POLICY NOTE

THE EDUCATION (ASSISTED PLACES) (SCOTLAND) REVOCATION REGULATIONS 2015

SSI 2015/318

1. The above instrument was made in exercise of the powers conferred by section 75A(9) and (10) and 75B of the Education Scotland Act 1980 and section 2(2) of the European Communities Act 1972. The instrument is subject to negative procedure.

Policy Objectives

2. This instrument revokes the Education (Assisted Places) Scotland) Regulations 2001 (SSI 2001/222) and amending instruments.

3. The assisted places scheme was introduced by Section 5(1) of the Education (Scotland) Act 1981, which inserted section 75A and 75B into the Education (Scotland) Act 1980. This scheme provided for fee assistance in respect of pupils seeking to attend participating schools, which was required to be established under section 75A of the Education (Scotland) Act 1980. Section 5(1) of the Education (Schools) Act 1997 amended section 75A of the Education (Scotland) Act 1980 with the effect that the assisted places scheme could only be operated in relation to pupils admitted to a place before the 1997-98 school year until those pupils completed their primary education or, at the Secretary of State's discretion, until the completion of their secondary education. As there are no longer any pupils receiving assistance through the assisted places scheme, the Scottish Ministers have agreed to the revocation of the above regulations under sections 75A(9) and (10) and 75B of the Education (Scotland) Act 1980.

Consultation

4. To comply with the requirements of section 75A(11) of the Education (Scotland) Act 1980, the Scottish Government invited the Scottish Council of Independent Schools (SCIS) to contribute in a consultation on behalf of participating member schools. All independent schools currently on the register were also consulted as it had not been possible to determine which schools participated in the scheme.

5. As a result of that consultation, SCIS submitted a response which confirmed that many independent schools had increased the financial assistance they provide since the assisted places scheme was phased out and did not offer any objections to the revocation of the regulations.

6. No consultation responses were received from individual Independent schools.

Impact Assessments

7. It was not necessary to carry out an equality impact assessment as the assisted places scheme has been phased out since 1997-98 school year and is no longer operating.

Financial Effects

8. As there are no longer any pupils receiving financial assistance through the assisted places scheme, there will be no financial impact on the revocation of Education (Assisted Places) (Scotland) Regulations 2001.

Scottish Government
Learning Directorate

1 September 2015