STATUTORY INSTRUMENTS

1982 No. 950 (S. 125)

EDUCATION, SCOTLAND

The Education (School and Placing Information) (Scotland) Regulations 1982

Made - - - -	*9th July* 1982
Laid before Parliament	*20th July* 1982
Coming into Operation	*1st January* 1983

In exercise of the powers conferred on me by section 28B(1)(a)(ii) and (3) of the Education (Scotland) Act 1980(**a**) and all other powers enabling me in that behalf, I hereby make the following regulations:—

GENERAL

Citation and commencement

1. These regulations may be cited as the Education (School and Placing Information) (Scotland) Regulations 1982 and shall come into operation on 1st January 1983.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

"the Act" means the Education (Scotland) Act 1980;

"appeal committee" means an appeal committee set up and maintained under section 28D(1)(a) of the Act;

"basic information" means information of any 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 education authority from which pupils resident therein will be admitted to the school in terms of any priority based on residence in accordance with the guidelines formulated by the authority under section 28(B)(1)(c) of the Act;

"information" means information of any of the kinds specified in any Schedule to these regulations and information with respect to any matter mentioned in section 28B(1)(a)(iii) of the Act;

"nursery class" in relation to an education authority means a nursery class under their management;

(a) 1980 c. 44; section 28B(1)(a)(ii) and (3) was inserted by section 1 of the Education (Scotland) Act 1981 (c. 58).

"placing request" means a request made in accordance with section 28A(1) of the Act;

"recorded" in relation to a child means recorded in terms of a Record opened and kept under section 60(2) of the Act;

"school" in relation to an education authority means a school under their management;

"school commencement date" means any school commencement date for the time being fixed by an education authority in accordance with section 32 of the Act;

"school information" means information of any of the kinds specified in Part II of Schedule 1;

"school year" means a period of 12 months commencing on 1st August of any year;

"supplementary information" means information of any of the kinds specified in Part III of Schedule 1;

"undergoing assessment" in relation to a child means undergoing a process of assessment under section 61 of the Act; and

(a) references to a child undergoing assessment shall include a child in whose case a notice under section 61(1) has been issued notwithstanding that the process of assessment has not started, and a child whom an education authority have decided to record following a process of assessment;

(b) references to a child undergoing assessment shall not include a recorded child undergoing assessment;

"working day" does not in relation to any office of an education authority, school or public library include any day observed by such office, school or as the case may be library as a holiday or any other day on which it is not normally open for business purposes;

"working hours" means in relation to any office of an education authority, school or public library, the hours during which such office, school or as the case may be library is normally open for business purposes.

(2) In these regulations unless the context otherwise requires any reference to a regulation or a Schedule is a reference to a regulation of, or, as the case may be, Schedule to these regulations and any reference in a regulation or a Schedule to a paragraph or sub-paragraph is a reference to a paragraph of that regulation or, as the case may be, Schedule or a sub-paragraph of such a paragraph.

Revocation of regulations

3. The Education (Placing in Schools, Information) (Scotland) Regulations 1981(**a**) are hereby revoked.

Application of regulations to young persons and others

4.—(1) For the purposes of application of the provisions of these regulations to a young person and a recorded young person, these provisions shall unless

(**a**) S.I. 1981/1559.

the context otherwise requires apply in accordance with the provisions of paragraph (2).

(2) Any provision of these regulations applying

(a) in relation to a child shall apply in relation to a young person who is a pupil in attendance at school as it applies to such child;

(b) in relation to the parent of a child shall apply

(i) in the case of a young person undergoing assessment or a recorded young person who an education authority are satisfied is not capable of expressing his views for the purposes of section 61 of the Act, to the parent of such young person as it applies to such parent of a child; and

(ii) in the case of any other young person, to such young person as it applies to such parent of a child;

(c) in relation to a recorded child shall apply to a recorded young person as it applies to such recorded child.

(3) For the purposes of application of the provisions of these regulations to a recorded child any reference to section 28A of the Act shall unless the context otherwise requires be construed as a reference to that section as substituted by Schedule A2 paragraph 3 to the Act and for the purposes of application of those provisions to a child undergoing assessment, any reference to section 28A of the Act shall unless the context otherwise requires be construed as including a reference to that section as so substituted.

