EDUCATION AND CULTURE COMMITTEE

AGENDA

16th Meeting, 2012 (Session 4)

Tuesday 22 May 2012

The Committee will meet at 10.00 am in Committee Room 6.

1. **Attainment:** The Committee will take evidence from—

   Moira Finlayson, Honorary Research Fellow, STEM-Ed Scotland, University of Glasgow;

   Craig Munro, Chair of Performance and Improvement Network, Association of Directors of Education in Scotland;

   Brian McAlinden, Scottish Government’s Attainment Group.

2. **Subordinate legislation:** The Committee will consider the following negative instruments—

   Education (Provision of Information as to Schools) (Scotland) Revocation Regulations 2012 (SSI/2012/129);
   Education (School and Placing Information) (Scotland) Regulations 2012 (SSI/2012/130).

3. **Educational attainment of looked after children (in private):** The Committee will consider a draft report.

   Terry Shevlin
   Clerk to the Education and Culture Committee
   Room T3.60
   The Scottish Parliament
   Edinburgh
   Tel: 0131 348 5204
   Email: terry.shevlin@scottish.parliament.uk
The papers for this meeting are as follows—

**Agenda Item 1**

Written Evidence Received  
EC/S4/12/16/1

SPICe Briefing  
EC/S4/12/16/2

PRIVATE PAPER  
EC/S4/12/16/3 (P)

**Agenda Item 2**

Paper by the clerk  
EC/S4/12/16/4

Paper by the clerk  
EC/S4/12/16/5

**Agenda Item 3**

PRIVATE PAPER  
EC/S4/12/16/6 (P)
Education and Culture Committee

16th Meeting, 2012 (Session 4), Tuesday, 22 May 2012

Attainment: Written Evidence

Clerk’s note

1. The Education and Culture Committee will take oral evidence on attainment on 22 May 2012. The following written submission has been received:

Association of Directors of Education in Scotland (ADES)  

Jonas Rae  
Committee Assistant  
May 2012
Association of Directors of Education in Scotland (ADES)

Context
The Association of Directors of Education in Scotland (ADES) shares a commitment to improve significantly the educational outcomes for all our children and young people and welcomes the opportunity to submit evidence to the Education and Culture Committee on raising attainment. We have been working closely in recent times on raising attainment with the Scottish Government (SG), Education Scotland (ES), School Leaders Scotland (SLS) and the Association of Headteachers and Deputes in Scotland (AHDS). We believe that through cooperative working that a sustained strategy for improvement is emerging. Real success will be contingent upon our commitment to being prepared to work together, how courageous we are about the changes that we make and our consistency in the manner in which we implement them.

We must avoid the temptation for short term, “project based”, approaches that have consistently been shown to not raise attainment on a sustained basis. We need to ensure that any methodologies adopted to improve learning and teaching, partnership approaches and school leadership are research based and systemically implemented.

The consistency of approach to develop accountability systems across all classrooms, schools, local authorities and partners are also crucial. We have developed systems in the past which have not taken account of sophisticated benchmarking or longitudinal information on children’s learning, perversely supporting in some cases the widening of the attainment gap. We must strongly avoid the “league table” approach to raising attainment whilst still adopting a strong performance management culture. League tables that are based on school examination pass rates give little useful information about school performance. They fail to identify which schools are best at enabling pupils to progress with their learning. They also fail to identify which schools are most likely to help a particular pupil achieve exam success. Such league tables would be meaningless, if they did not give such a strong and albeit misleading impression of conveying meaning. It is this final point which can lead to plummeting staff morale in schools which are adding significant value to pupils. Perversely, the very pupils who need constant affirmation of their ability and encouragement that they can achieve their aspiring destination can have reinforced the myths of childhood by the media and popular opinion that they are poorly educated. Some never recover from this.

We see curriculum for Excellence (CfE) as an opportunity to achieve the real changes that are needed. ADES firmly believes that raising attainment will require continuing work over the coming years and is committed to this ongoing task.

The ADES paper on attainment
The ADES paper on raising attainment (see attached appendix) which has been fully developed through our members across Scotland and underpinned by the most up to date research focuses on raising attainment in classrooms, and at system-level. The paper seeks to summarise the key issues facing Scotland at the current time and serves as a basis for discussion to inform practice across Scotland, improving educational outcomes for our children and young people. It is accompanied by a
supporting paper which: (i) summarises the range of evidence that ADES has considered in identifying these key issues; (ii) provides further detail on the performance framework required to achieve this vision.

The paper seeks to address seven questions:

1. Why raising attainment is important
2. How are standards of attainment defined?
3. How are pupils’ standards of attainment assessed?
4. Is attainment rising in Scotland?
5. What are the attributes of a school system that has successfully raised attainment?
6. Why do our schools not consistently exhibit all of these attributes?
7. What needs to change?

We have summarised the main conclusions below and provided a one page overview of “what works” at classroom, school and local authority level in the appendix called ADES RA grid.

**Key messages of the ADES Raising Attainment paper**

**What are the key factors for success in Raising Attainment?**

- Excellent learning and teaching in the classroom
  - Actions that fail to enable this are irrelevant
- A professional approach to classroom practice
  - Continuous improvement requires reflective, evidence-based teaching
- A system that is aligned to support effective teaching professionals
  - Action outwith the classroom should support effective learning
- Context-based understanding of effective classroom practice and support
  - Appropriate interventions require contextual understanding
- An evidence-based and sustained approach to continuous improvement
  - We should value that which actually makes a difference

None of these factors can be taken in isolation. All are needed for success.

**If these factors are known, why are we not currently having greater success?**

- **Conviction** – there is too often a lack of aspiration for children and young people.
- **Complexity** – we are not sufficiently good at recognising or addressing the many factors that affect attainment, within and outwith the classroom.
- **Context** – we do not always understand the most effective and reliable ways to transform practice in a given school context.
- **Clarity** – effective practice is not always properly communicated, understood and applied.
- **Consistency** – in any given context, effective strategies are not always applied consistently.
• Confusion – poorly designed performance information leads to misunderstanding of real strengths and weaknesses.

Successfully addressing any of these factors would have an impact on attainment. Successfully addressing all of these factors would transform attainment in Scotland.

What then do we need to do differently to ensure that we can significantly improve our success in raising attainment?

• We need to intervene in a systematic and sustained manner to break the cycle of disadvantage.
• We need to demand and model a belief in all children and young people.
• We need to adopt an evidence-based and sustained approach to continuous improvement – expecting and supporting programmes that lead to demonstrable improvements in learning and teaching.
• We need to create a culture which enables strong and visionary leadership.
• We need to enable, support and demand teaching professionalism, providing opportunities for personal development that equips teachers with the attitudes, skills and motivation to inspire children and young people.
• We need to create credible performance information, which draws on rich and reliable data, providing an appropriately contextualised view of school performance.
Attainment

Issues paper for Education and Culture Committee meeting 22 May 2012

Introduction

On 22 May 2012 the Committee will take evidence on issues raised by—

- the publication of the Scottish Survey of Literacy and Numeracy (SSLN) 2011, and
- advice to schools on how to improve attainment, which was recently published by the Scottish Government.

The following witnesses will take part in the meeting—

- Moira Finlayson, Honorary Research Fellow, STEM-Ed, University of Glasgow
- Brian McAlinden OBE, from the Scottish Government Attainment Group, which provides advice to Ministers on how to raise attainment.
- Craig Munro, Chair of the Performance and Improvement Network, Association of Directors of Education in Scotland (ADES), which has also produced a recent report on raising attainment.

Assessments of primary and early secondary attainment

While the SSLN is the first survey based on the Curriculum for Excellence (CfE), it builds on previous surveys of attainment going back to the 1980s. The Assessment for Achievement Programme (1981 – 2005) was a survey of attainment in English, maths and science covering P3, P5, P7 and S2. Between 2005 and 2009 the Scottish Survey of Achievement provided similar information.

Survey Findings

The SSLN surveyed attainment in numeracy in May 2011 amongst a total of 13,000 pupils in P4, P7 and S2. P4 pupils were assessed on whether they had attained the ‘first’ CfE level, P7 pupils on whether they had attained the ‘second’ level and S2 pupils on whether they had attained the ‘third’ level.

