
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 130

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

*PROVISIONS FOR PUBLICATION OF, OR MAKING AVAILABLE
BASIC, SCHOOL AND SUPPLEMENTARY INFORMATION*

The duties and powers of an authority to supply certain basic information to certain parents

5.—(1) Subject to the provisions of these Regulations, an authority must in the case of any duty to do so, or may, in the case of any power, supply basic information to a parent to whom this regulation applies, on receiving a request from the parent.

(2) This regulation applies to a parent—

- (a) of a child resident in the area of the authority to whom a request for basic information under paragraph (1) is made;
- (b) of a child known to an authority to be proposing to reside in their area; or
- (c) known to an authority to be considering the making of a placing request in respect of the parent's child in respect of a school under their management.

(3) Paragraphs (4) to (9) apply where a request for basic information is made by a parent under paragraph (1).

(4) An authority must supply basic information of the kinds specified in Schedule 1 Part I paragraph 1(a) to the parent where the information relates to the schools specified in paragraph (6).

(5) Where that basic information relates to a school other than one specified in paragraph (6) the authority—

- (a) must supply that basic information to the parent making the request if they are satisfied that the parent making the request has a reasonable need for the information; and
- (b) otherwise, may supply that basic information to that parent.

(6) The schools specified for the purpose of paragraphs (4) and (5) are those in which the authority, having regard to the factors specified in paragraph (7), think the parent making the request is likely to wish to have that parent's child placed.

(7) Those factors are —

- (a) the age of the child;
- (b) the normal or prospective place of residence of the child;
- (c) any additional support needs of the child; and
- (d) any affiliation of the parent to a particular religious denomination.

(8) An authority—

- (a) must supply basic information of the kinds specified in Schedule 1 Part I paragraph 1(c) to the parent making the request if the requesting parent's child has not commenced school attendance; and

(b) may supply that basic information to that parent if the parent's child has commenced school attendance.

(9) An authority must supply basic information of the kinds specified in Schedule 1 Part I paragraphs 1(b) and (d) to (h) to a parent making a request under paragraph (1).

Duty to make basic information available at certain places

6.—(1) Subject to paragraph (3), an authority must make basic information available to a parent requesting it for reference, at—

- (a) a head office or local office of the authority's education department;
- (b) a public library within the area of the authority; and
- (c) a school.

(2) Basic information made available under paragraph (1) is to be made available during working hours on a working day of the office, public library or school.

(3) Where basic information of the kinds specified in Schedule 1 Part I paragraph 1(a) is made available under paragraph (1) at a public library or school, it may be limited to basic information of that kind relating to schools in that part of the area of the authority in which the public library or school is situated.

Form in which basic information to be supplied and made available

7.—(1) This regulation applies to basic information supplied or made available under regulations 5 and 6.

(2) That basic information must be in writing and supplied or made available free of charge and along with such other information as an authority think fit.

(3) An authority may supply or make available that basic information separately for primary, secondary or special schools or to schools in different parts of their area.

(4) If, however, an authority supply or make available that basic information relating only to part of their area or to certain schools, the information must be accompanied by—

- (a) a statement by the authority that similar basic information is available in relation to other parts of their area or to other schools; and
- (b) one or more addresses, telephone numbers and email addresses where an enquiry relating to that similar basic information may be made.

Duty to supply or make school information available to certain persons at certain places

8.—(1) Where an authority are required by section 28B(1)(b)(i) of the 1980 Act to inform a parent of the particular school in which the authority propose to place the parent's child, the authority—

- (a) must supply school information for that school in accordance with regulations 16 and 17; and
- (b) may supply such other information to the parent as they think fit.

(2) Where any other parent makes a request to an authority for school information relating to a school, the authority—

- (a) must supply that information; and
- (b) may supply such other information as they think fit.

(3) Information supplied under paragraphs (1) or (2) must be supplied free of charge.

(4) An authority must make available school information for a school during working hours on a working day at the school for reference, free of charge, by—

- (a) a parent; or
- (b) a pupil over school age in attendance at the school,

who requests it.

(5) In carrying out the duty imposed by paragraph (4), an authority may supply or make available such other information as they think fit.

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

9.—(1) School information required to be supplied or made available in accordance with regulation 8 must be so supplied or made available in writing in the form of a document to be known as the School Handbook.