Kinds of information and matters to be published or made available by education authorities

5. Basic information, school information and supplementary information and the matters specified in Schedule 2 shall be the kinds of information and the matters to be published or otherwise made available by an education authority in pursuance of section 28B of the Act and in accordance with the provisions of these regulations.

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

Duties and powers with respect to supply of certain basic information to certain parents

6.—(1) Subject to the provisions of these regulations an education authority shall have a duty, or, as the case may be, in accordance with this regulation, power to supply basic information to any parent to whom this regulation applies, on receiving a request from such parent and that free of charge.

(2) This regulation applies to—

(a) the parent of a child resident in the area of the education authority to whom a request for information is made;

(b) the parent of a child known to an education authority to be proposing to reside in their area; and

(c) any parent known to the authority to be considering the making of a

placing request in respect of his child in relation to any school under their management.

(3) Basic information of the kind specified in Schedule 1 Part I paragraph 1(a)—

(a) in so far as it relates to such schools as are specified for the purpose of this sub-paragraph in paragraph (6), shall be so supplied by an education authority to any parent to whom this regulation applies; and

(b) in so far as it relates to any other school

(i) may be so supplied by the education authority to any such parent; and

(ii) shall be so supplied by the education authority to any such parent who satisfies the authority that he has a reasonable need for the information.

(4) Basic information of the kinds specified in Schedule 1 Part I paragraph 1(c) shall be so supplied by an education authority to any parent to whom this regulation applies whose child, to whom the request relates, has not commenced school attendance and may be so supplied to any such parent whose child to whom the request relates has commenced school attendance.

(5) Basic information of the kinds specified in Schedule 1 Part I paragraphs 1(b) and (d) to (h) shall be so supplied to any parent to whom this regulation applies.

(6) The schools specified for the purposes of paragraph (3)(a) are schools in any one of which, in the opinion of the education authority to whom the request for information is made, the parent making that request is likely to wish to have his child placed, regard being had to the age, normal or prospective place of residence and special educational needs (if any) of the child and the affiliation (if any) of the parent to any particular religious denomination.

Duty to make basic information available at certain places

7.—(1) Subject to the provision of paragraph (2) basic information shall be made available by an education authority free of charge for inspection or reference by a parent requesting the same—

(a) at any head office of the education department of the authority and any divisional office of that department;

(b) with the consent of the appropriate library authority at any public library within the area of the authority; and

(c) at any school under the management of the authority;

and that during working hours on any working day in relation to such office, public library or, as the case may be, school.

(2) Where the basic information of the kind specified in Schedule 1 Part I paragraph 1(a) is so made available 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, as the case may be, school concerned is respectively situated.

(3) In this regulation;

"appropriate library authority" in relation to any public library means the local authority for the purposes of the Public Libraries (Scotland) Act 1887 to 1955 in accordance with section 163 of the Local Government (Scotland) Act 1973(**a**) responsible for the management of the library.

Form in which basic information to be supplied and made available

8.—(1) Basic information supplied in accordance with regulation 6 and made available in accordance with regulation 7 shall be so supplied or made available, in writing and in any one or more of the forms of booklet, leaflet, or circular for general issue or of letter addressed to an individual parent or such other appropriate form of writing and along with such other information as an education authority may in the circumstances think fit.

(2) Such basic information may be supplied or made available by an education authority separately in relation to primary, secondary or special schools or to schools in different parts of their area.

(3) Where an education authority supply or make available basic information relating only to a certain part of their area or to certain schools, the information so supplied or made available shall be accompanied by—

(a) a statement by the authority to the effect that similar information is available in relation to other parts of their area or to other schools under their management; and

(b) one or more addresses and telephone numbers where enquiry relating to such similar information may be made.

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

9.—(1) Where an education authority are required by section 28B(1)(b)(i) of the Act to inform a parent of the particular school in which the authority proposes to place his child, the authority shall supply to that parent, school information in relation to that school in accordance with regulations 17 or 18 and may supply such other information as they think fit and that free of charge.

(2) Where any other parent makes a request to a school for school information relating to that school, the education authority concerned shall supply such information and may supply such other information as they think fit and that free of charge.

