

PE2201/A: Introduce a legal requirement to notify parents and carers by the end of the school day when an incident involving their child occurs

Scottish Government written submission, 10 December 2025

Does the Scottish Government consider the specific ask[s] of the petition to be practical or achievable?

The petition would require the Scottish Government to legislate to introduce a duty on local authorities (it is unclear whether the petitioner envisages new duties applying to independent or grant-aided schools) to notify parents or carers by the end of the school day of an incident involving their child.

The Scottish Government's non-statutory position is set out below.

Scotland's schools should deliver a safe and consistent learning environments for staff and pupils alike.

All adults who work in schools have a responsibility to ensure the mental, emotional, social and physical wellbeing of the children and young people in their care. This is something we refer to as the 'Responsibility of All', which is in place to ensure each practitioner fulfils their role in promoting open, positive, supportive relationships across the school community.

The safety, wellbeing and dignity of our young people is also at the heart of our Getting it Right for Every Child (GIRFEC) approach. GIRFEC is about enhancing the wellbeing of all children and young people as well as building a flexible scaffold of support where it is needed, for as long as it is needed. In addition, following the introduction of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, education authorities and some schools should ensure they do not act (or fail to act) in a way which is incompatible with the UNCRC requirements. Article 28 of the UNCRC, read with article 29¹, highlights that in the context of a child's right to education, approaches to discipline must respect a child's human dignity and promote non-violence. A school must respond to behaviour in a way that respects a child's dignity.²

Paragraph 85 of the Scottish Government's guidance, [Included, Engaged and Involved Part 3: A Relationships and Rights-Based Approach to Physical Intervention in Schools](#) advises that "Parents and carers of the child or young person who was subject to restraint or seclusion should be notified at the earliest possible opportunity. This must take place as soon as possible during the school day and, exceptionally, within 24 hours of restraint or seclusion being used where it has not

¹ [General-Comment-1.pdf](#)

² [Dignity in School - Children's Parliament](#)

been possible to make contact or unless alternative contact arrangements have been agreed.”

The Scottish Government would expect schools to work with families on any issue which affected their child's safety, wellbeing, or dignity, as we know that when schools and families collaborate, children benefit from consistent messages, shared understanding, and joined-up support. It is the Cabinet Secretary's expectation that this includes contacting parents or carers in a timely manner where an incident has taken place. Schools and local authorities should already have established protocols in place to notify parents of incidents affecting their safety and wellbeing, such as when they provided first aid as a result of illness or injury.

Local authorities carry the statutory responsibility to deliver education and each local authority is responsible for the care, safety and welfare of pupils in schools under their management. It is therefore appropriate that notification protocols are developed and implemented locally.

What, if any, action the Scottish Government is currently taking to address the issues raised by this petition, and is any further action being considered that will achieve the ask[s] of this petition?

It should be noted that Daniel Johnson MSP's [Restraint and Seclusion in Schools \(Scotland\) Bill](#) includes the following provision:

“3 Duty to inform parents of use of restraint or seclusion

(1) Where a child or young person is subject to restraint or seclusion in a school, the responsible person for that school must inform the parent of the child or young person of—

(a) the fact that the child or young person has been subject to restraint or seclusion, and

(b) details of the incident giving rise to the use of restraint or seclusion in relation to the child or young person.

(2) The responsible person must inform the parent as soon as possible and, in any event, no later than 24 hours after the occurrence of the incident giving rise to the restraint or seclusion.”

The Scottish Government indicated in June 2025 that it supports the general principles of Mr Johnson's Bill.

As part of the [National Action Plan for relationships and behaviour in schools](#), a working group has been established to review current processes and mechanisms for recording different types of incidents, including bullying, violent incidents, and incidents against staff. The recording and monitoring working group have agreed to develop a set of principles to underpin recording and monitoring and support consistency in approach and process across Local Authorities and schools. This is expected to be published in Summer 2026.

Recent guidance such as [Respect for All](#), [Preventing and Responding to Gender-based violence](#), and [Addressing Racism and Racist Incidents](#) have set out

expectations regarding topic-specific recording. These documents also contain guidance on the importance of engaging effectively with parents when responding to an incident. Respect for All notes that 'effective communication and collaboration with parents are essential to building trust and prevent and respond to bullying... This includes maintaining clear reporting channels and guidelines for addressing incidents, ensuring transparency while respecting confidentiality, and keeping parents informed about how bullying incidents are handled and the outcomes of antibullying initiatives.'

Improvement, Attainment & Wellbeing Division