Education and Gaelic Committee
Support for pupils with persistent absence
Children and Young People's Commissioner Scotland

November 2026

Established by the Commissioner for Children and Young People (Scotland) Act 2003, the Commissioner is responsible for promoting and safeguarding the rights of all children and young people in Scotland, giving particular attention to the United Nations Convention on the Rights of the Child (UNCRC). The Commissioner has powers to review law, policy and practice and to take action to promote and protect rights.

The Commissioner is fully independent of the Scottish Government.

The Commissioner welcomes the Committee's interest in this topic. Learning from children who have struggled attending school is critical to understanding how to deliver a rights-based and inclusive education system. This has been an important aspect of our work on education over the past two years.

> *"I'd say the school could get more people to focus on people who have struggles and stuff early on in school and then actually be able to understand the person more, and therefore it would be easier to get them back into a classroom and to understand and to help them with that."* – young person involved in our Storylines film project.

> "*If there are 143 ways to cook an egg, surely there are infinite ways to learn and we can't be expected to do it all the same way"* – young person, Storylines project.

> *"It wasn't that I didn't want to go to school, it's that I couldn't. I kept getting told there was no reason not to go. It was all in my head."* – young person, Storylines project.

In March 2025 we published ***This is our lives, it matters a lot***, which set the views of children across Scotland in the context of children's human rights.[1] It drew on a year spent engaging with children and young people about their experiences of education, building on the consultation we undertook when preparing our 2024-2028 Strategic Plan.[2]

Our Storylines film project

> *"Work on why children skip school."* – young person, *This is our lives report.*

We recognised the importance of supplementing *This is our lives* with additional work to highlight the views of children furthest from realising their right to education, including children who were persistently absent or not in education. We worked with

[1] CYPCS, 2025. *This is our lives, it matters a lot.* https://www.cypcs.org.uk/resources/this-is-our-lives-it-matters-a-lot-putting-childrens-rights-at-the-heart-of-education/
[2] CYPCS, 2024. *Our Plan 2024-2028.* https://www.cypcs.org.uk/resources/our-plan-2024-28/

three groups of children on videos explaining their experiences and feelings about education. These groups included children in alternative provision, those with long term health conditions and those at risk of exclusion. Many had experience of persistent absence.

The result, *No one was listening, trapped by the building, the system, myself,* consists of three videos, which we would ask the Committee to watch. They are accompanied by a summary of the project and are available on our website: https://www.cypcs.org.uk/resources/children-in-alternative-education-their-experiences/

The children spoke openly about the challenges they experienced in mainstream education but also positively about what had helped them.

> *"Sometimes I feel safe, or I feel like there's people who care about me. At my school they were trying to get pillows or like a comfy chair because I find it difficult to sit in them. My guidance teacher was listening, and she contacted the council and it felt really good."* – young person, Storylines project

They spoke about school environments and structures making it difficult to learn.

> *"The teacher is going too fast. I'm trying to keep up but with the constant pain and all the noise it is too much to process at once. I feel myself falling behind and there is nothing I can do about it"* – young person, Storylines project.
>
> *"The school itself, it's chaotic and unpredictable."* – young person, Storylines project

There is much to learn about what works in alternative provision that would also benefit children and young people in mainstream school settings.

Human Rights context

Article 28 of the UNCRC places the responsibility to ensure attendance on the state and outlines the types of education that children are entitled to access. In secondary school, this includes a duty to "encourage the development of different forms of secondary education, including general and vocational education…"

In Article 29, the UNCRC presents a vision for a human rights-based, child-centred education. It requires the state to provide an education aimed at "the development of the individual child's personality, talents and abilities, in recognition of the fact that every child has unique characteristics, interests, abilities and **learning needs**".[3]

Meeting the individual learning and support needs of every child is central to the right to education. Schools have a duty to ensure that children who are not attending school regularly do not have any unmet support needs. Early and pro-active consideration of their support needs can prevent non-attendance becoming persistent.

[3] UN Committee on the Rights of the Child, 2001, *General Comment No. 1, Article 29(1) The aims of education.* https:// www.refworld.org/legal/general/crc/2001/en/39221 (our emphasis)

The state's obligations to support children to realise their right to education extends to those who are not attending school, for whatever reason. It is vital that there are forms of alternative provision available to children, whatever their needs and wherever they are in Scotland. Yet too often we hear of children who receive little or no education provision when they are not in school.