(3) Every education authority shall make available at each school free of charge school information in relation to that school and may make so available such other information as they think fit for inspection or reference by a parent requesting the same and that during working hours on any working day at the school.

Form in which school information to be made available

10. School information required to be supplied or made available in accordance with regulation 9 shall be so supplied or made available in writing

(**a**) 1973 c. 65.

in any one or more of the forms of booklet, leaflet or circular for general issue or of letter addressed to an individual parent or such other appropriate form of writing and may be so made available along with such other information as the authority may think fit.

Duty to make supplementary information available to certain parents

11. Subject to the provisions of regulation 12 an education authority shall make available to—

(a) the parent of a child resident in the area of the education authority or known to them to be proposing to reside in that area; and

(b) any parent known to the authority to be considering the making of a placing request in respect of his child in relation to any school under their management,

on request, free of charge and otherwise in accordance with these regulations, such supplementary information as is mentioned or referred to in such request and may make so available such other information as they think fit.

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

12.—(1) The delineated area in relation to any school shall be shown on a map which shall be available for inspection at that school and at either the head office of the education department of the education authority or any divisional office of that department situated in that part of the area of the authority in which the school is situated during working hours on any working day in relation to such school or, as the case may be, office.

(2) Where an education authority make available orally—

(a) supplementary information of the kinds specified in paragraph 3(f) to (j) of Part III of Schedule 1;

(b) supplementary information of any of the kinds specified in paragraph 3(b) to (e) and (k) to (x) of Part III of Schedule 1;

they shall as soon as practicable thereafter confirm in writing—

(i) any such information as is mentioned in sub-paragraph (a), and,

(ii) any such information as is mentioned in sub-paragraph (b), to the extent that the person to whom such information has been so made available has requested such confirmation in writing.

(3) Subject to the provision of this regulation supplementary information required to be made available by an education authority in pursuance of regulation 11 shall be made available in such manner and at such places as the authority consider appropriate.

(4) Supplementary information relating to a particular school shall be made available at that school.

Supplementary provisions

13.—(1) This regulation shall apply in relation to any document in so far as

it contains basic or school information which requires to be made available or supplied in accordance with these regulations.

(2) Each education authority shall review yearly and as necessary revise all such documents and in particular but without prejudice to that generality every such document shall at all times state the school year to which the information contained therein relates or refers and shall contain a warning that, although the information given is believed to be correct in relation to that year at a date specified in the document, it should not be assumed that there will be no change affecting any of the matters dealt with in the document—

(a) before the commencement or during the course of the school year in question; or

(b) in relation to subsequent school years.

(3) Where the area of an education authority contains a Gaelic speaking area, the authority shall, if it appears requisite to them so to do, ensure that basic information and school information with respect to their schools 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.

(4) Where the area of an education authority contains any part where a language other than English or Gaelic is widely used the authority shall, if it appears requisite to them so to do, ensure that basic information and school information with respect to their schools in that area is also made available, published and supplied in accordance with these regulations in that part in that language, as well as in the English language.

14.—(1) Each education authority shall take all reasonable steps to ensure that supplementary information which they are required to publish or otherwise make available or supply in accordance with section 28(B)(1)(a) and (d) of the Act and these regulations is maintained in a state which as far as possible reflects the current position with regard to the matters to which the information relates.

(2) If it appears requisite to an education authority so to do they may make such supplementary information available in a language other than English to any parent requesting the same.

15. Where an education authority are required by these regulations to supply or make available information in writing to a parent and a child of such parent is in attendance at a school under their management other than a special school, they shall be deemed to have complied with that requirement if they secure that such information in writing is handed to that child for delivery to his parent.

PROVISIONS AS TO PLACING REQUESTS

Advertisement

16.—(1) For the purposes of their consideration of placing requests each education authority shall as respects each school year commencing with the

school year 1983/84 in accordance with the provisions of this regulation place in a newspaper circulating at least weekly in their area an advertisement stating the matters specified in paragraph (4).

(2) Where an advertisement relates to consideration of placing requests made in respect of pupils due to commence attendance at school in any school year it shall be so placed not later than 6 months before each and every school commencement date fixed by an education authority in relation to that school year.

