

EXECUTIVE NOTE

THE EDUCATION (PROVISION OF INFORMATION AS TO SCHOOLS) (SCOTLAND) REVOCATION REGULATIONS 2012

SSI 2012/129

Powers under which the Instrument is made

1. The Education (Provision of Information as to Schools) (Scotland) Revocation Regulations 2012 are made in exercise of the powers conferred by sections 28I (1), (4) and (9) and 135 (1) of the Education (Scotland) Act 1980.

Parliamentary procedure

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

Policy Objectives

3. These Regulations revoke the Education (Provision of Information as to Schools) (Scotland) Regulations 1993 (“the 1993 Regulations”). The 1993 Regulations require education authorities, managers of independent schools and managers of grant-aided schools to provide specific information to the Scottish Ministers by certain dates annually. The information relates to attendances, attainment of qualifications, the number of pupils leaving school and their destinations, numbers of pupils with record of needs and school budgeted running costs. This data is submitted to Scottish Ministers to produce national average figures which are then supplied to local authorities for the inclusion in the School Handbooks.

4. The School Handbook is the publication by which local authorities are required to provide parents with school information. The School Handbook requirements which are set out in the Education (School and Placing Information) (Scotland) Regulations 1982 (“the 1982 Regulations”) are being amended and the 1982 Regulations are being consolidated (with amendments) by the Education (School and Placing Information) (Scotland) Regulations 2012 (“the 2012 Regulations”).

5. The changes to the School Handbook requirements will result in different information being published in School Handbooks, for example information about the curriculum, school ethos and improvement and opportunities for parental involvement for parents to support their child’s learning effectively. The School Handbooks will still require information on attainment and achievement of pupils and their leaver destinations. The national average figures compiled from the information required to be submitted to Scottish Ministers under the 1993 Regulations will no longer be contained in the School Handbooks published from 15 December 2012 and the collection of this data for the purpose of the School Handbook will cease, in line with

the Scottish Government statistical collections review. In light of the above changes to the School Handbook requirements affecting schools managed by education authorities, it is appropriate to end the requirement placed upon independent and grant aided schools to supply similar information to that supplied under the 1982 Regulations. It follows therefore that the 1993 Regulations will become obsolete and as such it is appropriate to revoke them.

Consultation

6. 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 in 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

6. 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

7. 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 the private and voluntary sectors. There will be reduced burden on local authorities with respect to reducing the statistical collections for the Scottish Government in relation to the School Handbooks.

Scottish Government
Learning Directorate

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