

Citizen Participation and Public Petitions Committee
Wednesday 21 January 2026
2nd Meeting, 2026 (Session 6)

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

Introduction

Petitioner Tamara Giacobazzi

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to place a legal duty on schools to inform parents and carers by the end of the school day if their child is involved in any incident or allegation that affects their safety, wellbeing or dignity.

Webpage <https://petitions.parliament.scot/petitions/PE2201>

1. This is a new petition that was lodged on 30 October 2025.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition collects signatures while it remains under consideration. At the time of writing, 1,145 signatures have been received on this petition.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.
6. The Committee has received a submission from the Scottish Government which is set out in **Annexe C** of this paper.

Action

7. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
January 2026

Annexe A: Summary of petition

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

Petitioner

Tamara Giacopazzi

Date Lodged

30 October 2025

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to place a legal duty on schools to inform parents and carers by the end of the school day if their child is involved in any incident or allegation that affects their safety, wellbeing or dignity.

Background information

I am the parent of a 9-year-old child with Additional Support Needs. On more than one occasion, I have not been informed in a timely manner about serious incidents involving my child at school.

When my child was hurt by a teacher, I was not told for over two weeks. During this time, my child's behaviour changed significantly, but without being told what had happened, I could not understand or provide full support.

More recently, my child was physically assaulted by a teaching assistant. I was only informed four days later, and initially told almost nothing about the situation. I later discovered that my child's hair had been pulled, that a medical check took place and that the incident was serious enough to involve the police. None of this was communicated to me at the time.

This lack of communication puts children at further risk and prevents parents and carers from supporting their child's emotional and physical wellbeing.

Annexe B: SPICe briefing on PE2201



Brief overview of issues raised by the petition

The petitioner is concerned with schools providing parents or carers information on incidents involving their child which “affects their safety, wellbeing or dignity”.

Schools will routinely provide parents or carers with information if a child has an accident or has suffered injury. Serious [injuries may be required to be reported to the Health and Safety Executive under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations](#).

Schools and local authorities are expected to develop and support strong links with parents and carers. The [statutory guidance on](#) duties under the Scottish Schools (Parental Involvement) Act 2006 states:

“Education authorities must promote the involvement of parents in the education provided generally by their child’s school. Schools should have a clear policy in place which recognises that parents and staff are partners in education and which welcomes and encourages the involvement of parents in the work of the school.”

Schools and local authorities must consider the law of delict, which deems certain conduct wrongful and may allow a claim for damages (financial compensation) in a civil court against an individual or organisation.

Negligence is a central aspect of the law of delict and can arise from unintentionally causing harm, including personal injuries. A person or body can be found negligent where various legal tests are satisfied, including that there is a ‘duty of care’ owed by the person or body being sued. The requirement that an education authority take reasonable care for the safety of pupils and provide reasonable supervision has been recognised by the courts in this context.

In addition, the Schools (Safety and Supervision) (Scotland) Regulations 1990 provide that:

“Without prejudice to any duties of education authorities arising under any statute or rule of law, every education authority . . . shall take reasonable care for the safety of pupils when under their charge.”

Separate from any possible claim for negligence, the law of delict can also enable a court action for breach of a statutory duty in some circumstances. However, it is far from the case that all statutory duties allow such court action; courts apply various principles of statutory interpretation and other legal tests to decide in each instance.

Restraint and Seclusion

The petitioner expressed concerns around parents or carers being informed following incidents where staff members are involved. The Scottish Parliament is currently considering the Restraint and Seclusion in Schools (Scotland) Bill. Section 3 of that Bill would provide for a duty to inform parents of the use of restraint or seclusion. The Bill reflects [current non-statutory national guidance which says](#):

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

Ned Sharratt & Sarah Harvie-Clark

Senior Researchers

21/11/2025

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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Annexe C: Written submission

Scottish Government written submission, 10 December 2025

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

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

¹ [General-Comment-1.pdf](#)

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

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