(3) Where an advertisement relates to consideration of placing requests made in respect of pupils transferring from one stage of school education to another stage in any school year it shall be so placed not later than 6 months before each and every transfer date fixed by the education authority in relation to that school year.

(4) The matters to be stated in every advertisement shall be—

(i) a date, being a date not less than 4 weeks after the date on which the advertisement first appears by which the authority wish to receive placing requests with respect to their schools in relation to the commencement date or as the case may be transfer date stated in the advertisement;

(ii) one or more addresses and telephone numbers to which parents may apply for information relating to such schools and the authority's placing arrangements;

(iii) that information about such schools and placing arrangements is available for inspection or reference purposes as specified in the advertisement;

(iv) that school information in relation to any particular school is available at that school; and

(v) such other information as the authority think fit.

(5) In this regulation "transfer date" means any date fixed by an education authority as a date upon which the transfer of pupils from one stage of school education and their admission to a subsequent stage of school education will take place in relation to any school year.

Notification of right to make a placing request in respect of certain children

17.—(1) Subject to paragraphs (2) and (3) where an education authority are required by the provisions of sub-section (1)(b) as read with sub-section (4) of section 28B of the Act to inform a parent of the general effect of section 28A(1) and (2) of the Act and of his right to make a placing request and, as the case may be, to inform him of the school in which they propose to place his child, the authority shall give notification thereof in writing by letter or otherwise, which shall include in addition, the following items—

(a) subject to the proviso to paragraph (2), the date by which the authority wish to be informed of whether the parent proposes to make a placing request in respect of his child being a date not less than 4 weeks after the date of the notification;

(b) school information in relation to that school;

(c) a statement of where information with respect to their other schools and their placing arrangements therein is available for reference and where it will be supplied to the parent on application;

(d) the address and telephone number where the authority may be contacted in connection with the notification.

(2) Parents to whom notification as referred to in paragraph (1) shall be given, shall include—

(a) any parent whose child is, in accordance with arrangements made by the authority and for the time being in operation, due to commence attendance at a primary school;

(b) any parent whose child is, in accordance with arrangements made by the authority and for the time being in operation, due to transfer from the stage of primary education to the stage of secondary education at the commencement of that stage; and

(c) any parent whose child is, in accordance with arrangements made by the authority and for the time being in operation, due to transfer from one school to another school at any time during the course of the stage of primary or, as the case may be, secondary education,

and subject to the proviso below such notification shall be given at least 6 months prior to the school commencement date at which the child is due to commence attendance or, as the case may be, prior to the date at which the child is due to transfer as mentioned in sub-paragraph (b) or (c);

Provided that in the event of an education authority not having knowledge of a child of such a parent as is mentioned in sub-paragraph (c) being due to transfer as mentioned therein, in advance of the date of such transfer such as would enable them to comply with the provision of this paragraph they shall give notification as referred to in paragraph (1) as soon as it is practicable for them to do so and in advance of the date of such transfer and shall state therein such date as they consider appropriate as the date by which they wish to be informed of whether the parent proposes to make a placing request in respect of his child.

(3) Nothing in this regulation shall apply in respect of a child undergoing assessment or a recorded child.

Notification of right to make a placing request and other information relating to children undergoing assessment and recorded children

18.—(1) This regulation shall apply in respect of any child undergoing assessment and any recorded child.

(2) Subject to paragraph (4), where an education authority are required by the provisions of sub-section (1)(b) as read with sub-section (4) of section 28B of the Act to inform the parent of a child being a child undergoing assessment or a recorded child of the general effect of section 28A(1) and (2) of the Act and of his right to make a placing request the authority shall give notification in writing by letter or otherwise, which shall include the following items—

(a) the information required to be given in terms of paragraph (b)(ii) of section 28B(1) of the Act;

(b) a statement of where information with respect to schools under their

management and their placing arrangements therein is available for reference and where it will be supplied to any parent on application;

(c) a statement that a list is available showing those special schools, not under the management of the authority, to which it is the authority's practice to send pupils, and where it will be supplied to any parent on application.

