
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 130

The Education (School and Placing Information) (Scotland) Regulations 2012

GENERAL

Citation and commencement

1. These Regulations may be cited as the Education (School and Placing Information) (Scotland) Regulations 2012 and come into force on 8th December 2012.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“the 1980 Act” means the Education (Scotland) Act 1980;

“the 2004 Act” means the Education (Additional Support for Learning) (Scotland) Act 2004(1);

“authority” means an education authority;

“basic information” means information of the kinds specified in Part I of Schedule 1;

“delineated area” in relation to a school, means that part of the area of an authority from which pupils resident therein will be admitted to the school in terms of a priority based on residence, in accordance with any guidelines formulated by the authority under section 28B(1)(c) (information as to placing in schools and other matters) of the 1980 Act;

“information” means information of the kinds specified in a Schedule to these Regulations and information as to a matter mentioned in section 28B(1)(a)(iii) of the 1980 Act;

“placing arrangements” means an authority’s arrangements for the placing of children in schools under their management;

“placing request” means a request made in accordance with section 28A(1) (duty to comply with parents requests as to schools) of the 1980 Act or, in the case of a child having additional support needs, paragraph 2(1) and (2) (duty to comply with placing requests) of schedule 2 (children and young persons with additional support needs: placing requests) to the 2004 Act(2);

“school” in relation to an authority, means a school under their management;

“school commencement date” means a school commencement date for the time being fixed by an authority in accordance with section 32 (dates for commencement of school attendance) of the 1980 Act;

(1) 2004 asp 4. Paragraph 1 of schedule 3 was repealed by paragraph 1 of Schedule 7 to the Public Services Reform (General Teaching Council for Scotland) Order 2011 (S.S.I. 2011/215).

(2) Section 28A of the 1980 Act was inserted by section 1(1) of the 1981 Act and amended by section 33(2) of the Education (Scotland) Act 1996 c.43, section 43(2) of the Standards in Scotland’s Schools etc. Act 2000 asp 6 and section 1(1)(a)(i) of the School Education (Amendment) (Scotland) Act 2002 asp 2. Schedule 2, paragraph 1 to the 2004 Act disappplied, in relation to children and young persons having additional support needs, sections 28A, 28C and 28E to 28G of the 1980 Act and instead applies the provisions of that schedule.

- “school information” means information of the kinds specified in Part II of Schedule 1;
- “school year” means a period of 12 months commencing on 1st August of a year;
- “supplementary information” means information of the kinds specified in Part III of Schedule 1;
- “working day” means in relation to an office of an authority, school or public library, a day on which the office, school or public library is open for business purposes;
- “working hours” means in relation to an office of an authority, school or public library, the hours during which the office, school or public library is open for business purposes.

Application of these Regulations to young persons and others

3.—(1) These Regulations apply to a young person and a young person having additional support needs in accordance with paragraph (2).

(2) A provision of these Regulations applying—

- (a) to a child, applies to a young person who is a pupil in attendance at school, as it applies to the child;
- (b) to a child with additional support needs, applies to a young person with additional support needs as it applies to the child;
- (c) to the parent of a child, applies—
 - (i) in the case of a young person with additional support needs who an authority are satisfied is not capable of expressing that young person’s views, to the parent of that young person as it applies to the parent of a child; and
 - (ii) in the case of any other young person, to the young person as it applies to the parent of a child.

Kinds of information to be published, supplied or made available by an authority

4. The kinds of information to be published, supplied or otherwise made available to parents by an authority under section 28B of the 1980 Act are—

- (a) basic information;
- (b) school information;
- (c) supplementary information; and
- (d) the information specified in Schedule 2 (kinds of information prescribed in relation to placing requests).