Table 1: Curriculum levels assessed in the SSLN

<table>
<thead>
<tr>
<th>CfE level assessed</th>
<th>% not working at this level</th>
<th>% scoring over 75%</th>
</tr>
</thead>
<tbody>
<tr>
<td>P4 First</td>
<td>0% scored under 10%</td>
<td>30%</td>
</tr>
<tr>
<td>P7 Second</td>
<td>2% scored under 20%</td>
<td>29%</td>
</tr>
<tr>
<td>S2 Third</td>
<td>32% scored under 35%</td>
<td>8%</td>
</tr>
</tbody>
</table>
As table one shows, while CfE guidance suggests that by the end of P4 and P7, most children will have attained the first and second levels respectively, it is less clear what the expectations are for most pupils by S2. By the end of S3, most will have attained either ‘third’ or ‘fourth’. Some pupils will continue to learn at ‘level 4’ in S4 and may gain National Qualification 4 which is set at this level. Others will do National Qualification 5 (SCQF level 5).

The survey results show that almost all children have achieved the appropriate level by the end of P4 and P7. It shows that around a third of S2 pupils have still to reach the ‘third’ level, which they have until the end of S3 to do.

**Maths and Numeracy in the Curriculum**

A review of the maths curricula across Europe has found that:

> Especially since 2007, the great majority of European countries have revised their mathematics curricula, adopting an outcome-based approach whereby the focus lies on developing students’ competences and skills rather than on theoretical content. The amount of mathematics content in the curriculum has decreased while cross-curricular links, problem solving and the application of knowledge has increased. ([Eurydice, 2011, Thematic study on mathematics education in Europe](http://example.com))

It found that there was a lack of guidance for teachers and that:

> Providing the necessary support to teachers while respecting their didactic autonomy remains therefore a challenge in Europe.

**Development of maths and numeracy in Curriculum for Excellence**

In the Curriculum for Excellence, maths ‘Experiences and Outcomes’ (i.e. the curriculum up to S3) are divided into the three broad areas of:

- Number, money and measure
- Shape, position and movement, and
- Information handling.

The ‘Principles and Practice’ advice recommends the use of the following teaching techniques:

- planned active learning which provides opportunities to observe, explore, investigate, experiment, play, discuss and reflect
- modelling and scaffolding the development of mathematical thinking skills
- learning collaboratively and independently
- opportunities for discussion, communication and explanation of thinking
- developing mental agility
- using relevant contexts and experiences, familiar to young people
- making links across the curriculum to show how mathematical concepts are applied in a wide range of contexts, such as those provided by science and social studies
- using technology in appropriate and effective ways
- building on the principles of Assessment is for Learning, ensuring that young people understand the purpose and relevance of what they are learning
- developing problem-solving capabilities and critical thinking skills.
The CfE ‘excellence’ group in Maths published a report as a guide to teachers’ thinking about how to implement CfE in maths and numeracy. The report included questions for teachers, headteachers and policy makers. Those for policy makers included:

- How can what is known about effective practice in mathematics teaching be more effectively communicated to practitioners and leaders?

- What support and incentives are needed for teachers and leaders to create the kinds of learning environments for teachers that will be necessary for the continual improvement of practice?

- How can the assessments generated by teachers in different schools be evaluated and shared, to reduce the extent to which every teacher or school has to “reinvent the wheel”?

In addition to the maths curriculum, CfE requires that numeracy be taught across the whole curriculum, along with literacy and health and well-being. Education Scotland found that:

There is emerging widespread acceptance amongst staff in secondary schools that they have individual and collective responsibility to develop young people’s knowledge, skills, attributes and capabilities in literacy, numeracy and health and wellbeing. (Education Scotland, developing your secondary curriculum)

Education Scotland gives the example of schools appointing ‘numeracy co-ordinators’, who may not be teachers in the maths department, in order that cross-curricular numeracy is not seen as the responsibility of one department.

The SSLN asked teachers how well certain maths topics fitted into their curriculum area. The most difficult area seems to be religious and moral education with over 50% of respondents saying that it was ‘difficult to fit in because it had no relevance’ in relation to most of the maths topics mentioned.

Teachers were asked how confident they were in teaching CfE in their own subject. Most were fairly confident, although there does seem to be slightly less confidence amongst secondary maths teachers than teachers of other subjects.

**Chart 1: Teachers’ confidence in teaching Curriculum for Excellence**

![Chart showing teachers' confidence](image-url)
They were also asked about confidence in teaching numeracy across the curriculum. The table below shows a lack of confidence amongst non-maths secondary teachers in this regard.

**Chart 2: Teachers' confidence in teaching numeracy across the curriculum**

The ‘S2 Dip’
In common with previous surveys, the SSLN found lower performance in S2 than in primary school. Whereas around 30% of pupils surveyed scored over 75% in P4 and P7, only 8% did so in the S2 test.

In the TESS (30th March 2012) Larry Flanagan (EIS) referred to the effects of puberty and also to the fact that pupils were not expected to all reach the ‘third level’ in S2. He said: “one thing that happens to young people in S2 is puberty, you have to allow space for children to grow.” This dip in the early teenage years is not just a Scottish issue, but has been found in education systems across the world. A literature review from 2006 (K. Whitby and Lord P) stated:

In both policy and research documentation, the dip phenomenon appears to cut across the international arena, although it is not described in all countries studied. What does seem to be consistent is that the middle years in general (after primary school; age 11-14) appear to constitute a phase in education where least progress is made by students … The research analysed suggests that the risk of a dip following transfer to secondary school may be due to young people’s experience of change, including teaching and learning styles, curriculum experiences, school organisation, and friendship and social circumstances. With these changes appears a decline in students’ attitudes towards school and learning http://www.inca.org.uk/pdf/Final_Dip_Report.pdf

This rapid literature review and consideration of English results suggested that the following factors may be involved:

- the effects of transfer from primary to secondary school
- curriculum change
- teenage maturation issues
- the perceived distance of the compulsory secondary school leaving examinations at age 16.
Additional factors identified included family background, teaching methods, school organisation, and a lack of preventative measures.

The issue is recognised in the approach of Curriculum for Excellence. For example, Education Scotland advice on 'building your curriculum' includes suggestions that schools should be:

- Developing meaningful primary–secondary curriculum transitions using the Es and Os (experiences and outcomes) to provide depth, challenge and application of learning.
- Providing young people’s entitlement to support, particularly at key transition points.

It notes that ‘most’ schools are: considering how best to improve achievement through increasing the degree of pace and challenge in learning at S1–S3.

The SSLN included questionnaires about attitudes to learning and teaching methods. This showed that many pupils enjoy learning less in S2 than in primary and also shows some large differences in teaching methods between primary and secondary. The table below shows those areas where there was the greatest percentage point difference between pupils’ views in P7 and S2. For example it shows that in primary there is far more frequent use of computers, working with other pupils and talking through how to improve.

<table>
<thead>
<tr>
<th>% pupils saying they did the following &quot;very often&quot;</th>
<th>P7</th>
<th>S2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use computers?</td>
<td>38</td>
<td>14</td>
</tr>
<tr>
<td>Help you understand how you can do better?</td>
<td>75</td>
<td>53</td>
</tr>
<tr>
<td>Work with other pupils?</td>
<td>43</td>
<td>24</td>
</tr>
<tr>
<td>The teacher explains how you will know you have done well?</td>
<td>47</td>
<td>28</td>
</tr>
<tr>
<td>The teacher talks about what you are learning?</td>
<td>63</td>
<td>43</td>
</tr>
<tr>
<td>The teacher helps you think things through and solve problems?</td>
<td>51</td>
<td>33</td>
</tr>
<tr>
<td>The teacher talks to you about what you need to do to improve your learning?</td>
<td>35</td>
<td>19</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>% pupils saying they &quot;agree a lot&quot; with the following</th>
<th>P7</th>
<th>S2</th>
</tr>
</thead>
<tbody>
<tr>
<td>I enjoy working with numbers</td>
<td>45</td>
<td>22</td>
</tr>
<tr>
<td>What I am learning in school is useful to me outside of school</td>
<td>66</td>
<td>46</td>
</tr>
<tr>
<td>I enjoy learning</td>
<td>49</td>
<td>31</td>
</tr>
<tr>
<td>I am interested in learning about different things</td>
<td>74</td>
<td>57</td>
</tr>
<tr>
<td>I usually do well in working with numbers</td>
<td>53</td>
<td>36</td>
</tr>
</tbody>
</table>

source: SSLN

**Trends in attainment in later secondary**

While the SSLN considers attainment in primary and early secondary, the most comprehensive information is available for older children – through SQA exam results and international surveys such as PISA (which looks at reading, science and maths amongst 15 year olds). In general terms, SQA attainment improved slightly between 2003 and 2009, whereas PISA results got worse.