(3) Subject to paragraphs (5) and (6), where an education authority are required by the provisions of sub-section (1)(b) as read with sub-section (4) of section 28B of the Act to inform the parent of a child being a child undergoing assessment, or a recorded child of the school in which they propose to place his child, the authority shall give notification in writing by letter or otherwise, which shall include:—

(a) the information required to be given in terms of paragraph (b)(i) of section 28B(1) of the Act;

(b) the date by which the authority wish to be informed of whether the parent proposes to make a placing request in respect of his child, which shall be 14 days after the date of notification in terms of this paragraph;

(c) school information relating to that school.

(4) An education authority shall give notification under paragraph (2) to a parent at the same time as they issue to him a notice under section 61(1) of the Act.

(5) Subject to paragraph (6) an education authority shall give notification under paragraph (3)

(a) where the child in question is a child undergoing assessment, to his parent at the same time as they intimate to his parent under section 62(2) of the Act a decision following upon that assessment to record him, the reasons for that decision and the terms in which they propose to record him;

(b) where the child in question is a recorded child in any case where:—

(i) they have carried out a review under section 65A of the Act in respect of the child; and

(ii) they propose in consequence of the review to amend the nomination in the child's Record of a school to be attended by him,

to his parent at the same time as they intimate to his parent under section 62(2) of the Act (as modified by regulations for the time being in force made under section 65A(3) of the Act) the terms in which they propose to continue to record him;

and, where the information referred to in paragraph (3)(c) has been provided in advance of intimating the terms upon which they propose to record or continue to record a child, no further provision of that information shall be required in accordance with this paragraph.

(6) Any notification to a parent under paragraph (3) above shall be given at least 2 months before any date upon which the authority propose that a child should commence attendance at a school or, as the case may be, transfer from one school to another; but nothing in this paragraph shall prevent such commencement or transfer taking place at such earlier date as may be agreed between the authority and the parent.

Information to be given on receipt of a placing request

19.—(1) Subject to paragraphs (2) and (3) an education authority shall within 5 working days of receiving a placing request send, in writing, to the parent making the placing request, information of the kinds prescribed for the purposes of this regulation, and specified in Schedule 2.

(2) Where the placing request referred to in paragraph (1) is made in respect of a child undergoing assessment or a recorded child or a child deemed to be recorded by virtue of paragraph 4(a) of Schedule 8 to the Education (Scotland) Act 1981 the education authority shall so send such information appropriately modified to take account of the application (if any) in relation to such a child of the provisions of sections 61 to 64 of and Schedule A2 to the Act, and the provisions of paragraph 4 of the said Schedule 8.

(3) Paragraphs (1) and (2) shall not apply where within 5 working days of receiving a placing request an education authority notify the parent in writing of their acceptance of the placing request.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

New St Andrew's House,
Edinburgh.
9th July 1982.

SCHEDULE 1 Regulation 2

PART I (BASIC INFORMATION)

1. Information with respect to—

(a) the primary, secondary and special schools including in relation to each the name, address, telephone number, the stages of education provided for, approximate roll, denominational status (if any) and, if a school admits pupils of one sex only, the sex admitted;

(b) a brief statement of policy or practice of an authority with regard to placing in schools, including guidelines formulated by the authority in accordance with paragraph (c) of section 28B(1) of the Act as respects placing in schools generally;

(c) school commencement arrangements and the policy or practice of an authority with regard to early admission to primary education and priorities for early admission;

(d) a brief statement of the policy or practice of an authority in relation to provision of school meals, boarding facilities, transport facilities and other matters as mentioned in section 50 (education of pupils in exceptional circumstances) or 51 (transport and other facilities) of the Act and in particular in respect of any pupil attending a school in consequence of a placing request where the school attended is a school other than a school proposed by the authority for such pupil;

(e) one or more addresses and telephone numbers to which a parent who considers that his child may have special educational needs may make enquiries;

(f) one or more addresses and telephone numbers to which a parent who wishes to have any kind of supplementary information may make enquiries;

(g) a statement that information concerning any particular school is available at the school concerned; and

(h) one or more addresses and telephone numbers of the head office of the education department of an authority or any divisional office of that department,

and nothing in this Part of this Schedule applies to a nursery school or nursery class or to the stage of school education provided for in such a school or class.

