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STATUTORY INSTRUMENTS

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**1993 No. 1604 (S.201)**

**EDUCATION, SCOTLAND**

**The Education (School and Placing Information)  
(Scotland) Amendment, Etc., Regulations 1993**

<i>Made</i>	- - - -	<i>23rd June 1993</i>
<i>Laid before Parliament</i>		<i>6th July 1993</i>
<i>Coming into force</i>		
<i>For the purposes of     regulations 4 and 7</i>		<i>2nd August 1993</i>
<i>For all other purposes</i>		<i>15th December 1993</i>

The Secretary of State, in exercise of the powers conferred on him by sections 2, 28B(1)(a)(ii) and (3) and 135(1) of the Education (Scotland) Act 1980(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Education (School and Placing Information) (Scotland) Amendment, Etc., Regulations 1993, and shall come into force for the purposes of regulations 4 and 7 on 2nd August 1993 and for all other purposes on 15th December 1993.

(2) In these regulations, “the principal Regulations” means the Education (School and Placing Information) (Scotland) Regulations 1982(2).

(3) Except where the context otherwise requires, a regulation, schedule, paragraph or sub-paragraph referred to in these Regulations by number means the regulation, schedule, paragraph or sub-paragraph so numbered in the principal Regulations.

**Amendment of the principal Regulations**

2. In regulation 9(3) (duty to supply or make school information available to certain parents at certain places), after the words “by a parent”, there shall be inserted the words “or a pupil over school age in attendance at the school”.

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(1) 1980 c. 44; section 2 was amended by section 69(1) of the Self-Governing Schools etc. (Scotland) Act 1989 (c. 39); section 28B was inserted by section 1(1) of the Education (Scotland) Act 1981 (c. 58); and section 135(1) contains the definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made.  
(2) S.I. 1982/950, amended by S.I. 1990/181.

3. For regulation 10 (form in which school information to be made available), there shall be substituted the following regulation:–

“Form in which school information to be published or otherwise made available

**10.**—(1) School information required to be supplied or made available in accordance with regulation 9 shall be so supplied or made available in writing in the form of a document to be known as the school handbook, and may be so supplied or made available along with such other information as the authority may think fit.

(2) School information of the kinds specified in paragraph 2(kk), (q)(iii), (r), (s), (t), (u) and (v) of Part II of Schedule 1 shall be set out in the school handbook in such form as the Secretary of State may determine.”.

4. In regulation 13 (supplementary provisions)–

(a) in paragraph (2), for the words “and in particular but without prejudice to that generality”, there shall be substituted the words “, without prejudice to this generality reviewing and revising a document in so far as it contains school information by 8th December in each calendar year, but without prejudice to the foregoing”; and

(b) after paragraph (2), there shall be inserted the following paragraph:–

“(2A) By 8th December in each calendar year each education authority shall notify a parent of each pupil in attendance at each school that a school handbook containing revised school information in relation to the school which such pupil attends will be available from and including 15th December in that year, and that a copy will be available, or may be inspected or referred to at the school during working hours on any working day at the school, and that free of charge, on request to the school.”.

5. For regulation 15 (supplementary provisions), there shall be substituted the following regulation:–

**15.**—(1) Where an education authority are required by these Regulations to notify a parent of a pupil of the availability of a school handbook containing revised school information, or to supply or make available information in writing to a parent, and a child of such parent is in attendance at a school other than a special school, they shall be deemed to have complied with that requirement if they secure that such notification or information in writing is handed to that child for delivery to his parent, or, in the case of a parent of a number of children in attendance at the same school, to one such child for delivery to such parent.

(2) Nothing in regulation 6, 9(2) or 13(2A) shall require an education authority to supply the same basic information or school information to the same person on more than one occasion in any school year.

(3) Where a percentage which falls to be calculated by virtue of these Regulations is not a whole number it shall be rounded to the nearest whole number, the fraction of one half being rounded upwards to the next whole number.”.

6. Paragraph 2 in Part II (school information) of Schedule 1 shall have effect subject to the amendments contained in the Schedule hereto.

### **Consequential amendment to the Schools General (Scotland) Regulations 1975**

7. Paragraph 5 (attendance register) of Schedule 1 to the Schools General (Scotland) Regulations 1975(3) shall be amended as follows:–

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(3) S.I. 1975/1135, to which there are amendments not relevant to these Regulations.