The chart below shows that, since 1998/99, the proportion of pupils who gained 5 qualifications at standard grade credit (or equivalent) by the end of S4 has increased from 32% to 36%, whereas the proportion who had done so by the end of S6 increased from 38% to 50%. This suggests there has been an increase in pupils doing extra intermediate
2s in S5 and S6 which might be related to the introduction of Higher Still about 10 years ago. There has also been an increase in the proportion of pupils gaining five Highers – from 17% in 1998 to 22% in 2009.

Chart 3: Change in achievement of SQA awards 1998/99 to 2009/10

<table>
<thead>
<tr>
<th>Year</th>
<th>Maths</th>
<th>Reading</th>
<th>Science</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>2003</td>
<td>524</td>
<td>500</td>
<td>516</td>
</tr>
<tr>
<td>2006</td>
<td>506</td>
<td>498</td>
<td>499</td>
</tr>
<tr>
<td>2009</td>
<td>499</td>
<td>496</td>
<td>500</td>
</tr>
</tbody>
</table>

source: Scottish Government SQA results

In the international PISA survey, maths and reading results have got worse since their earliest comparable result as shown in the table below. That said, the scores between 2006 and 2009 show little change for science and reading, and only a small drop for maths. The latest PISA survey is being conducted in 2012 and will focus on maths. Results should be available in December 2013 (Scottish Government)

Table 3: PISA results: Scotland and OECD average.

<table>
<thead>
<tr>
<th>Year</th>
<th>Maths</th>
<th>Reading</th>
<th>Science</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>2003</td>
<td>524</td>
<td>500</td>
<td>516</td>
</tr>
<tr>
<td>2006</td>
<td>506</td>
<td>498</td>
<td>499</td>
</tr>
<tr>
<td>2009</td>
<td>499</td>
<td>496</td>
<td>500</td>
</tr>
</tbody>
</table>

source: Scottish Government, PISA results 2009

In 2009, the following twelve countries had a higher score than Scotland in the PISA maths test:

1. Australia
2. Belgium
3. Canada
4. Estonia
5. Finland
6. Germany
7. Iceland
8. Japan
9. Korea
10. Netherlands
11. New Zealand
12. Switzerland
The Attainment Gap

At the lower end of attainment, 20 per cent of Scottish students in PISA performed lower than level 2 in maths. PISA level 2 is considered to be basic proficiency. The EU member states have set a benchmark to reduce the proportion of 15-year-olds with low achievement in mathematics to less than 15% by 2020\(^1\). Only Estonia, Finland and Liechtenstein achieved the benchmark in the 2009 survey (Eurydice, 2011).

In terms of Scottish SQA qualifications, the attainment gap as measured by the ‘tariff score\(^2\)’ of S4 pupils got wider between 1998 and 2004, but has since remained relatively steady at between 148 and 150 tariff points.

**Table 4: Attainment gap as measured by tariff score of S4 pupils.**

<table>
<thead>
<tr>
<th></th>
<th>Lowest attaining 20%</th>
<th>Remaining 80%</th>
<th>All S4 pupils</th>
<th>Difference between lowest attaining 20% compared to remaining 80%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998/99</td>
<td>54</td>
<td>190</td>
<td>162</td>
<td>136</td>
</tr>
<tr>
<td>1999/00</td>
<td>54</td>
<td>194</td>
<td>166</td>
<td>140</td>
</tr>
<tr>
<td>2000/01</td>
<td>53</td>
<td>196</td>
<td>167</td>
<td>143</td>
</tr>
<tr>
<td>2001/02</td>
<td>53</td>
<td>197</td>
<td>168</td>
<td>144</td>
</tr>
<tr>
<td>2002/03</td>
<td>53</td>
<td>197</td>
<td>168</td>
<td>144</td>
</tr>
<tr>
<td>2003/04</td>
<td>53</td>
<td>199</td>
<td>170</td>
<td>146</td>
</tr>
<tr>
<td>2004/05</td>
<td>51</td>
<td>199</td>
<td>170</td>
<td>148</td>
</tr>
<tr>
<td>2005/06</td>
<td>53</td>
<td>202</td>
<td>172</td>
<td>149</td>
</tr>
<tr>
<td>2006/07</td>
<td>53</td>
<td>201</td>
<td>171</td>
<td>148</td>
</tr>
<tr>
<td>2007/08</td>
<td>54</td>
<td>204</td>
<td>174</td>
<td>150</td>
</tr>
<tr>
<td>2008/09</td>
<td>59</td>
<td>209</td>
<td>179</td>
<td>150</td>
</tr>
<tr>
<td>2009/10</td>
<td>62</td>
<td>211</td>
<td>181</td>
<td>149</td>
</tr>
</tbody>
</table>

This is a different pattern to the gap in attainment that is linked to deprivation which has reduced slightly between 2004/05 and 2009/10 (see table 5).

**Factors affecting attainment**

ADES suggests in its report on raising attainment that the attainment gap persists due to:

- not everyone believing that every child does have the potential to improve
- health, social and economic inequalities
- weaknesses in implementing change
- the need to ensure “greater consistency in schools and holding all teachers, schools and local authorities accountable for the attainment of the children they teach and support remain major challenges”
- “any weaknesses in teachers’ skills present significant challenges to schools”.

There is a very large literature on factors that affect attainment and what might make an ‘effective school’, which there is not the space here to review. By way of example, the following highlights some key findings from EPPSE (a longitudinal study in England), a study on mathematical attainment in Europe by Eurydice and PISA analysis on overcoming social background.

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\(^2\) The ‘tariff score’ enables comparison across a range of qualifications by assigning points to different levels of qualification. For example a standard grade ‘1’ is equal to 38 points and an Intermediate 2 grade A = 42 points.
The **EPPSE 3-14 study** considered the influence of pre-school and primary school on children’s attainment. This looked at the correlations between a large range of factors and attainment. In addition, case studies of 50 students helped to explore the reasons why some children from disadvantaged backgrounds succeed ‘against the odds’. It looked at what parents, teachers and friends could do that affected attainment. Teachers helped through being of high quality (e.g. consistently presenting a positive image of learning) and providing specific school support (e.g. booster lessons to tackle difficulties). By contrast, children who made poor progress, or who were not seen as clever, developed a negative self-image which led to or reinforced poor learning strategies/motivation.

EPPSE found that the home learning environment, parents’ qualifications level and attendance at high quality pre-school all had strong effects on attainment. However, schools themselves also make a difference. Attending a high quality primary school is linked to higher attainment and acts as a ‘protective’ factor against a poorer quality secondary school.

EPPSE looked at whether the following school factors affected attainment:

- Emphasis on learning
- Behaviour climate
- Headteacher
- School environment
- Valuing pupils
- School/Learning resources
- Teacher behavioural management
- Teacher support

Of these factors, the strongest effects were found in relation to the emphasis on learning and behaviour climate. The behavioural climate refers to the specific (disruptive) behaviours (e.g., obeying rules, fighting, bringing into schools knives or weapons, etc). It does not relate to teacher discipline within a class. The other factors, although significant, had a smaller effect. The study also looked at progress (rather than just attainment) and found that:

“Students who perceived their headteacher as interested in what they learn and actively involved in the educational processes made more progress during KS3 than students who did not perceived their headteacher having these qualities. Similarly, the factor measuring students’ views of teachers’ supportive approach significantly predicted progress, although it had not been found to be a significant predictor of differences in attainment.”

A review of mathematics teaching in Europe (Eurydice, 2011) identified the following factors from the research on tackling low achievement:

- laying the foundations for mathematics learning as early as pre-primary level;
- providing individual support to tackle difficulties as and when they occur;
- increasing motivation by ensuring that links are established with other subjects;
- making connections with everyday life; and
- involving parents with their children’s mathematics education.

**Attainment and deprivation**
The correlation between attainment and deprivation is well known. However, the causes of the link are less well known and it is difficult to disentangle from other factors that are also
linked to deprivation such as parents’ education level, home learning environment and the social mix of the school. For example, a literature review by C4EO (January 2011) noted that:

“Although the relationship between poverty and attainment is well characterised, there is less understanding of ‘what works’ in terms of interventions and strategies for raising attainment for children from disadvantaged backgrounds ... most of the UK evidence in this area is based on observational studies, case studies, surveys, policy evaluations and other non-experimental research.”