PART II (SCHOOL INFORMATION)

2. Information with respect to—

(a) the name, address and telephone number of the school, the present roll, the stages covered, denominational status (if any) and, if the school admits pupils of one sex only, the sex admitted;

(b) the headteacher's name and the number of other teaching staff; in the case of a nursery school or nursery class, the number also of nursery nurses; in the case of a special school, the number also of other staff concerned in the educational programme of the children;

(c) arrangements for parents, offered or seeking a place for their child in the school, to visit the school;

(d) a statement of the school's educational aims;

(e) the range and level of curriculum provided for pupils of different ages; provision for religious instruction and observance and arrangements for parents who wish to exercise their right to withdraw their child; policy on homework; in relation to a secondary school subject options and choices available and arrangements for parents to be consulted about such choices and provision for curricular, personal and careers guidance;

(f) where the school is a special school the types of need catered for and specialist services provided in the school;

(g) arrangements for assessing pupils' progress and reporting this to parents;

(h) extra-curricular activities;

(i) facilities available at the school or accessible to it for sports and outdoor activities;

(j) school policy on clothing or uniform; approximate cost of each item of required uniform;

(k) school policy on discipline, school rules; enforcement of attendance;

(l) arrangements for transport to the school or availability of financial assistance with travelling costs;

(m) arrangements for school meals and milk; eligibility for free school meals; where to apply for free school meals; facilities for the consumption of packed lunches;

(n) arrangements for health care;

(o) organisation of school day; times of arrival and dismissal; school term dates; and holidays for the forthcoming session;

(p) in the case of a secondary school other than a special school, policy with regard to mixed ability classes, streaming or setting;

(q) in the case of a school, other than a special school, making provision for pupils in stages S4, S5 or S6:—

(i) policy with regard to entering pupils for public examinations;

(ii) the number of pupils from the school who attained each band of award in examinations conducted by the Scottish Examination Board, shown separately for each subject and for each stage of secondary education, in the most recent school year for which those numbers are available to the school;

(iii) the total number of pupils in each of stages S4, S5 and S6, shown separately for each stage, as reported in the school census in the first term of the school year to which the examination results relate;

(r) the name, address and telephone number of the school (if any) to which pupils will normally transfer for the subsequent stages of their education on completion of the stages of education provided for at the school to which the school information relates.

PART III (SUPPLEMENTARY INFORMATION)

3. Information with respect to—

(a) the delineated area (if any) relating to any school;

(b) the secondary school to which pupils will normally be transferred from a primary school;

(c) the primary schools from which pupils placed in a secondary school are normally drawn;

(d) the primary school at which pupils of a primary school which does not make provision for all stages of primary education, will normally receive the other stages of primary education;

(e) the secondary school at which pupils of a secondary school which does not make provision for all stages of secondary education, will normally receive the other stages of secondary education;

(f) the general effect of section 28A(1) and (2) of the Act and a parent's right to make a placing request;

(g) the circumstances in which a placing request may be refused in terms of section 28A(3) of the Act;

(h) the general effect of sections 28A(4) and (5) and 28C to 28G of the Act (as inserted by section 1 of the Education (Scotland) Act 1981(a)) (decision on a placing request; deemed refusal of a placing request; reference to appeal committee of refusal of a placing request; appeal committees; appeal committees — supplementary provisions; appeal to sheriff from appeal committee; application of sections 28A to 28F of, and Schedule A1 to the Act to young persons);

(i) the general effect of section 28A (as substituted by Schedule A2 paragraph 3), and sections 63 to 65 of and paragraphs 1 and 4 of Schedule A2 to the Act (as sections 63 to 65 of and Schedule A2 to the Act are inserted by section 4 of that Act of 1981) (in so far as they relate to a decision on a placing request for a recorded child; consequential modification of Record; deemed refusal ; references to appeal committees; appeal committees; references to the Secretary of State; appeals to sheriff; application of provisions to recorded young persons);

(j) the name and address of the person to whom a reference to any appeal committee should be sent;

(k) guidelines (if any) formulated by an authority as respects placing in any particular school or nursery class in accordance with section 28B(1)(c) of the Act;

(l) general policy or practice with regard to fixing

(i) the maximum number of pupils who the authority consider should be educated in any school;

(ii) the maximum number of pupils who the authority consider should be educated in any particular stage of school education in any school;

and the maximum numbers (if any) of pupils who the authority consider should be educated in any particular school or any particular stage of school education in any particular school, and the considerations taken into account in fixing those maximum numbers in relation to that school;

(m) general policy or practice with regard to curriculum and examinations in schools;

(a) 1981 c. 58.

