



School Leaving Dates

1.0 LEGAL BACKGROUND

School leaving arrangements are defined in terms of the **Education (Scotland) Act 1980**. Two dates, 31 May and the first day of the Christmas holiday period (or 21 December, if earlier) are the statutory summer and winter leaving dates in each year.

2.0 SUMMER LEAVING DATE

- a pupil whose sixteenth birthday is on or after 1 March but before 31 May can leave school on 31 May
- a pupil whose sixteenth birthday is on or after 31 May but before 1 October can leave on 31 May

3.0 WINTER LEAVING DATE

- a pupil whose sixteenth birthday is on or after 1 October but before the first day of the Christmas holiday period can leave school on the first day of the Christmas holidays (or 21 December if earlier)
- a pupil whose sixteenth birthday falls after the winter leaving date but before 1 March can leave school on the first day of the Christmas holidays (or 21 December if earlier)

4.0 ENTRY TO EMPLOYMENT

Pupils who have reached school leaving age can take up full time employment even though they may not have reached their sixteenth birthday. Certain industries may have a minimum age for entry.

Under no circumstances should a pupil of school age be allowed to leave school to take up full time employment. Apprenticeship is considered to be full time employment.

There are statutory restrictions on part-time employment of children of school age, which are defined in local bylaws. For further information please refer to Policy Guideline 3.12 on "*Part time employment of pupils*".

5.0 ENTRY TO FURTHER EDUCATION

A pupil of school age can be given exemption from school attendance to begin a full time course of Further Education. Such cases should be considered on their merit depending on the educational needs of the child and in consultation with the pupil's parents and the Principal of the Further Education College.

Head Teachers should advise the Head of Education of any pupil still of school age who wishes to begin a full time course of vocational further education.

6.0 SOCIAL SECURITY IMPLICATIONS

Any young person legally employed is covered by industrial injuries legislation whether or not they he/she has reached the age of 16. Liability for National Insurance contributions does not begin, however, until he/she reaches that age. Entitlement to unemployment, sickness and related benefits is assessed in relation to earnings and contributions from the age of 16.

A young person is not entitled to supplementary benefit in her/his own right until he/she becomes 16 although if her/his family is in receipt of benefit he/she could qualify as a dependent until the age of 16 years.

Family Allowance is payable at least until a child reaches 16, whether or not he/she has ceased to be of school age. Benefit continues, subject to appropriate regulations, after the age of 16 if a young person continues in full time education.

7.0 FURTHER INFORMATION

If further information or advice is required on any of the points outlined above, please contact:

Education, Communities and Economy
Midlothian Council
Fairfield House
Dalkeith
EH22 4ZG

0131-270-7500