

*These notes relate to the Standards in Scotland's Schools etc. Act 2000 (asp 6) which received Royal Assent on 14 July 2000*

# **STANDARDS IN SCOTLAND'S SCHOOLS ETC. ACT 2000**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### ***Provision of school education : right of child and duty of education authority***

#### ***Section 1 – Right of child to school education***

5. In terms of section 1 of the Education (Scotland) Act 1980, education authorities are under a duty to provide education in their area. Section 1 of the Act establishes a complementary statutory right in favour of every child to have a “school education”. The establishment of the statutory right to education reflects in the domestic law of Scotland the right to education which is enshrined in the European Convention on Human Rights and in the UN Convention on the Rights of the Child, the United Kingdom being a signatory to these 2 instruments. “School education” is defined in section 1(5)(a) of the Education (Scotland) Act 1980. “School age” is defined in section 31 of the Education (Scotland) Act 1980, broadly in terms of a person being of school age if he has attained the age of 5 years and has not attained the age of 16 years. These definitions in the Education (Scotland) Act 1980 apply to the Standards in Scotland's Schools etc. Act 2000 by virtue of section 58(2) of the Act.