- (a) in sub-paragraph (1), there shall be inserted before the end—  
“, and, except in the case of pupils in stage S6, whether such absence is authorised or unauthorised”; and
- (b) for sub-paragraph (2), there shall be substituted the following sub-paragraph:—  
“(2) For the purposes of sub-paragraph (1), a pupil’s absence shall be recorded as authorised where the education authority consider that he is absent with reasonable excuse within the meaning of section 42 of the Education (Scotland) Act 1980(4), or is in receipt of a current exemption from school attendance under section 34 of that Act, but otherwise such absence shall be recorded as unauthorised.”.

### **Exception for information based on small numbers**

**8.** Nothing in any provision of the principal Regulations so far as amended or substituted by these Regulations, shall require any person to publish, or otherwise make publicly available, any figure, or percentage, relating to pupils in attendance at a school which falls to be calculated by reference to one or more but less than five such pupils.

St Andrew’s House,  
Edinburgh  
23rd June 1993

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State, Scottish  
Office

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(4) Section 42 was amended by section 2(1) of the Education (Scotland) Act 1981.

SCHEDULE

Regulation 6

AMENDMENTS TO PARAGRAPH 2 IN PART II (SCHOOL INFORMATION) OF SCHEDULE 1 TO THE PRINCIPAL REGULATIONS

1. For sub-paragraph (f), there shall be substituted the following sub-paragraph:–
  - “(f) the types of special educational needs catered for and specialist services provided in the school, and school policy in relation to pupils with special educational needs;”.
2. After sub-paragraph (f), there shall be inserted the following sub-paragraphs:–
  - “(ff) in the case of a school other than a nursery school, whether there are pupils in attendance at the school with a Record of Needs and if so–
    - (i) whether the school is a special school or has a special class or unit; and
    - (ii) the number of such pupils;
  - (fff) in the case of a school other than a nursery school, school policy in relation to the development of pupils' spiritual, moral, social and cultural values;”.
3. After sub-paragraph (k), there shall be inserted the following sub-paragraph:–
  - “(kk) in the case of a school other than a nursery school or a special school (not being a special class, or unit, forming part of a school) with residential pupils, and as regards school information included in the school handbook reviewed and revised in accordance with regulation 13(2) by 8th December 1994 and thereafter–
    - (i) the number of pupils other than pupils in stage S6 who are recorded in the attendance register kept at the school as absent for any period during the most recent school year, distinguishing those whose absence is recorded as authorised from those whose absence is recorded as unauthorised, distinguishing also the total such number for all stages other than stage S6 and the total such number for each such separate stage, and such total numbers being expressed respectively as a percentage of the total number of possible attendances in that school year for all pupils of the school other than pupils in stage S6 and a percentage of the total number of possible attendances in that school year for all pupils in the relevant stage, each morning and afternoon of each school day being a separate possible attendance;
    - (ii) the average figures which correspond to those in head (i) for all such schools situated in the education authority's area which are under the management of the education authority or which are grant-aided schools, and such average figures for all such schools situated in Scotland which are under the management of an education authority or which are grant-aided schools; but for the purposes of this head “schools” shall not include a special school (not being a special class, or unit, forming part of a school), whether under the management of an education authority or a grant-aided special school,  
except that in the case of such a special school–
      - (a) where the pupils in that school are not allocated to such separate stages, head (i) shall not apply to the extent that it requires separate information to be given for separate stages; and
      - (b) head (ii) shall not apply;”.
4. In sub-paragraph (q), the words “, other than a special school,” shall be deleted.
5. After sub-paragraph (q), there shall be inserted the following sub-paragraphs:–

- “(r) in the case of a school, other than a special school (not being a special class, or unit, forming part of a school), making provision for pupils in stages S4, S5 or S6, the percentage of pupils in certain stages in each of the three most recent school years attaining certain certificates and falling into certain categories and the percentage of pupils in certain stages in each of those years achieving certain vocational modules of study and falling into certain categories and the number of group awards achieved, namely–
- (i) the percentage in stage S4 attaining three or more Standard grade certificates from the Scottish Examination Board, shown separately as three collective groups of those that attained such certificates within grades one to two, those that attained such certificates within grades one to four and those that attained such certificates within grades one to six, the percentage being calculated by reference to the number of pupils in stage S4 as reported in the school census in the first term of the school year;
  - (ii) the percentage in stage S5 attaining one or more Higher grade certificates from the Scottish Examination Board, shown as a collective group of those that attained such certificates within grades A to C, the percentage being calculated by reference to the number of pupils in stage S4 as reported in the school census in the first term of the preceding school year;
  - (iii) the percentage in stage S5 attaining three or more Higher grade certificates from the Scottish Examination Board, shown as a collective group of those that attained such certificates within grades A to C, the percentage being calculated by reference to the number of pupils in stage S4 as reported in the school census in the first term of the preceding school year;
  - (iv) the percentage in stage S6 attaining two or more Higher grade certificates from the Scottish Examination Board, shown as a collective group of those that attained such certificates within grades A to C, the percentage being calculated by reference to the number of pupils in stage S4 as reported in the school census in the first term of the school year commencing two years previously;
  - (v) the percentage in stage S6 attaining one or more Certificates of Sixth Year Studies from the Scottish Examination Board, shown as a collective group of those that attained such certificates within grades A to C, the percentage being calculated by reference to the number of pupils in stage S4 as reported in the school census in the first term of the school year commencing two years previously;
  - (vi) in respect of modules of study for vocational qualifications awarded by the Scottish Vocational Education Council–
    - (a) the total number of pupils in stages S3 and S4 as reported in the school census in the first term of the school year and the percentage of those pupils achieving such modules, shown separately as two collective groups of those that achieved one or more such modules and those that achieved three or more such modules;
    - (b) the total number of pupils in stages S5 and S6 as reported in the school census in the first term of the school year and the percentage of those pupils achieving such modules, shown separately as two collective groups of those that achieved one or more such modules and those that achieved three or more such modules;
    - (c) the number of pupils achieving a group of such modules validated by the Scottish Vocational Education Council as a group award, shown as two collective groups of those in stages S3 and S4 and those in stages S5 and S6;

