POLICY NOTE

ST MARY'S MUSIC SCHOOL (AIDED PLACES) (SCOTLAND) AMENDMENT REGULATIONS 2025

SSI 2025/151

The above instrument was made in exercise of the powers conferred by sections 73(f) and 74(1) of the Education (Scotland) Act 1980. The instrument is subject to negative procedure.

Summary Box

The purpose of the instrument is to amend the St Mary's Music School (Aided Places) (Scotland) Regulations 2015 ("the 2015 Regulations") as follows:

1. To revise the income levels which determine eligibility for financial assistance under the Aided Places Scheme ("the Scheme"), in order that the lower income bands are uprated by inflation, and additional income bands are created for families on higher household incomes.
2. To uprate figures relating to clothing and travel grants by cumulative CPI as at February 2025.
3. To update reference to non-domicile status to reflect changes made to tax legislation by the UK Government.
4. To remove references to child tax credit and working tax credit. As part of the managed migration of UK government legacy benefits to Universal Credit, tax credits ended on 5 April 2025. As a result of these changes, the references to tax credits in paragraph 15 of the 2015 Regulations (which relates to remission of fees for school meals) are redundant and so these references are removed. This reflects recent amendments made to the qualifying benefits for free school meals as set out in section 53 of the Education (Scotland) Act 1980.

Policy Objectives

5. The St Mary's Music School (Aided Places) (Scotland) Amendment Regulations 2025 ("the Regulations") amend the the 2015 Regulations, which provide the legislative framework for the administration of the Scheme.
6. The Regulations amend the basis on which parental contribution should be calculated, by altering the income levels which determine the level of assistance provided by the Scheme.
7. These adjustments affect the existing bands and monetary amounts used when calculating what assistance is available in respect of tuition and boarding fees, clothing grants, uniform grants, and additional fee relief for parents and guardians with more than one child at the school.

8. The amendments also introduce two additional income bands, asking parents and guardians to make a greater contribution to their fees from any household income earned above £125,000 and £145,000.

9. Given the pressure on public funds, Ministers have agreed it is reasonable only to apply CPI to the lower income bands, in order to protect them from paying higher contributions. Higher income families will still benefit from the reduction in fees due on the lower portion of their income (up to £45,000), but not on their income at higher levels.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

10. In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 ("the Act"), the Scottish Ministers certify that, in their view, the Regulations are compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

11. This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

12. There is no statutory obligation to consult in relation to the Scheme, however, St Mary's Music School ("the School") has been consulted on the amendments made by the Regulations throughout the process and has raised no objections.

Impact Assessments

13. A Child Rights and Wellbeing impact assessment, and an Equalities impact assessment have been completed on the Regulations and are attached.

14. Other impact assessments have been carefully considered. However given the limited scope of the amendments, the lack of substantive change to the text of the 2015 Regulations, and the modest financial impact, it has not been considered necessary to carry out any further impact assessments.

Financial Effects

15. The Cabinet Secretary for Education and Skills confirms that no Business and Regulatory Impact Assessment is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

16. There is no expected financial impact on the School, as the total fees remitted are not altered by the Regulations. Although demand for places may possibly change as a result

of the increase in fees following the January 2025 introduction of VAT on independent school fees, it is not expected that demand for aided places will be affected by the changes to the Regulations.

17. Parents and guardians of pupils at the School can expect to see their contribution to fees vary by a modest amount depending on their income level. The inflationary uplift for lower income households will improve affordability for these families; less contribution will be required at lower income levels under £45,000, whereas an increased contribution is required on income above £45,000.

18. Two new income bands have been introduced for households earning over £125,000 and £145,000. These new income bands will have a limited impact on overall Scottish Government costs, but reduce the funding allocation further for higher income households. This means that more of the funding for the aided places scheme will be directed to families on lower incomes. This aligns with wider SG priorities, targeting support to low-income families.

19. There is unlikely to be a significant financial cost or benefit to the Scottish Government, as the reduction in parental contributions of those on lower incomes is likely to be largely offset by increased contributions from those on higher incomes.

Scottish Government
Learning Directorate

07 May 2025