

EXECUTIVE NOTE

THE EDUCATION (SCHOOL AND PLACING INFORMATION) (SCOTLAND) REGULATIONS 2012

SSI 2012/130

Powers under which the Instrument is made

1. The Education (School and Placing Information) (Scotland) Regulations 2012 (“these Regulations”) are made by the Scottish Ministers in exercise of the powers conferred by sections 2 and 28B (1)(a)(ii) and (3) of the Education (Scotland) Act 1980.

Parliamentary procedure

2. These Regulations are subject to negative procedure in the Scottish Parliament.

Policy Objectives

3. The Education (School and Placing Information) (Scotland) Regulations 1982 (“the 1982 Regulations”) set out the arrangements for placing requests for places in schools under the management of an education authority and for supplying and making available information about schools under the management of an authority to parents and other carers of children. The information is categorised into three types, basic information, school information and supplementary information. School information is presented in the form of the School Handbook. Given the major changes in Scottish education since 1982, particularly the introduction of the Curriculum for Excellence in August 2010 and further changes planned for the National Qualifications, there is a need to change the existing School Handbook requirements to bring them up to date with these recent developments. It is also envisaged that reviewing the 1982 Regulations will allow scope for rescheduling a wider set of education statistical collections by the Scottish Government.

4. These Regulations make new provisions relating to the School Handbook. Given that the 1982 Regulations have been amended five times to date, the Scottish Ministers have taken the opportunity in making these Regulations to consolidate the 1982 Regulations with amendments. The substantive amendments being made relate to the form and content of the School Handbook and the way in which it is supplied or made available. Amendments are also being made to modernise and clarify the original provisions of the 1982 Regulations. There is no substantial change in the effect of the provisions relating to placing request arrangements.

5. These Regulations place duties and confer powers upon local authorities to provide and make available information relating to schools. The substantive amendments made to the original provisions in the 1982 Regulations which have been consolidated are as follows.

6. The kinds of school information to be contained in the School Handbook are prescribed in Part II of Schedule 1 to the 2012 Regulations. These have been changed to reflect a demand from stakeholders to include provision to provide parents and other carers of children with information about the school curriculum, now the Curriculum for Excellence, information about school ethos and improvement and opportunities for parents to be involved with supporting their child's learning. The requirement to include in the School Handbook the national averages for specific statistical measures such as school budgeted running costs has been removed.

7. Regulation 9 includes a new duty for local authorities to make the School Handbook available online and also to provide the School Handbook to a parent or other carer of children who requests it in alternative format, if reasonable to do so. Regulation 11 which places a duty on local authorities to review and revise documents containing basic and school information, including the School Handbook, also places a new duty on local authorities to make the School Handbook available online.

8. The modernisation of the original 1982 Regulations includes making provision for contact details to include an email address, for example at regulation 7(4)(b), and updating information about schools to be provided to include the website address of schools or relevant organisations such as the Parent Council.

Consultation

9. There is no statutory requirement to consult when using the enabling powers referred to above. However, full public consultation took place between November 2010 and March 2011 involving parents, other carers of children and other key stakeholders on the School Handbook provisions of the 1982 Regulations. The findings provide evidence of the demand for changes to the current School Handbook requirements in line with the changes in Scottish education under the Curriculum for Excellence. The findings also support the reduction in national data collection in line with the Scottish Government statistical collections review. In addition, the Scottish Government has consulted local authorities and key stakeholders on the draft proposals and will work with them closely as the guidance on changes to School Handbooks is prepared.

Impact Assessments

10. An equality impact assessment has been completed on the School Handbook review and is attached. The public consultation included a number of focus groups targeting parents and other carers of children with specific needs and interests and their views have informed the proposed changes to the School Handbook requirements.

Financial Effects

11. The Minister for Learning, Science and Scotland's Languages confirms that no Business and Regulatory Impact Assessment is necessary as these Regulations

have no significant financial effects on the Scottish Government, local government or on private and voluntary sectors.

Scottish Government
Learning Directorate

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