(2) In carrying out the duty imposed by paragraph (1), an authority must publish the School Handbook on a website which the authority uses for the purpose of giving information to the public.

(3) Where a parent makes a request to an authority for the School Handbook to be provided—

- (a) in a particular form of writing, including in a language other than English; or
- (b) in a form other than in writing,

the authority must, if they consider it reasonable to do so, provide the handbook to the parent in that form.

Duty to make supplementary information available to certain parents

10.—(1) Subject to the provisions of regulation 11, on receiving a request from a parent to whom this regulation applies, an authority—

- (a) must make available the supplementary information requested by the parent; and
- (b) may make available such other information as they think fit.

(2) This regulation applies to—

- (a) a parent of a child resident in the area of the authority or known to them to be proposing to reside in that area; and
- (b) a parent known to the authority to be considering the making of a placing request in respect of the parent's child for a school under their management.

(3) Information provided under paragraph (1) must be provided free of charge.

Form in which certain supplementary information is to be made available at certain places

11.—(1) The delineated area for a school must be shown on a map and made available by an authority for reference—

- (a) at the school; and
- (b) at—
 - (i) the head office of the education department of the authority; or
 - (ii) a local office of that department situated in that part of the area of the authority in which the school is situated; and
- (c) during working hours on a working day for that school or office.

(2) Subject to the conditions in paragraph (3), an authority may make available orally—

- (a) supplementary information of the kinds specified in paragraph 13(f) to (j) of Part III of Schedule 1; and
 - (b) supplementary information of the kinds specified in paragraph 13(b) to (e) and (k) to (x) of Part III of Schedule 1.
- (3) Those conditions are that the authority must, as soon as practicable thereafter, confirm in writing—
- (a) the information mentioned in paragraph (2)(a); and
 - (b) the information mentioned in paragraph (2)(b), to the extent that the person to whom the information has been made available has requested confirmation in writing.
- (4) Subject to the provisions of this regulation, supplementary information required to be made available by an authority under regulation 10 must be made available in such manner and at such places as the authority consider appropriate.
- (5) Supplementary information relating to a school must be made available at the school.

Duty to review and revise basic and school information

12.—(1) This regulation applies to a document in so far as it contains basic or school information which requires to be published, made available or supplied under these Regulations.

- (2) Subject to paragraph (3), an authority must—
- (a) review that document annually; and
 - (b) revise it as they consider necessary.
- (3) A document which contains school information must—
- (a) to the extent that it contains school information, be reviewed and revised by 8th December in each calendar year;
 - (b) state the school year to which the information contained in it relates or refers; and
 - (c) contain a statement that although the information is believed to be correct for that year at a date specified in the document, it is possible that there may be changes affecting a matter dealt with in the document—
 - (i) before the commencement or during the course of the school year in question; or
 - (ii) for subsequent school years.
- (4) By 8th December in each calendar year, an authority must notify a parent of a pupil in attendance at a school of the following—
- (a) that the School Handbook containing revised school information for the school which the pupil attends will be available from, and including 15th December in that year;
 - (b) that a copy of that handbook will be available or may be referred to—
 - (i) at the school during working hours on a working day upon request to the school; and
 - (ii) on a website; and
 - (c) the address of the website which must be a website which the authority uses for the purpose of giving information to the public.
- (5) If the area of an authority contains a Gaelic speaking area the authority must, if they consider it necessary, ensure that basic information and school information for a school in that area is made available, published or supplied in accordance with these Regulations in that Gaelic speaking area, in the Gaelic language as well as in the English language.
- (6) If the area of an authority contains a part where a language other than English or Gaelic is widely used the authority must, if they consider it necessary, ensure that basic information and school

information for the schools in that area is made available, published or supplied in accordance with these Regulations in that part in that language, as well as in the English language.

Duty to review and revise supplementary information

13.—(1) An authority must take all reasonable steps to ensure that supplementary information which they are required to publish, otherwise make available or supply in accordance with section 28B(1)(a) and (d) of the 1980 Act and these Regulations is kept up to date so far as possible.

(2) If it appears necessary to an authority so to do, the authority may make such supplementary information available in a language other than English to a parent requesting it.

Supply of basic information

14. Nothing in regulations 5 or 12 will require an authority to supply the same basic information to the same person on more than one occasion in a school year.