Children access a wide range of their rights in school and those who are persistently absent inevitably failed to realise more than just their right to an education (Articles 28 and 29 of the UNCRC). Access to broader rights should not, however, be conditional on school attendance. Children should be supported to continue to spend time with their peers (Article 15), to take part in leisure, sport and cultural activities (Article 31) and to access information (Articles 13 and 17).

Health services delivered through schools should have out-reach services in place for children who are not regularly attending school (Article 24). For example children who did not receive their vaccinations in school, for whatever reason, should be offered alternatives. Mental health support must be available to children not attending schools, through school-based counsellors or from other services.

Children not attending school are not necessarily at higher risk of harm and non-attendance in itself should not be considered a child protection issue, however child protection services should take account of non-attendance where a child may be at risk of harm (Article 19).

This is our lives

The key themes in *This is our lives* were culture; curriculum; personalisation and support; assessment and qualifications; and purpose. During our Storylines work, it was clear that culture, and personalisation and support are particularly relevant to the experiences of children attending alternative provision.

> *"Coming here makes my education good because all the teachers are so brilliant. They listen to me, give me a good education."* – child, *This is our lives*

School cultures vary enormously. Many children told us about schools where children's rights were respected, where children played an active part in decision making and where staff and children treated each other with respect. Schools where teachers and other staff support every children to reach their full potential. However, we also heard examples where children's rights were not respected.

> *"Mental health and education together because schools can ruin a child's mental health and then try to help but end up making it worse."* – child, *This is our lives*

> *"I'm extremely terrified to ask to go to the toilet, in case I am asked if I have a toilet pass, which I don't, so I just don't ask to go to the toilet."* – child, *This is our lives*

We heard examples where children were treated unfairly, including disabled children and those with other support needs. Children described being required to conform to rules which did not make sense, were trivial or arbitrary. These can increase

tensions within a school.[4] For a child who already faces barriers to education, or is returning after a long absence, this can increase their anxiety.

> *"Sometimes if you've got something in your hand [to help you listen/ concentrate] you get told to put it down, and if you don't do it the teacher raises their voice and shouts and tells you to put it down, but sometimes you need it to help you."* – young person, *This is our lives.*

As the Committee has already heard, children with persistent absence are very likely to have additional support needs, indeed our view is that persistent absence could be considered an additional support need in itself. Unmet additional support needs is a significant cause of persistent absence.

> *"It took a long time for teachers to realise and listen to me when I talked about my worries. It took 13 years to realise I have dyslexia."* – young person, *This is our lives.*

Children told us that, sometimes, teaching and non-teaching staff lacked the knowledge and skills to provide them with the support they needed. In some cases, this resulted in them receiving inappropriate responses to their needs.

> *"It's just actually normal for Deaf people in school to get in trouble, like trouble for not listening properly or trouble because somebody's asking you to repeat something over and over and over again."* – young person, *This is our lives.*

There have been a number of reviews undertaken on additional support for learning over recent years, including one by the predecessor of this committee. We have contributed to all of these.

Following publication of *This is our lives,* we wrote to Scottish local authorities asking for their responses to our recommendations[5]. We heard about different approaches to alternative education provision and to re-engaging children with persistent absence. This included examples of innovative practice and successful partnerships with third sector organisations. However, as local authorities themselves highlighted, much of this provision was subject to precarious funding, which limited its effectiveness. Indeed, during one visit we heard that the children and staff at a service had just heard their service was being recommended for closure.

For further information, please contact Megan Farr, Policy Officer at megan.farr@cypcs.org.uk or 07803 874 774

---

[4] Guardian, 2024. *English schools to phase out 'cruel' behaviour rules as Labour plans major education changes*. https://www.theguardian.com/education/article/2024/jul/20/english-schoolsto-phase-out-cruel-behaviour-rules-as-labour-plans-majoreducation-changes; see quote from Anne Longfield and Centre for Young Lives, 2024. *Too skint for school – breaking the link between poverty and attendance*. https://cdn.prod.website-files.com/65b6b3c3bd2e7d160db2dbc0/6749a0f54b2bfb3ef7f498b5_TSFS%20Final%20-%20Gen%20Z%20Group%20Mail.pdf

[5] CYPCS, 2026. *"This is our lives, it matters a lot." – Local authority responses* https://www.cypcs.org.uk/resources/this-is-our-lives-la-responses/