**Deprivation and attainment in SSLN**

In the SSLN, pupils from deprived areas did less well than those from less deprived areas. The charts below are taken from the survey report and show that the link between deprivation and attainment is more evident in S2 than in P4. In S2, those pupils from the least deprived areas are well ahead of those from both the most and middle deprived areas.

**Chart 4: Score by deprivation, P4.**

<table>
<thead>
<tr>
<th>score</th>
<th>least deprivation</th>
<th>middle</th>
<th>most deprivation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 10</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 up to 20</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 up to 30</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>30 up to 40</td>
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<td></td>
<td></td>
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<tr>
<td>40 up to 50</td>
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<tr>
<td>50 up to 60</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>60 up to 70</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>70 up to 80</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>80 up to 90</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>90 to 100</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Chart 5: Score by deprivation, S2.**

<table>
<thead>
<tr>
<th>score</th>
<th>least deprivation</th>
<th>middle</th>
<th>most deprivation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 10</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 up to 20</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20 up to 30</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30 up to 40</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40 up to 50</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>50 up to 60</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60 up to 70</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>70 up to 80</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>80 up to 90</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>90 to 100</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
In 2006, the OECD reviewed Scottish education and found a similar gap, stating:

One major challenge facing Scottish schools is to reduce the achievement gap that opens up about Primary 5 and continues to widen throughout the junior secondary years (S1 to S4). Children from poorer communities and low socio-economic status homes are more likely than others to under-achieve, while the gap associated with poverty and deprivation in local government areas appears to be very wide.


The OECD found that:

Little of the variation in student achievement in Scotland is associated with the ways in which schools differ. Most of it is connected with how children differ. Who you are in Scotland is far more important than what school you attend, so far as achievement differences on international tests are concerned.

This difference in the effect of deprivation in primary and secondary school has also been found in England, but (according to the Sutton Trust) is not found in eight other countries studied (Germany, Australia, Canada, the USA, France, Sweden, Denmark, Finland or Italy). However, unlike the OECD, the Sutton Trust suggest that the gap could be due to social sorting due to parental choice of secondary school – i.e. they suggest that it is ‘between school’ differences that are driving it rather than ‘within school’ differences (Sutton Trust, November 2011, What prospects for mobility in the UK).

The deprivation gap in SQA results
In Scotland, in terms of SQA results, the gap in the tariff score\(^3\), while still very wide, actually narrowed slightly between 2005 and 2010. The table below shows that the difference in ‘tariff score’ between the 10% least deprived and the 10% most deprived pupils has narrowed from 107 to 99. In other words, the performance of those from the most deprived backgrounds has improved slightly more than the performance of those from the better off backgrounds. However, the OECD PISA data would suggest that it remains a much stronger link than in countries such as Finland or Canada. It might be concluded from this that we are moving slowly in the right direction, but still have a long way to go.

Table 5: Difference in tariff score by deprivation in SQA results 2009/10

<table>
<thead>
<tr>
<th>Deprivation (SiMD rankings)</th>
<th>2004/05 Average tariff score</th>
<th>2009/10 Average tariff score</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Most deprived</td>
<td>116</td>
<td>132</td>
<td>16</td>
</tr>
<tr>
<td>Decile 2</td>
<td>134</td>
<td>145</td>
<td>11</td>
</tr>
<tr>
<td>Decile 3</td>
<td>144</td>
<td>154</td>
<td>10</td>
</tr>
<tr>
<td>Decile 4</td>
<td>156</td>
<td>169</td>
<td>13</td>
</tr>
<tr>
<td>Decile 5</td>
<td>169</td>
<td>179</td>
<td>10</td>
</tr>
<tr>
<td>Decile 6</td>
<td>177</td>
<td>191</td>
<td>14</td>
</tr>
<tr>
<td>Decile 7</td>
<td>189</td>
<td>200</td>
<td>11</td>
</tr>
<tr>
<td>Decile 8</td>
<td>200</td>
<td>204</td>
<td>4</td>
</tr>
<tr>
<td>Decile 9</td>
<td>209</td>
<td>215</td>
<td>6</td>
</tr>
<tr>
<td>Least deprived</td>
<td>223</td>
<td>231</td>
<td>8</td>
</tr>
</tbody>
</table>

Scottish Government, SQA attainment and school leaver destinations, table 1.6

\(^3\) The ‘tariff score’ enables comparison across a range of qualifications by assigning points to different levels of qualification. For example a standard grade ‘1’ is equal to 38 points and an Intermediate 2 grade A = 42 points.
**The ‘deprivation gap’ in PISA results**

The PISA 2009 survey found that across the OECD: “The best performing school systems manage to provide high quality education to all students”, whereas “disadvantaged students may have access to more teachers, but not necessarily the best teachers” – as “disadvantaged schools still report great difficulties in attracting qualified teachers.” PISA looked at the percentage of variance in student performance that was explained by socio-economic background. This was 14% in the UK, which is the OECD average. The table below shows the SE variance for the countries which scored highest in PISA reading test. Only two (New Zealand and Singapore) have an effect of socio-economic group which is higher than the OECD average of 14%.

<table>
<thead>
<tr>
<th>Country</th>
<th>Reading score</th>
<th>% variance due to SE group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shanghai</td>
<td>556</td>
<td>12</td>
</tr>
<tr>
<td>Korea</td>
<td>539</td>
<td>11</td>
</tr>
<tr>
<td>Finland</td>
<td>536</td>
<td>8</td>
</tr>
<tr>
<td>Hong-kong China</td>
<td>533</td>
<td>5</td>
</tr>
<tr>
<td>Singapore</td>
<td>526</td>
<td>15</td>
</tr>
<tr>
<td>Canada</td>
<td>524</td>
<td>9</td>
</tr>
<tr>
<td>New Zealand</td>
<td>521</td>
<td>17</td>
</tr>
</tbody>
</table>

Table 6: Variance due to deprivation in PISA reading scores, 2009

from: OECD fig 11.1.4 PISA 2009 results: ‘Overcoming social background’

The OECD used PISA results to look at what makes a school 'successful' - defining 'success' as a combination of high attainment and a relatively low impact of socio-economic background on results. They found that successful systems:

- embrace the diversity in students' capacities, interests and social background with individualised approaches to learning.
- have clear and ambitious standards that are shared across the system … everyone knows what is required to get a given qualification.
- they invest educational resources where they can make the greatest difference, they attract the most talented teachers into the most challenging classrooms, and they establish effective spending choices that prioritise the quality of teachers.
- they provide considerable discretion to school heads and school faculties in determining how resources are allocated, a factor which the report shows to be closely related to school performance when combined with effective accountability systems.

However, it does warn that “the fact that such characteristics are more likely to be found among successful school systems does not mean that they are necessary or sufficient for success. Not all successful school systems share the same organisational characteristics, and not all school systems that are organised in this way achieve high levels of performance and a moderate impact of socio economic background on student performance”(p.29 OECD PISA results 2009: What makes a school successful?)

**Advice on raising attainment**

In April, the Scottish Government published advice to teachers on how to raise pupil attainment. This was based on work of a group of head teachers and ADES.

Drawn from practical experience and known success, the areas identified are intended to be a starting point for reflection and the beginning of a process of discussion. In the coming months we will jointly be giving teachers, schools, parents/carers and others the opportunity to feed into this work and share their
experiences of what works to raise attainment, as well as highlighting useful resources. [http://www.engageforeducation.org/attainment/](http://www.engageforeducation.org/attainment/)

Over the rest of the year, the group will focus on the following areas:
- April – Literacy & numeracy
- June – Ambition & Aspirations
- August – Excellent Learning & Teaching
- October – Engaging Family & Wider Community
- November – Leadership
- January 2013 – Information & Performance

The advice to teachers provides a series of questions for reflection under the following six headings:
1. Increasing the ambition, aspiration and expectations of every child and young person
2. Delivering excellent learning and teaching in every classroom, every day
3. Developing effective leadership at all levels
4. Engaging family and the wider community
5. Focusing on literacy and numeracy as platforms on which to build future learning
6. Using information intelligently to understand progress

The report by ADES summarised what it sees as the attributes of school systems that have successfully raised attainment. Summarising further, these include leaders and practitioners who:
- believe that every child has the capacity to learn
- create a supportive but challenging environment
- use proven, structured classroom strategies
- continuously develop their professional skills and knowledge
- challenge their own beliefs and practices.

It also includes engaged learners, involved parents and rigorous use of monitoring data for improvement and accountability.
Introduction

1. This paper seeks to inform members’ consideration of the Education (Provision of Information as to Schools) (Scotland) Revocation Regulations 2012 (SSI 2012/129).

