together Orkney Islands Council's arrangements for home education, flexi-schooling and part-time timetables/reduced learning hours. It sets out the legal position, responsibilities, approval and review processes, and the support and safeguards that apply across Orkney. |
| **Step 1 – Develop a clear understanding of your objectives** | **Response** |
| What are the objectives of the policy, strategy or service? | To provide clear and consistent guidance for schools, families and Education Service staff on three distinct but related arrangements: home education, flexi-schooling and part-time timetables/reduced learning hours. The policy aims to support lawful, rights-based and child-centred decision-making while allowing individual circumstances to be considered. |
| Do you need to consult? | Yes, have consulted with Headteachers, Guidance teachers, Families of Home Educated Children and officers. |
| How are islands identified for the purpose of the policy, strategy or service? | The policy applies across the Orkney Islands Council area. For this assessment, particular consideration is given to the outer isles, where geography, transport links, school size, digital connectivity and access to specialist services can differ from the Orkney Mainland. |
| What are the intended impacts/outcomes and how do these potentially differ in the islands? | The intended outcome is a consistent and fair approach across Orkney, with children's rights, wellbeing and educational interests at the centre. Families on the outer isles may experience different practical circumstances, including travel disruption, fewer local options and less immediate access to specialist services. The policy |

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| | allows these local circumstances to be taken into account without reducing the safeguards or entitlements that apply. |
| Is the policy, strategy or service new? | No This is a revised policy which replaces and updates previous guidance of home education and now includes, flexi-schooling and part-time timetables/reduced learning hours into one framework. |
| Step 2 – Gather your data and identify your stakeholders | Response |
| What data is available about the current situation in the islands? | Relevant evidence includes current practice across Orkney schools, the small rolls and staffing structures of many island schools, patterns of access to specialist services, transport and weather-related disruption, and the use of remote meetings or support where appropriate. The policy has also been informed by national legislation and Scottish Government guidance. |
| Do you need to consult? | Yes. Consultation is appropriate because the policy affects schools and families across a geographically dispersed island authority. Engagement with headteachers, Education Service staff, relevant professional services and families with experience of the arrangements helps test whether the proposed processes are workable in different island contexts. |
| How does any existing data differ between islands? | The available information indicates practical differences rather than different legal entitlements. Outer-isles communities can have smaller schools, fewer locally available services, greater reliance on ferry or air travel, weather-related disruption and variable digital connectivity. The extent of these factors varies between individual islands. |
| Are there any existing design features or mitigations in place? | The available information indicates practical differences rather than different legal entitlements. Outer-isles communities can have smaller schools, fewer locally available services, greater reliance on ferry or air travel, weather-related disruption and variable digital |

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| | connectivity. The extent of these factors varies between individual islands. |
| Step 3 – Consultation | Response |
| Who do you need to consult with? | Headteachers, Education Service managers and officers, Educational Psychology and other relevant support services should be consulted. Families and, where appropriate, children and young people with experience of home education, flexi-schooling or part-time timetables should also have opportunities to contribute. |
| How will you carry out your consultation and in what timescales? | Consultation has been undertaken during development of the policy through professional discussion and circulation of the draft for feedback. Feedback from relevant families has also been sought. Further feedback can be gathered through implementation and review of the policy. |
| What questions will you ask when considering how to address island realities? | Questions should test whether the processes are workable in small island schools; whether travel, weather or connectivity create barriers; whether families can access advice and specialist support; whether review arrangements are practical; and whether the policy provides sufficient flexibility without creating different standards or reduced safeguards. |
| What information has already been gathered through consultations and what concerns have been raised previously by island communities? | Existing professional discussion and operational experience highlight the practical realities of island delivery: travel can be weather-dependent; specialist staff are not always present on every island; smaller schools have limited staffing capacity; and online approaches are useful but not always suitable or reliable. No evidence has been identified that the policy itself would disadvantage an island community if these factors are taken into account in implementation. |
| Is your consultation robust and meaningful and sufficient to comply with the Section 7 duty? | Yes. The consultation and assessment are proportionate to the nature of the policy and have specifically considered outer-isles |

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| | circumstances. The policy does not remove or reduce existing educational entitlements; it establishes consistent processes while retaining flexibility for individual and local circumstances. Ongoing monitoring provides a further opportunity to identify any unintended island impact. |
| Step 4 – Assessment | Response |
| Does your assessment identify any unique impacts on island communities? | Yes, there are distinctive practical circumstances for some island communities, particularly the outer isles. These include reliance on ferry or air travel, weather disruption, smaller school rolls and staffing teams, less immediate access to specialist services, and variable digital connectivity. These are existing island circumstances rather than impacts created by the policy. |
| Does your assessment identify any potential barriers or wider impacts? | Potential barriers include travel to meetings, assessments or examination centres; delayed access to specialist input; limited local alternatives; pressures on small-school staffing; and reliance on digital connectivity for remote contact. Home-educated young people may also need to travel to access qualifications or examination arrangements. |
| How will you address these? | The policy addresses these issues by allowing remote meetings and flexible review arrangements where appropriate, recognising the practical realities of specialist service delivery, requiring individual circumstances to be considered, and maintaining authority-wide approval, review and monitoring arrangements. Families should be supported to consider qualification and examination access before a learner is withdrawn from school. |
| **You must now determine whether in your opinion your policy, strategy or service is likely to have an effect on an island community, which is significantly different from its effect on other communities (including other island communities).** | |

If your answer is **No** to the above question, a full ICIA will NOT be required and **you can proceed to Step 6**.

