
STATUTORY INSTRUMENTS

1994 No. 351

**The Self-Governing Schools (Application and
Amendment of Regulations) (Scotland) Regulations 1994**

PART II

**APPLICATION OF REGULATIONS CONCERNING
PUBLIC SCHOOLS TO SELF-GOVERNING SCHOOLS**

Application of the Schools (Scotland) Code 1956

2. The Schools (Scotland) Code 1956((1)) shall be amended by insertion of the following regulation:—

“SELF-GOVERNING SCHOOLS

Application of Code to self-governing schools

24A. This Code shall apply to the board of management of a self-governing school as it applies to an education authority, and to a self-governing school as it applies to a public school.”.

**Application of the School Premises (General Requirements and Standards) (Scotland)
Regulations 1967**

3. The School Premises (General Requirements and Standards)(Scotland) Regulations 1967(2) shall be amended by insertion of the following Part and regulation:—

“PART V

SELF-GOVERNING SCHOOLS

Application of Regulations to self-governing schools

27. These Regulations shall apply to the premises and equipment of self-governing schools as they apply to the premises and equipment of public schools.”.

(1) S.I.1956/894, amended by S.I.s 1959/476, 1965/55, 1965/940, 1967/1162, 1968/1055, 1971/1079, 1972/776, 1975/1135 and 1982/57.
(2) S.I. 1967/1199, amended by S.I.s 1973/322, 1976/475, 1979/1186 and 1982/965.

Application of the Schools General (Scotland) Regulations 1975

4. The Schools General (Scotland) Regulations 1975((3)) shall be amended by insertion of the following Part and regulation:—

“PART IVA SELF-GOVERNING SCHOOLS

Application of Regulations to self-governing schools

13A. These Regulations shall apply to the board of management of a self-governing school and the school under their management, as they apply to an education authority and a school under the management of an education authority, subject to the modifications that—

- (a) for any reference to an education authority discharging their functions under the Education (Scotland) Act 1980 (“the 1980 Act”), there shall be substituted a reference to the board of management of a self-governing school discharging their functions under the Self-governing Schools etc. (Scotland) Act 1989 (“the 1989 Act”);
- (b) for any reference to a right or wish to refer, or to a reference of, a decision to exclude a pupil in accordance with section 28H of the 1980 Act to an appeal committee set up and maintained under section 28D of that Act, there shall be substituted a reference to a right or wish to refer, or to a reference of, as the case may be, a decision to exclude a pupil in accordance with paragraph 3 of Schedule 2 to the 1989 Act to the appeal committee constituted for the school under the articles of management of the school(4); and
- (c) for any reference to the decision of an appeal committee on a reference under subsection (1) of the said section 28H, or to the decision of a sheriff on appeal under subsection (6) of that section, there shall be substituted respectively a reference to the decision of the appeal committee on a reference under paragraph 3 of the said Schedule 2 and a reference to the decision of a sheriff on appeal under paragraph 6 of that Schedule.”.

Application of the Schools (safety and Supervision of Pupils)(Scotland)Regulations 1990

5. The Schools (Safety and Supervision of Pupils)(Scotland)Regulations 1990(5) shall be amended by insertion of the following regulation:—

“Application of Regulations to self-governing schools

5. These Regulations shall apply to the board of mangement of a self-governing school and the school under their management, as they apply to an education authority and a school under the management of an education authority,”.

(3) S.I. [1975/1135](#), amended by S.I.s [1982/56](#), [1982/1735](#), [1987/290](#), [1990/1551](#) and [1993/1604](#).

(4) The articles of management form part of the scheme of government for a self-governing school made by order of the Secretary of State under section 2(2) of the 1989 Act; see in relation to the appeal committee section 7(9) and paragraph 2(b) of Part II of Schedule 1 to that Act.

(5) S.I. [1990/295](#).

Application of the School Pupil Records (Scotland) Regulations 1990

6. The School Pupil Records (Scotland) Regulations 1990 (6) shall be amended by insertion of the following regulation:—

“Application of Regulations to self-governing schools

11A. These Regulations shall apply to the board of management of a self-governing school as they apply to an education authority, subject to the modifications that—

- (a) for the purposes of regulation 3(1) (information to which regulations apply), subject to the following paragraphs of that regulation, the information to which these Regulations apply is personal information which—
 - (i) is held in a pupil’s progress record kept in accordance with the Schools General (Scotland) Regulations 1975, or in any other record kept, by the board of management of a self-governing school for the purpose of the discharge of their functions under section 7(1) of the Self-Governing Schools etc. (Scotland) Act 1989 to provide suitable and efficient school education at the school; and
 - (ii) relates to a person who receives, or has received, school education provided by the board of management; and
- (b) for the purposes of regulation 11 (review of decisions), review of a decision shall be by the board of management, no member of the board who took part in making the decision to be reviewed being present during, or participating in, the review.”.

Application of the Education (Provision of Information as to Schools)(Scotland) Regulations 1993

7. The Education (Provision of Information as to Schools)(Scotland) Regulations 1993 (7) shall be amended by insertion of the following regulation:—

“Application of regulations of self-governing schools

4. These Regulations shall apply to the board of management of a self-governing school and the school under their management, as they apply to an education authority and a school for the management of which an education authority are responsible, subject to the modification that, for the purposes of paragraph 6 of the Schedule hereto, a self-governing school shall be treated like a school for which no School Board is established.”.

(6) S.I. 1990/1551.
(7) S.I. 1993/1605.