2. A copy of the instrument is annexed to this paper.

Background

3. The instrument was laid on 27 April 2012 and the Education and Culture Committee was designated the lead committee. It is subject to negative procedure and no motion to annul has been lodged.

4. The Subordinate Legislation Committee considered the instrument at its meeting on 8 May 2012 and determined that it did not need to draw the attention of the Parliament to the instrument.

5. If the Education and Culture Committee wishes to report on the instrument it must do so by 28 May 2012.

6. Further information on the policy intent of the instrument is provided in the executive note, appended to the instrument (page 5).

Action

7. The Committee is invited to consider whether it is content with the instrument.

Jonas Rae
Committee Assistant
May 2012
2012 No. 129

EDUCATION

The Education (Provision of Information as to Schools) (Scotland) Revocation Regulations 2012

Made - - - - 25th April 2012
Laid before the Scottish Parliament 27th April 2012
Coming into force - - 30th May 2012

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 28I(1), (4) and (9) of the Education (Scotland) Act 1980(1) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Education (Provision of Information as to Schools) (Scotland) Revocation Regulations 2012 and come into force on 30th May 2012.

Revocation

2. The Regulations set out in column 1 of the Schedule to these Regulations are revoked to the extent specified in the corresponding entry relating to those Regulations in column 3 of that Schedule.

ALASDAIR ALLAN
Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
25th April 2012

(1) 1980 c.44 (“the 1980 Act”). Section 28I was inserted by section 17 of the Education (Schools) Act 1992 (c.38). Section 135(1) of the 1980 Act sets out the definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State under the 1980 Act were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).
SCHEDULE
REVOCA TIONS

<table>
<thead>
<tr>
<th>Column 1 Regulations revoked</th>
<th>Column 2 References</th>
<th>Column 3 Extent</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Education (Provision of Information as to Schools) (Scotland) Regulations 1993</td>
<td>S.I. 1993/1605; partially revoked by S.S.I. 2000/406</td>
<td>The whole Regulations</td>
</tr>
<tr>
<td>The Self-Governing Schools (Application and Amendment of Regulations) (Scotland) Regulations 1994</td>
<td>S.I. 1994/351</td>
<td>Regulation 7</td>
</tr>
<tr>
<td>The Education (Provision of Information as to Schools) (Scotland) Amendment Regulations 2000</td>
<td>S.S.I. 2000/406</td>
<td>The whole Regulations</td>
</tr>
</tbody>
</table>
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the Education (Provision of Information as to Schools) (Scotland) Regulations 1993 (“the principal Regulations”) which required education authorities and the managers of independent schools and grant-aided schools to provide the Scottish Ministers with information about their schools.

The principal Regulations had been amended by regulation 7 of the Self-Governing Schools (Application and Amendment of Regulations) (Scotland) Regulations 1994 (“the 1994 Regulations”) and by regulation 2 of the Education (Provision of Information as to Schools) (Scotland) Amendment Regulations 2000 (“the 2000 Regulations”). These Regulations also revoke regulation 7 of the 1994 Regulations and the whole of the 2000 Regulations.
EXECUTIVE NOTE

THE EDUCATION (PROVISION OF INFORMATION AS TO SCHOOLS) (SCOTLAND) REVOCATION REGULATIONS 2012

SSI 2012/129

Powers under which the Instrument is made
1. The Education (Provision of Information as to Schools) (Scotland) Revocation Regulations 2012 are made in exercise of the powers conferred by sections 28I (1), (4) and (9) and 135 (1) of the Education (Scotland) Act 1980.

Parliamentary procedure
2. These Regulations are subject to negative procedure in the Scottish Parliament.

Policy Objectives
3. These Regulations revoke the Education (Provision of Information as to Schools) (Scotland) Regulations 1993 ("the 1993 Regulations"). The 1993 Regulations require education authorities, managers of independent schools and managers of grant-aided schools to provide specific information to the Scottish Ministers by certain dates annually. The information relates to attendances, attainment of qualifications, the number of pupils leaving school and their destinations, numbers of pupils with record of needs and school budgeted running costs. This data is submitted to Scottish Ministers to produce national average figures which are then supplied to local authorities for the inclusion in the School Handbooks.

4. The School Handbook is the publication by which local authorities are required to provide parents with school information. The School Handbook requirements which are set out in the Education (School and Placing Information) (Scotland) Regulations 1982 ("the 1982 Regulations") are being amended and the 1982 Regulations are being consolidated (with amendments) by the Education (School and Placing Information) (Scotland) Regulations 2012 ("the 2012 Regulations").

5. The changes to the School Handbook requirements will result in different information being published in School Handbooks, for example information about the curriculum, school ethos and improvement and opportunities for parental involvement for parents to support their child’s learning effectively. The School Handbooks will still require information on attainment and achievement of pupils and their leaver destinations. The national average figures compiled from the information required to be submitted to Scottish Ministers under the 1993 Regulations will no longer be contained in the School Handbooks published from 15 December 2012 and the collection of this data for the purpose of the School Handbook will cease, in line with the Scottish Government statistical collections review. In light of the above changes to the School Handbook requirements affecting schools managed by education authorities, it is appropriate to end the requirement placed upon independent and grant aided schools to supply similar information to that supplied under the 1982 Regulations. It follows therefore that the 1993 Regulations will become obsolete and as such it is appropriate to revoke them.

Consultation
6. There is no statutory requirement to consult when using the enabling powers referred to above. However, full public consultation took place between November 2010 and March 2011 involving parents, other carers of children and other key stakeholders on the School Handbook provisions in the 1982 Regulations. The findings provide evidence of the demand for changes to the current School Handbook requirements in line with the changes in Scottish education under the Curriculum for Excellence. The findings also support the reduction in national data collection in line with the Scottish Government statistical collections review. In addition, the Scottish
Government has consulted local authorities and key stakeholders on the draft proposals and will work with them closely as the guidance on changes to School Handbooks is prepared.

**Impact Assessments**

6. An equality impact assessment has been completed on the School Handbook review and is attached. The public consultation included a number of focus groups targeting parents and other carers of children with specific needs and interests and their views have informed the proposed changes to the School Handbook requirements.

**Financial Effects**

7. The Minister for Learning, Science and Scotland’s Languages confirms that no Business and Regulatory Impact Assessment is necessary as these Regulations have no significant financial effects on the Scottish Government, local government or the private and voluntary sectors. There will be reduced burden on local authorities with respect to reducing the statistical collections for the Scottish Government in relation to the School Handbooks.

Scottish Government
Learning Directorate
April 2012
Introduction

1. This paper seeks to inform members’ consideration of the Education (School and Placing Information) (Scotland) Regulations 2012 (SSI 2012/130).

2. The instrument was laid on 27 April 2012 and the Education and Culture Committee was designated the lead committee. It is subject to negative procedure and no motion to annul has been lodged.

3. The Subordinate Legislation Committee considered the instrument at its meeting on 15 May 2012 and reported in the following terms—

   “The Committee draws the instrument to the attention of the Parliament on reporting ground (h) [that its form or meaning could be clearer] as the meaning of regulation 17(3)(a) could be clearer. It provides that a written notification must include information which is required to be given in terms of paragraph 2 of schedule 2 to the Education (Additional Support for Learning) (Scotland) Act 2004. However, paragraph 2 does not impose any duty to provide information, and it appears that the intention is instead that the written notification should include an explanation of the general effect of that paragraph.”

4. If the Education and Culture Committee wishes to report on the instrument it must do so by 28 May 2012.

5. The executive note, appended to the instrument (page 21) provides further information on the policy objectives of the instrument.

Action

6. The Committee is invited to consider whether it is content with the instrument.

Jonas Rae
Committee Assistant
May 2012
The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 2 and 28B(1)(a)(ii) and (3) of the Education (Scotland) Act 1980(1) and all other powers enabling them to do so.

GENERAL

Citation and commencement

1. These Regulations may be cited as the Education (School and Placing Information) (Scotland) Regulations 2012 and come into force on 8th December 2012.

