EXECUTIVE NOTE

The Registration of Independent Schools (Scotland) Regulations 2005 SSI/2005/571

The above instrument was made in exercise of the powers conferred by sections 98(3) and 98A(2) of the Education (Scotland) Act 1980, as that Act is amended by the School Education (Ministerial Powers and Independent Schools) (Scotland) Act 2004. The instrument is subject to negative resolution.

Policy Objectives

The policy objective of these Regulations is to revise and update the information to be provided to Scottish Ministers by a person wishing to operate an independent school in Scotland and amend the information which is currently provided by existing independent schools annually. Provision for obtaining such information is presently contained within the Registration of Independent Schools (Scotland) Regulations 1957 and the Registration of Independent Schools (Scotland) Amendment Regulations 1975, which these Regulations revoke.

These Regulations accompany the commencement of the remainder of the School Education (Ministerial Powers and Independent Schools) Scotland Act 2004, including Part 2, which revises and amends the existing legislation relating to the registration and regulation of independent schools. In that regard the Regulations also make provision, relating to the information requested, which take account of child protection and welfare issues.

Consultation

The following have been consulted during the preparation of the instrument:

Scottish Council of Independent Schools
All independent schools in Scotland
Education Authorities

Financial Effects

The instrument has no financial effects on the Scottish Executive.

Scottish Executive Education Department
November 2005