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- (vii) the average figures which correspond to those referred to in heads (i) to (vi) for all such schools situated in the education authority's area which are under the management of the education authority or which are grant-aided schools, and such average figures for all such schools situated in Scotland which are under the management of an education authority or which are grant-aided schools,
  - except that where a pupil is presented for an examination at Standard grade in the same subject at more than one level, the information of the kind specified in head (i) relating to Standard grade certificates shall take account only of the highest grade attained;
- (s) in the case of a special school (not being a special class, or unit, forming part of a school), the number of pupils aged twelve years and over who were in the school in each of the three most recent school years, as reported in the school census in the first term of each of those years, and the number of such pupils in each of those years attaining certain certificates and falling into certain categories and the number of such pupils in each of those years achieving certain vocational modules of study and falling into certain categories, namely—
  - (i) the number attaining one or more Standard grade certificates from the Scottish Examination Board, shown separately as three collective groups of those that attained such certificates within grades one to two, those that attained such certificates within grades one to four and those that attained such certificates within grades one to six;
  - (ii) the number attaining one or more Higher grade certificates from the Scottish Examination Board, shown as a collective group of those that attained such certificates within grades A to C;
  - (iii) the number attaining three or more Higher grade certificates from the Scottish Examination Board, shown as a collective group of those that attained such certificates within grades A to C;
  - (iv) the number attaining one or more Certificates of Sixth Year Studies from the Scottish Examination Board, shown as a collective group of those that attained such certificates within grades A to C;
  - (v) in respect of modules of study for vocational qualifications awarded by the Scottish Vocational Education Council—
- (a) the number achieving such modules, shown separately as two collective groups of those that achieved one or more such modules and those that achieved three or more such modules;
- (b) the number achieving a group of such modules validated by the Scottish Vocational Education Council as a group award;
  - except that where a pupil is presented for an examination at Standard grade in the same subject at more than one level, the information of the kind specified in head (i) relating to Standard grade certificates shall take account only of the highest grade attained;
- (t) in the case of a school, other than a special school (not being a special class, or unit, forming part of a school), making provision for pupils continuing with school education after stage S4—
  - (i) the number of pupils in stage S5 at the commencement of the second term of each of the three most recent school years expressed as a percentage of the number of pupils in stage S4 as reported in the school census in the first term of the preceding school year;