Interpretation

2. In these Regulations, unless the context otherwise requires—
   “the 1980 Act” means the Education (Scotland) Act 1980;
   “the 2004 Act” means the Education (Additional Support for Learning) (Scotland) Act 2004(2);
   “authority” means an education authority;
   “basic information” means information 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 authority from which pupils resident therein will be admitted to the school in terms of a priority based on residence,

(1) 1980 c.44 (“the 1980 Act”). Section 2 was amended by Schedule 6 to the Education (Scotland) Act 1996 (c.43). Section 28B was inserted by section 1(1) of the Education (Scotland) Act 1981 (c.58) (“the 1981 Act”) and amended by schedule 3, paragraph 3(6) to the Education (Additional Support for Learning) (Scotland) Act 2004 (asp 4) (“the 2004 Act”). Section 135(1) of the 1980 Act sets out the definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State under the 1980 Act were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).
(2) 2004 asp 4. Paragraph 1 of schedule 3 was repealed by paragraph 1 of Schedule 7 to the Public Services Reform (General Teaching Council for Scotland) Order 2011 (S.S.I. 2011/215).
in accordance with any guidelines formulated by the authority under section 28B(1)(c) (information as to placing in schools and other matters) of the 1980 Act;

“information” means information of the kinds specified in a Schedule to these Regulations and information as to a matter mentioned in section 28B(1)(a)(iii) of the 1980 Act;

“placing arrangements” means an authority’s arrangements for the placing of children in schools under their management;

“placing request” means a request made in accordance with section 28A(1) (duty to comply with parents requests as to schools) of the 1980 Act or, in the case of a child having additional support needs, paragraph 2(1) and (2) (duty to comply with placing requests) of schedule 2 (children and young persons with additional support needs: placing requests) to the 2004 Act(3);

“school” in relation to an authority, means a school under their management;

“school commencement date” means a school commencement date for the time being fixed by an authority in accordance with section 32 (dates for commencement of school attendance) of the 1980 Act;

“school information” means information of the kinds specified in Part II of Schedule 1;

“school year” means a period of 12 months commencing on 1st August of a year;

“supplementary information” means information of the kinds specified in Part III of Schedule 1;

“working day” means in relation to an office of an authority, school or public library, a day on which the office, school or public library is open for business purposes;

“working hours” means in relation to an office of an authority, school or public library, the hours during which the office, school or public library is open for business purposes.

Application of these Regulations to young persons and others

3.—(1) These Regulations apply to a young person and a young person having additional support needs in accordance with paragraph (2).

(2) A provision of these Regulations applying—

(a) to a child, applies to a young person who is a pupil in attendance at school, as it applies to the child;

(b) to a child with additional support needs, applies to a young person with additional support needs as it applies to the child;

(c) to the parent of a child, applies—

(i) in the case of a young person with additional support needs who an authority are satisfied is not capable of expressing that young person’s views, to the parent of that young person as it applies to the parent of a child; and

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

Kinds of information to be published, supplied or made available by an authority

4. The kinds of information to be published, supplied or otherwise made available to parents by an authority under section 28B of the 1980 Act are—

(a) basic information;

(3) Section 28A of the 1980 Act was inserted by section 1(1) of the 1981 Act and amended by section 33(2) of the Education (Scotland) Act 1996 c.43, section 43(2) of the Standards in Scotland’s Schools etc. Act 2000 asp 6 and section 1(1)(a)(i) of the School Education (Amendment) (Scotland) Act 2002 asp 2. Schedule 2, paragraph 1 to the 2004 Act disapplied, in relation to children and young persons having additional support needs, sections 28A, 28C and 28E to 28G of the 1980 Act and instead applies the provisions of that schedule.
(b) school information;
(c) supplementary information; and
(d) the information specified in Schedule 2 (kinds of information prescribed in relation to placing requests).

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.
Advertisement

15.—(1) For the purposes of their consideration of placing requests, an authority must, as respects each school year commencing with school year 2013/14, place in a newspaper circulating at least weekly in their area an advertisement stating the matters specified in paragraph (4).

(2) An advertisement relating to the consideration of placing requests made in respect of pupils due to commence attendance at school in a school year must be placed not later than 6 months before each school commencement date fixed by an authority for that school year.

(3) An advertisement relating to the consideration of placing requests made in respect of pupils transferring from one stage of school education to another stage in a school year must be placed not later than 6 months before each transfer date fixed by an authority for that school year.

(4) The matters to be stated in an advertisement are—
   (a) a date, being a date not less than 4 weeks after the date on which the advertisement first appears, by which an authority wish to receive placing requests with respect to their schools in relation to the commencement date or transfer date stated in the advertisement;
   (b) one or more addresses, telephone numbers and email addresses to which a parent may apply for information relating to those schools and the authority’s placing arrangements;
   (c) that information about those schools and those placing arrangements is available for reference purposes as specified in the advertisement;
   (d) that school information for a school is available at the school; and
   (e) such other information as the authority think fit.

(5) In this regulation “transfer date” means a date fixed by an 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 for a school year.

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

16.—(1) This regulation applies where an authority are required by section 28B(1)(b), as read with section 28B(4), of the 1980 Act, to inform a parent—
   (a) of the general effect of section 28A(1) and (2) of the 1980 Act;
   (b) of the parent’s right to make a placing request; and
   (c) as the case may be, to inform the parent of the school in which the authority propose to place the parent’s child.

(2) Where this regulation applies, the authority must inform the parent by notification in writing.

(3) The notification must include the following —
   (a) subject to paragraph (6), the date by which the authority wish to be informed of whether the parent proposes to make a placing request in respect of the parent’s child, being a date not less than 4 weeks after the date of the notification;
   (b) school information for the school referred to in paragraph (1)(c);
   (c) a statement of where information in respect of the authority’s other schools and their placing arrangements in those schools is available for reference and where it will be supplied to the parent on request; and
   (d) the address, telephone number and email address where the authority may be contacted in connection with the notification.

(4) A parent to be informed under paragraph (1) includes a parent whose child is, in accordance with arrangements made by the authority and for the time being in operation—
   (a) due to commence attendance at a primary school;
(b) due to transfer from the stage of primary education to the stage of secondary education at the commencement of that stage of secondary education; or

(c) due to transfer from a school to another school at any time during the course of the stage of primary or secondary education.

(5) Subject to paragraph (6), the notification referred to in paragraph (2) must be given at least 6 months before the school commencement date on which the child is due to commence attendance or, as the case may be, before the date on which the child is due to transfer as mentioned in paragraph (4)(b) or (c).

(6) Where an authority do not know that a child of a parent to whom paragraph (4)(c) applies is due to transfer, in time to enable them to comply with the provisions of paragraph (5), the authority must—

(a) give notification under paragraph (2) as soon as practicable and in advance of the date of the transfer; and

(b) state in the notification the date that the authority 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 the parent’s child.

(7) Nothing in this regulation applies in respect of a child having additional support needs.

Notification of right to make a placing request and other information relating to children having additional support needs

17.—(1) This regulation applies in respect of a child having additional support needs.

(2) Where an authority are required by section 28B(1)(b) and (4) of the 1980 Act to inform a parent of a child having additional support needs—

(a) of the general effect of paragraphs 2 (duty to comply with placing requests) and 3 (circumstances in which duty does not apply) of schedule 2 (children and young persons with additional support needs: placing requests) to the 2004 Act; and

(b) of the parent’s right to make a placing request,

the authority must inform the parent by notification in writing.

(3) The notification referred to at paragraph (2) must include the following—

(a) the information required to be given in terms of paragraph 2 of schedule 2 to the 2004 Act;

(b) a statement of where information with respect to the authority’s other schools and the authority’s placing arrangements in those schools is available for reference and where it will be supplied to a parent on request; and

(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 a parent on request.

(4) Subject to paragraph (6), where an authority are required by the provisions of sections 28B(1)(b) and (4) of the 1980 Act to inform a parent of a child having additional support needs of the school in which the authority propose to place the parent’s child, the authority must give notification in writing.

(5) The notification referred to at paragraph (4) must include the following—

(a) the information required to be given in terms of section 28B(1)(b)(i) of the 1980 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 the parent’s child, which date must be 14 days after the date of notification in terms of paragraph (4); and

(c) school information for that school.

(6) A notification to a parent under paragraph (4) must be given at least 2 months before any date upon which the authority propose that a child should commence attendance at a school or
transfer from one school to another; but nothing in this paragraph will 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**

18.—(1) Subject to paragraph (2), an authority must, within 5 working days of receiving a placing request, send in writing to the parent making the placing request, free of charge, information of the kinds specified in Schedule 2.

(2) Paragraph (1) does not apply where, within 5 working days of receiving a placing request, an authority notify the parent in writing of the authority’s acceptance of the placing request.