If the answer is **Yes**, an ICIA must be prepared and y**ou should proceed to Step 5**.

To form your opinion, the following questions should be considered:

- Does the evidence show different circumstances or different expectations or needs, or different experiences or outcomes (such as different levels of satisfaction, or different rates of participation)?
- Are these different effects likely?
- Are these effects significantly different?
- Could the effect amount to a disadvantage for an island community compared to the Scottish mainland or between island groups?

| Step 5 – Preparing your ICIA | Response |
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| In Step 5, you should describe the likely significantly different effect of the policy, strategy or service: | |
| Assess the extent to which you consider that the policy, strategy or service can be developed or delivered in such a manner as to improve or mitigate, for island communities, the outcomes resulting from it. | The assessment in Step 4 identifies different island circumstances, but the policy is not considered likely to have an effect on an island community that is significantly different from its effect on other communities. |
| Consider alternative delivery mechanisms and whether further consultation is required. | Existing delivery flexibility and ongoing consultation through policy review are considered sufficient at this stage. |
| Describe how these alternative delivery mechanisms will improve or mitigate outcomes for island communities. | No significantly different policy effect requiring alternative delivery mechanisms has been identified. |
| Identify resources required to improve or mitigate outcomes for island communities. | No additional resources are identified as necessary as a direct result of this assessment. Existing Education Service, school and specialist-service arrangements will support implementation. |
| Stage 6 – Making adjustments to your work | Response |
| Should delivery mechanisms/mitigations vary in different communities? | Yes, where necessary. The standards, safeguards and decision-making framework should remain consistent across Orkney, but |

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| | practical delivery may need to vary according to local transport, staffing, service availability, connectivity and individual family circumstances. |
| Do you need to consult with island communities in respect of mechanisms or mitigations? | No additional consultation is required specifically to create separate island mitigations at this stage. However, feedback from island schools, families and young people should continue to inform implementation and future review. |
| Have island circumstances been factored into the evaluation process? | Yes. Island circumstances have been explicitly considered in this assessment and should remain part of the policy's monitoring and review process. |
| Have any island-specific indicators/targets been identified that require monitoring? | No separate island-specific targets are proposed. Monitoring should, however, be capable of identifying whether the use, approval, duration or outcomes of flexi-schooling and part-time timetables differ materially between island communities or whether access issues emerge for home-educated learners. |
| How will outcomes be measured on the islands? | Outcomes will be considered through routine Education Service monitoring of home education, flexi-schooling and part-time timetable arrangements; feedback from schools and families; review of individual arrangements; and identification of any recurring issues linked to geography, transport, service access or connectivity. |
| How has the policy, strategy or service affected island communities? | As this is a new combined policy, its full effect will be assessed through implementation. The anticipated effect is positive or neutral: greater consistency and clarity across Orkney while retaining enough flexibility to respond to island circumstances. No significant adverse impact has been identified at this stage. |
| How will lessons learned in this ICIA inform future policy making and service delivery? | Any recurring island-specific barriers identified through monitoring or feedback will inform future revisions of this policy and wider Education Service planning. This will help ensure that authority-wide |

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| | policies remain consistent in principle but realistic in their delivery across different island communities. |
| Step 7 – Publishing your ICIA | Response |
| Have you presented your ICIA in an Easy Read format? | No separate Easy Read version of the ICIA is proposed at this stage. The published policy and associated information should be written as clearly and accessibly as possible, with alternative formats available on request where required. |
| Does it need to be presented in Gaelic or any other language? | There is no identified requirement for a Gaelic version specific to this policy. Translation or alternative communication support should be made available where required to ensure families can understand and engage with the policy and its processes. |
| Where will you publish your ICIA and will relevant stakeholders be able to easily access it? | The ICIA should be published alongside the policy and committee papers on the Orkney Islands Council website so that schools, families and other stakeholders can access it. Relevant Education Service communication channels can also be used to signpost the final policy. |
| Who will signoff your final ICIA and why? | Wendy Bowen, Head of Education, in accordance with Council policy. |

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| ICIA completed by: | Dr Petra McLay |
| Position: | Acting Service Manager for Secondary and Tertiary Education |
| Signature: | Petra McLay |
| Date complete: | 10 October 2026 |

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| ICIA approved by: | Wendy S Bowen |

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| Position: | Head of Education |
| Signature: | [redacted] |
| Date complete: | 20 Oct 2026 |