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- (ii) the average figures which correspond to those referred to in head (i) for all such schools situated in the education authority's area which are under the management of the education authority or which are grant-aided schools, and such average figures for all such schools situated in Scotland which are under the management of an education authority or which are grant-aided schools;
- (u) in the case of a school making provision for pupils in stages S4, S5 or S6, or a special school (not being a special class, or unit, forming part of a school), the total number of pupils leaving school during or at the end of the most recent school year on ceasing school education and the number of such pupils whose destination after so leaving falls within each of the following categories, expressed as a percentage of the total number of pupils so leaving—
  - (i) undertaking higher education within the meaning of section 38 of the Further and Higher Education (Scotland) Act 1992<sup>(5)</sup> on a full-time basis, namely ordinarily involving periods of study or tuition which amount, in aggregate, to an average of at least 21 hours a week;
  - (ii) undertaking on a full-time basis within the meaning of head (i) a course of further education, not being a course falling within that head;
  - (iii) undertaking a course of training and not in employment as mentioned in head (iv);
  - (iv) in employment, namely employed for 21 hours or more a week in return for remuneration in money;
  - (v) other destination known to the education authority;
  - (vi) destination unknown to the education authority,
    - (the information as to destinations to be based on the most recent destinations known to the education authority, and a pupil falling within more than one of the categories in heads (i) to (vi) being counted under the head relevant to the category which appears to represent his main activity and not under any other head); and in the case of a school making such provision, other than a special school (not being a special class, or unit, forming part of a school), the average figures which correspond to those referred to in this paragraph for all such schools which are situated in the education authority's area and which are under the management of the education authority or are grant-aided schools, and such average figures for all such schools which are situated in Scotland and which are under the management of an education authority or are grant-aided schools (the reference to destinations known to the education authority being construed as regards grant-aided schools as a reference to destinations known to the managers of the school concerned);
- (v) in the case of a school other than a nursery school or a special school (not being a special class, or unit, forming part of a school) with residential pupils—
  - (i) the budgeted cost of the education provided by the school for the current financial year, expressed on a per pupil basis, which, as regards a school in respect of which a School Board is established shall be the total expenditure for all running costs included in the budget statement for that school for that financial year, and as regards a school in respect of which no School Board is established shall be the total expenditure for all running costs which would have been included in such budget statement if a School Board had been

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(5) 1992 c. 37.

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established for the school with the exception of School Board related costs, the total expenditure in each case being divided by the total number of pupils as reported in the school census in the first term of the school year which began in the current financial year, “financial year” and “budget statement” for the purposes of this paragraph having the meaning assigned to them respectively by section 22(2) of the School Boards (Scotland) Act 1988<sup>(6)</sup> and regulation 2 of the School Boards (Financial Information) (Scotland) Regulations 1990<sup>(7)</sup>;

(ii) except in the case of a special school (not being a special class, or unit, forming part of a school), the average budgeted cost, expressed on a per pupil basis, of the education provided for the current financial year by all similar schools, namely—

- (a) schools for the provision of primary education, or
- (b) schools for the provision of secondary education,

as the case may be, which are situated in the education authority’s area and which are under the management of the education authority or are grant-aided schools, and such average budgeted cost for all such similar schools, as the case may be, which are situated in Scotland and which are under the management of an education authority or are grant-aided schools, “budgeted cost” for the purposes of this head having the meaning attributed to that term by head (i), and a grant-aided school being treated for this purpose like a school for which no School Board is established;”.

6. Sub-paragraphs (r) to (u) shall be renumbered respectively (w) to (z).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the provisions of the Education (School and Placing Information) (Scotland) Regulations 1982 (“the principal Regulations”) which relate to the supply and availability of information as to schools. They also make a consequential amendment to the Schools General (Scotland) Regulations 1975.

Regulation 2 extends the provision of the principal Regulations for making school information available at the school for inspection by parents to include inspection by pupils over school age.

Regulation 3 provides that where school information is required to be supplied or made available under the Regulations it will be provided in the form of a school handbook, instead of the variety of forms previously competent.

Regulation 4 provides for the updating of school information and notification to parents of its availability by 8th December in each year.

Regulation 5 amends the procedure for supply of information, extends it to notification of availability of information, and inserts other supplementary provisions.

Regulation 6 amends the Schedule to the principal Regulations to provide for additional school information to be made available. Certain statistical information will have to be given for the

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<sup>(6)</sup> 1988 c. 47.

<sup>(7)</sup> S.I. 1990/1277.



particular school together with average figures for all schools, excluding special schools, in the education authority's area and all such schools in Scotland. This information relates—

- (a) for all schools other than nursery schools or special schools with residential pupils, to authorised and unauthorised absences;
- (b) for schools making provision for pupils in stages S4, S5 or S6, and for special schools, to results obtained in certain external examinations or awards;
- (c) for all schools, other than special schools, making provision for pupils continuing with school education after stage S4, to the percentage of such pupils in stage S5;
- (d) for schools making provision for pupils in stages S4, S5 or S6, and for special schools, to pupils leaving school on ceasing school education and their destinations;
- (e) for all schools other than nursery schools or special schools with residential pupils, to budgeted costs per pupil.

In addition, all schools, including special schools, will have to give information as to provision made for pupils with special educational needs, and information as to pupils with a Record of Needs, and all schools but nursery schools will have to give information as to school policy in relation to development of pupils' spiritual, moral, social and cultural values. Special schools will not be required to publish average figures.

Regulation 7 amends the Schools General (Scotland) Regulations 1975 to provide for attendance registers to distinguish authorised and unauthorised absences.

Regulation 8 allows schools not to publish certain figures or percentages (relating to pupils) which fall to be calculated by reference to one or more but less than five pupils.