**Revocation**

19. The Regulations set out in column 1 of Schedule 3 are revoked to the extent specified in the corresponding entry relating to those Regulations in column 3 of Schedule 3.

\[\text{ALASDAIR ALLAN}\]
Authorised to sign by the Scottish Ministers

St Andrew’s House,  
Edinburgh  
25th April 2012
SCHEDULE 1

PART I

(BASIC INFORMATION)

1. The information specified in this Part is basic information—
   (a) information relating to primary, secondary and special schools including in relation to each—
      (i) the name;
      (ii) the address;
      (iii) the telephone number;
      (iv) the website (if any);
      (v) the email address;
      (vi) the stages of education provided for;
      (vii) the approximate roll;
      (viii) the denominational status (if any); and
      (ix) if a school admits pupils of one sex only, the sex admitted;
   (b) a brief statement of an authority’s policy or practice in relation to their placing arrangements in schools, including any guidelines formulated by the authority in accordance with section 28B(1)(c) of the 1980 Act as respects placing in schools generally;
   (c) school commencement arrangements and an authority’s policy or practice in relation to early admission to primary education and priorities for early admission;
   (d) a brief statement of an authority’s policy or practice in relation to—
      (i) provision of school meals;
      (ii) boarding facilities;
      (iii) transport facilities; and
      (iv) other matters as mentioned in section 50 (education of pupils in exceptional circumstances) or 51 (transport and other facilities) of the 1980 Act particularly in respect of a 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 that pupil;¹
   (e) one or more addresses, telephone numbers and email addresses to which a pupil’s parent who considers that the pupil may have additional support needs may make enquiries;
   (f) one or more addresses, telephone numbers and email addresses to which a parent who wishes to have any kind of supplementary information may make enquiries;

¹ Section 50 of the Education (Scotland) Act 1980 c.44 (“the 1980 Act”) was amended by section 2(2) of the Education (Scotland) Act 1981 c.58 (“the 1981 Act”), section 82 and Schedules 10 and 11 of the Self-Governing Schools etc. (Scotland) Act 1989 c.39, section 145(2) of the Local Government etc. (Scotland) Act 1994 c.39, section 5(2) of the Schools (Health Promotion and Nutrition (Scotland) Act 2007 asp 15 and Schedule 2 to the Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order S.I. 2010/1158. Section 51 of the 1980 Act was amended by section 2(3) of the 1981 Act, section 145(3) of the Local Government etc. (Scotland) Act 1994 c.39, Schedule 5 to the Education (Scotland) Act 1996 c.43, section 37(3) and schedule 3 to the Standards in Scotland’s Schools etc. Act 2000 asp 6, section 45 of the Local Government in Scotland Act 2003 asp 1 and Schedule 2 to the Local Education Authorities and Children’s Services Authorities (Integration of Functions Order) S.I. 2010/1158.
(g) a statement that information concerning a particular school is available at the school concerned; and

(h) one or more addresses, telephone numbers and email addresses of the head office of the education department of an authority or a local 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. The information specified in this Part is school information.

Contact Details

3. In relation to a school—
   (a) the name;
   (b) the address;
   (c) the telephone number;
   (d) the website (if any);
   (e) the email address;
   (f) the stages of education provided for;
   (g) the present roll;
   (h) the denominational status (if any);
   (i) whether the school provides teaching by means of the Gaelic language (as spoken in Scotland);
   (j) if the school admits pupils of one sex only, the sex admitted;
   (k) the headteacher’s name or details of where this information can be found;
   (l) the email address and website (if any) for the Parent Council (or any other parent organisation);
   (m) the arrangements for when a pupil’s parent has a concern about the pupil and an overview of how these concerns will be dealt with;
   (n) the procedure in cases of a pupil’s absence or sickness;
   (o) the complaints procedure;
   (p) the arrangements for a parent, offered or seeking a place for the parent’s child in the school, to visit the school.

Parental Involvement

4. In relation to a school—
   (a) the opportunities provided for a pupil’s parent to become involved in the school;
   (b) details of how the school involves a pupil’s parent in the pupil’s education including how information, support and advice is given to a parent to help the parent support the pupil’s learning and help the pupil at key stages, particularly when choices are being made.

School Ethos

5. In relation to a school—
   (a) a statement of the school’s culture, ethos and values, its aspirations for pupils and how it celebrates their achievements;
(b) details of the school’s partnerships with denominational bodies at local and national level (if any);

(c) details of the school’s role in the community and how it works with organisations, bodies and persons who work with the school and how it promotes positive behaviour, good relationships and motivates pupils.

The curriculum

6. How the curriculum is planned and provided at a school, including—

(a) the different subjects and learning opportunities that are available for pupils and when these are available;

(b) the opportunities for pupils to develop skills for learning, life and work, including literacy, numeracy and health and well-being in and out of the classroom;

(c) in relation to what pupils learn—
   (i) the arrangements for how pupils will be given choices in what they learn;
   (ii) how they will be involved in planning what they learn; and
   (iii) how their parents will be consulted;

(d) where and how a parent can find out more information about the curriculum at school, at local and at national level;

(e) the arrangements for providing support to pupils in relation to leaving school, including how career guidance and financial advice is provided;

(f) how a pupil’s parent will be informed of any sensitive aspects of learning;

(g) the provision for religious instruction and observance for pupils and arrangements for a pupil’s parent who wishes to exercise the parent’s right to withdraw that pupil.

Assessment

7. The school’s arrangements and approaches for tracking and assessing pupils’ progress and planning their future learning.

Reporting

8. The school’s arrangements for ongoing and end of year reporting to a pupil’s parent on that pupil’s progress in curriculum areas, achievements and their future learning.

Transitions

9. In relation to a school—

(a) the arrangements that are in place to support pupils making transitions and what role their parents can play;

(b) the contact details of the school 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);

(c) in paragraph (a) transitions includes moving to the stage of primary education, moving from the stage of primary education to the stage of secondary education and on leaving school.

Support for Pupils

10. In relation to a school—

(a) where and how a parent can find more information about how pupils’ additional support needs will be identified and addressed;
(b) the provisions made for pupils having additional support needs, whether the school is a special school or has a special class or unit, or a developmental nursery for observation;

(c) who to contact if a parent of a pupil thinks that pupil needs additional support and where to get more information and advice;

(d) the ongoing support arrangements for pupils including how pastoral care arrangements and pupil support arrangements are provided;

(e) the arrangements for contacting the key adult who has the overall picture of how a pupil is progressing, for example a form tutor, support for learning teacher or guidance or support teacher.

School Improvement

11. In relation to a school—

(a) the main achievements of the school over the last 12 months, or details of where this can be obtained;

(b) the trends and information which give an overall picture of how the school is performing including achievements at SCQF Levels and other awards, leaver destinations, and any other significant achievements, over the past 3 years;

(c) how the school has improved standards for pupils in relation to literacy, numeracy and health and well-being;

(d) the plans for future improvement of the school’s performance over the next 3 years, including the school’s plans to involve parents in that future improvement;

(e) details of where information regarding the school’s performance at local and at national level can be obtained.

School Policies and Practical Information

12. In relation to a school—

(a) a list of the available school and authority policies and how they can be accessed, or a link to another source where the policies are listed;

(b) information on activities, groups, clubs and opportunities for pupils to be involved in the school including sports and outdoor activities;

(c) the opportunity for pupil representation and involvement in the Pupil Council or any similar body;

(d) the arrangements for school meals and other food and drink, including eligibility and how parents of pupils apply for free school lunches;

(e) the organisation of a school day, including times of arrival and dismissal, break times, school term dates and holidays.

PART III

(SUPPLEMENTARY INFORMATION)

13. The information specified in this Part is supplementary information—

(a) the delineated area (if any) relating to a 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 1980 Act and a parent’s right to make a placing request(1);

(g) the circumstances in which a placing request may be refused in terms of section 28A(3) of the 1980 Act;

(h) the general effect of sections 28A(4) and (5) and 28C to 28G of the 1980 Act(2);

(i) the general effect of sections 17 to 22 (Additional Support Needs Tribunals for Scotland) of, and schedule 2 to the 2004 Act, (children and young persons with additional support needs placing requests relating to placing requests in relation to children having additional support needs);

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

(k) any guidelines formulated by an authority as respects placing in a particular school or nursery class in accordance with section 28B(1)(c) of the 1980 Act;

(l) the general policy or practice with regard to fixing the maximum number of pupils who the authority consider should be—

(i) in education in a school; and

(ii) educated in a particular stage of school education in a school;

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

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

(o) the schools which provide teaching by means of the Gaelic language (as spoken in Scotland);

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

(q) the authority’s general policy or practice with regard to provision in primary or secondary schools for pupils with additional support needs;

(r) the special schools, not under the management of an authority, to which it is the authority’s practice to send pupils, including in relation to each—

(i) the name;

(ii) the address;

(iii) the telephone number;

(iv) the email address;

(v) the website (if any);

(vi) the stages of education provided for in such schools;

(vii) the present roll;

---

(1) Section 28A of the 1980 Act (duty to comply with parents requests as to schools) was inserted by section 1(1) of the 1981 Act.

