



A Quick Guide for Parents: Leaving Children Home Alone

We all want to make sure that our children are safe and that we are doing the right things when we are making decisions about leaving them alone or in the care of other people. This leaflet is intended to help you make the right decisions when you are deciding what arrangements to make for the care of your children when you cannot be with them.

When does the law say that I can leave my child on his / her own?

- In Scotland the law does not give an age at which a child may be left without adult supervision, but gives parents the responsibility to make sure that the child is safe and not at risk.
- Remember that leaving a child alone – even for a short time, whether at home or in the car – will nearly always leave you open to possible investigation by the police, who may have been notified by a concerned neighbour or passer-by: so the best advice is DON'T

What is meant by risk?

- Risk means more than the possibility of physical harm, it includes emotional harm. Long hours alone can be very hard for a child to bear. Other risks can include: insufficient food and drink, lack of warmth, lack of access to adult help when needed.

What should I think about when deciding what is safe for my child?

- How old are they?
- Could they get help from someone nearby or by phone?
- Do they understand how to get emergency help?
- How long do you intend to leave them? (long hours are not advisable).

- What time of day is it? We suggest you NEVER leave a child or children unsupervised at night.
- How often does it happen? A necessary one off is more justifiable than a routine arrangement.
- Why are you leaving them? Is it unavoidable or merely so you can go out socially?
- How quickly can you get home? Is there a reliable person nearby that they can turn to?
- Have you set clear ground rules for your children? Are they sensible about rules and understand their importance?
- Have you assessed the risks and taken steps to guard against them?

Think about your home – is it safe? Have you made sure dangerous things – chip pans, power tools, dangerous substances are out of sight and reach?

If I leave my child alone what will happen?

- People worry when they see a child alone, and it is fairly common for the police to be contacted. **The police have a low threshold of tolerance for children being left alone, and can charge parents with neglect.** Currently the legislation that applies is s12 of the Children and Young People (Scotland) Act 1937. It is up to the prosecuting authority (normally the Procurator Fiscal) to decide if the case should go to the criminal court.
- If the situation was unsafe, parents are likely to find that they do face criminal proceedings. This can have consequences as these offences can affect employment. The police also normally notify social services. If social services have concerns they will follow child protection measures which can include referral to the children's reporter. Also if a parent is charged with neglect of a child then a report will be sent to the children's reporter. The reporter may bring the child to a children's hearing ("the panel") which has the power to put your child under the supervision of social work and even, in serious situations, authorise the child's removal from your care. You can find out more about the Children's Reporter here: [The Children's Hearing System](#)

Baby Sitters

If you cannot be with your children yourself, the obvious alternative is to leave them with a trusted person. The law does not require that a private arrangement be regulated or that the person has a PVG or a Disclosure

Certificate as long as it is not a professional arrangement where money is paid for the service. In choosing a baby sitter you should think about things like:

- How well do I know them, and do the children know and trust them?
- Have I made clear ground rules?
- If the children are to go to the baby sitter's house – am I happy with that and am I happy with the house?
- Will they use appropriate discipline? NEVER use physical punishment.

At what age can a child babysit?

Because there is no age in law you should consider the same factors as when you are leaving a child alone. **It is almost never safe to leave a child in the care of a child.** You should also consider any risks for the young babysitter!

We recommend that if you are going to allow a child to babysit, you do so only for brief periods and never at night, and they should never take the child out. Remember, if anything goes wrong you are leaving that babysitter with a huge responsibility. Is an older child equipped to deal with that?

What should I know about childminders?

If you wish to use a childminder, your Local Authority will have a list of registered childminders. The Care Inspectorate will have checked them and their homes, and they will have to have a current PVG or Disclosure Certificate which should give you some peace of mind. For child minding organisations and info: www.childminding.org.uk

Can I pay a family member to mind my children?

Yes, and they do not have to have a PVG or Disclosure Certificate. Family members can be ideal as carers. You should think about how well they can cope though, as an elderly or ill person maybe struggle to cope in an emergency. Even if they are family be aware of drug or alcohol misuse or a criminal record and think carefully based on what you know about it.

What if my friend and I want to take turns caring for the children?

If you and a friend or friends want to enter into an informal arrangement you do not need to do anything official. If it ends up that you are paying one of the friends to do it then that does require that person to go through the formal child minding regulations. Keep in mind how reliable and trustworthy your friend/s may be.

What about if my child is outside my home?

If your child is away from the home you are still responsible for their safety unless they are in the charge of a club, school or other organisation. So, if you allow your child out to play, which is a normal part of childhood, know where they are, be confident that they know how to keep safe, and how to get help. Routinely keep in touch with them too. Think about safety when they are travelling to school and activities.

What about other solutions?

Clubs, activities and breakfast/after-school clubs are a good alternative to child care, or leaving your child alone. You can get details from your child's school or nursery, your local child and family centre, or your local Citizen's Advice Bureau.

Further advice;

For free legal advice you can contact the Scottish Law Centre:

Advice Line: **0131 667 6333** Mon-Fri 9.30am – 4.00pm

Under 21's freephone: **0800 328 8970**

Email: enquiries@sclc.org.uk

Website: www.sclc.org.uk



General Enquiries on guide content to South Lanarkshire Child Protection Committee by email: publicprotectionoffice@southlanarkshire.gcsx.gov.uk