(n) schools in which the teaching of Gaelic is available;

(o) arrangements (if any) made by the authority for the education of children with special aptitudes, such as for example, in music or dance;

(p) general policy or practice with regard to provision in primary or secondary schools for pupils with special educational needs;

(q) special schools, not under the management of the authority, to which it is the authority's practice to send pupils, including in relation to each the name, address, and telephone number, stages of education provided for in such schools, current roll, type of need catered for and specialist services provided;

(r) nursery schools and nursery classes including in relation to each the name, address, telephone number and the approximate roll;

(s) general policy or practice with regard to the provision of milk, meals and other refreshment including, in particular, the remission in whole or part of charges;

(t) general policy or practice with regard to the wearing of school uniform;

(u) general policy or practice with regard to financial assistance towards clothing, footwear, sports or other special clothing required to enable a pupil to take full advantage of educational facilities;

(v) general policy or practice with regard to bursaries or maintenance allowances for school pupils;

(w) general policy or practice with regard to discipline and school rules, and arrangements for enforcing school attendance;

(x) general policy or practice with regard to school councils, their structure, membership and functions; and the members of the school council relating to any particular school.

GENERAL

4. In this Schedule, unless the context otherwise requires:—

"authority" means an education authority;

"stages S4, S5 and S6" shall be construed respectively in the same way as references to stage SIV, SV or, as the case may be SVI are construed in accordance with the provisions of regulation 14 of the Schools (Scotland) Code 1956(a).

(a) S.I. 1956/894.

SCHEDULE 2 Regulations 5 and 19

KINDS OF INFORMATION PRESCRIBED IN RELATION TO PLACING REQUESTS

The kinds of information prescribed for the purposes of regulation 19 shall be information with respect to—

(a) the person or body who will in accordance with arrangements made by an education authority, discharge their function of considering a placing request;

(b) whether the parent making the request will have an opportunity of presenting his case in support of the request orally or in writing to that person or body;

(c) the person whom such parent may contact for the purpose of obtaining any further information with respect to procedure for consideration of their request;

(d) the circumstances as set out in section 28A(3) of the Act in which a placing request may be refused by the authority;

(e) any right of a parent to refer any decision of the education authority refusing the placing request to an appeal committee;

(f) the circumstance that if the authority do not notify their decision on a placing request in accordance with section 28A(4) of the Act before any date or as the case may be, within any period for the time being prescribed in regulations made under section 28A(5) of the Act, or as the case may be, section 28A(6) of the Act as substituted by Schedule A2 paragraph 3 to the Act, the authority is deemed to have refused the placing request.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations relate to the supply and availability of information as to schools and arrangements with respect to placing requests for places in schools under the management of an education authority.

Regulations 2 and 4 make provision for definitions, interpretation and application;

Regulation 3 revokes the Education (Placing in Schools, Information) (Scotland) Regulations 1981;

Regulation 5 prescribes kinds of information and matters to be published etc by education authorities;

Regulations 6, 7 and 8 provide respectively as to supply, availability and form of basic information (prescribed in Part I of Schedule 1) being general information (including placing arrangements) relating to all schools under the management of an education authority;

Regulations 9 and 10 provide as to supply and availability and form of school information (prescribed in Part II of Schedule 1) being information relating to individual schools;

Regulations 11 and 12 provide as to availability of supplementary information (prescribed in Part III of Schedule 1) and form in which it is to be available;

Regulations 13 to 15 make provision for the up-dating of information; for its availability in languages other than English, where an authority considers this requisite; and for its delivery;

Regulation 16 deals with advertisement by education authorities regarding placing requests and related information;

Regulation 17 provides for the content and timing of the notification by an education authority in pursuance of their duty to inform a parent of their proposed placing of his child in a school and of his right to make a placing request;

Regulation 18 makes similar provision in relation to notification to parents of children undergoing assessment or recorded children;

Regulation 19 requires an education authority on receipt of a placing request to send out information as prescribed in Schedule 2 to the regulations.

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