(2) Sections 28C to 28G of the 1980 Act (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) were inserted by section 1(1) of the 1981 Act. Section 28C was amended by section 43(3) of the Standards in Scotland’s Schools etc Act 2000 asp 6. Section 28D was amended by paragraph 3(7)(b) of schedule 3 to the Education (Additional Support for Learning) (Scotland) Act 2004 asp 4 (“the 2004 Act”). Section 28E was amended by paragraph 3(8) of schedule 3 to the 2004 Act. Section 28F was amended by section 1(3)(a) and (b) of the School Education (Amendment) (Scotland) Act 2002 asp 2.
(viii) the type of need catered for; and
(ix) the specialist services provided;

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

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

(u) the general policy or practice in relation to pupils wearing school uniform;

(v) the general policy or practice in relation to financial assistance towards clothing, footwear, sports or other special clothing required to enable pupils to take full advantage of educational facilities;

(w) the general policy or practice in relation to bursaries or maintenance allowances for pupils;

(x) the general policy or practice with regard to discipline for pupils and school rules, and arrangements for enforcing pupils’ school attendance.

PART IV
(GENERAL)

14. In this Schedule—
“appeal committee” means an appeal committee set up and maintained under section 28D(1)(a) (appeal committee) of the 1980 Act(1);

“nursery school” in relation to an authority means a nursery school under their management and “nursery class” is to be construed accordingly;

“Parent Council” means a Parent Council established further to section 6 (scheme for establishment of a Parent Council) of the Scottish Schools (Parental Involvement) Act 2006(2);

“Pupil Council” means the body of pupils established to represent the interests of the pupils at a school;

“SCQF Levels” means the Scottish Credit and Qualifications Framework Levels which are the levels defined in the left column and described in the right column of table A—

Table A

<table>
<thead>
<tr>
<th>Left column</th>
<th>Right column</th>
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<tbody>
<tr>
<td><strong>SCQF Levels</strong></td>
<td><strong>Qualifications included up to and including school year 2012/13</strong></td>
</tr>
<tr>
<td>7</td>
<td>Advanced Higher/Scottish Baccalaureate</td>
</tr>
<tr>
<td>6</td>
<td>Higher</td>
</tr>
<tr>
<td>5</td>
<td>Standard Grade (Credit)/Intermediate 2</td>
</tr>
<tr>
<td>4</td>
<td>Standard Grade (General)/Intermediate 1</td>
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<td>Standard Grade (Foundation)/Access 3</td>
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<td>2</td>
<td>Access 2</td>
</tr>
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<td>1</td>
<td>Access 1</td>
</tr>
</tbody>
</table>

(1) Section 28D of the 1980 Act was inserted by section 1(1) of the 1981 Act and amended by schedule 3, paragraph 3(7)(b) of the 2004 Act.
(2) 2006 asp 8.
SCHEDULE 2

REGULATIONS 2, 4(d) and 18

KINDS OF INFORMATION SPECIFIED IN RELATION TO PLACING REQUESTS

15. The kinds of information specified for the purposes of regulation 18 are—

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

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

(c) the name, address and email address of the person whom a parent may contact for the purpose of obtaining any further information on procedure for consideration of that parent’s request;

(d) the circumstances, as set out in section 28A(3) of the 1980 Act, in which a placing request may be refused by the authority or, in the case of a child having additional support needs as set out in paragraph 3 (circumstances in which duty does not apply) of schedule 2 (children and young persons with additional support needs: placing requests) to the 2004 Act;

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

(f) the circumstance where if the authority do not notify their decision on a placing request—

(i) in accordance with section 28A(4) of the 1980 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 1980 Act; or

(ii) for a child having additional support needs, paragraphs 4 (placing request; further provision) and 6 (references to appeal committees: supplementary provisions) of schedule 2 to the 2004 Act,

the authority is deemed to have refused the placing request.
## SCHEDULE 3

**REVOCATIONS**

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulations revoked</td>
<td>References</td>
<td>Extent</td>
</tr>
<tr>
<td>The Education (School and Placing Information) (Scotland) Regulations 1982</td>
<td>S.I. 1982/950</td>
<td>The whole Regulations</td>
</tr>
<tr>
<td>The Education (School and Placing Information) (Scotland) Amendment Regulations 1990</td>
<td>S.I. 1990/181</td>
<td>The whole Regulations</td>
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<tr>
<td>The Education (School and Placing Information) (Scotland) Amendment, Etc., Regulations 1993</td>
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<td>Regulations 2, 3, 4, 5, 6, 8 and the Schedule</td>
</tr>
<tr>
<td>The Self-Governing Schools (Application and Amendment of Regulations) (Scotland) Regulations 1994</td>
<td>S.I. 1994/351</td>
<td>Regulation 9</td>
</tr>
<tr>
<td>The Education (School and Placing Information) (Scotland) Amendment Regulations 2000</td>
<td>S.S.I. 2000/407</td>
<td>The whole Regulations</td>
</tr>
<tr>
<td>The Education (School and Placing Information) (Scotland) Amendment Regulations 2007</td>
<td>S.S.I. 2007/487</td>
<td>The whole Regulations</td>
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</table>
EXPLANATORY NOTE
(This note is not part of the Regulations)

These Regulations consolidate, with amendments, the provisions of the Education (School and Placing Information) (Scotland) Regulations 1982 (S.I. 1982 No. 950) as relevantly amended by the Education (School and Placing Information) (Scotland) Amendment Regulations 1990 (S.I. 1990 No. 181), the Education (School and Placing Information (Scotland) Amendment Etc., Regulations 1993 (S.I. 1993 No. 1604), the Self-Governing Schools (Application and Amendment of Regulations) (Scotland) Regulations 1994 (S.I. 1994 No. 351), the Education (School and Placing Information) (Scotland) Amendment Regulations 2000 (S.S.I. 2000 No. 407) and the Education (School and Placing Information) (Scotland) Amendment Regulations 2007 (S.S.I. 2007 No. 487).

These Regulations relate to the supply by education authorities and their making available information concerning schools and the arrangements regarding placing requests for places in schools. The relevant schools are those under the management of an authority.

Regulations 2 and 3 make provision for interpretation and application.

Regulation 4 lists the kinds of information that are to be published, supplied or otherwise made available by an education authority to parents.

Regulations 5 and 6 provide respectively as to the supply and availability to parents of basic information (prescribed in Part I of Schedule I).

Regulation 7 provides for the form in which basic information is to be supplied and made available.

Regulation 8 provides for the supply of school information (prescribed in Part II of Schedule I). Under this regulation parents and a pupil over school age, which is a pupil over 16 (subject to some exceptions set out in section 33(2) of the Education (Scotland) Act 1980 (c.44)) can access school information at a school.

Regulation 9(1) and (2) provide respectively that school information required to be supplied or made available under regulation 8 must be in the form of the School Handbook and must be published online. Regulation 9(3) imposes a duty on education authorities to make the School Handbook available to parents requesting it both in a particular form of writing or in an alternative format, provided it is reasonable to do so.

Regulation 10 provides for the availability of supplementary information (prescribed in Part III of Schedule I) to parents, relating to individual schools.

Regulation 11 provides for the form in which certain supplementary information is to be made available at certain places.

Regulation 12 provides for the annual review and revision of documents containing basic or school information which are to be provided under these Regulations. Regulation 12(3) and (4) provide that a document containing school information must be reviewed and revised by 8th December and an education authority must inform parents of pupils at a school that a revised School Handbook will be available from (and including) 15th December, both online and in hardcopy. Regulation 12(5) and (6) provide for basic and school information to be provided in other languages if the education authority considers it necessary.

Regulation 13 requires an education authority to take reasonable steps to keep supplementary information provided up to date and to make it available to a parent requesting it in another language if necessary.

Regulation 14 clarifies that basic information does not require to be supplied to the same person on more than one occasion in a school year.

Regulation 15 deals with advertisement by education authorities regarding placing requests and related information.
Regulation 16 provides for the content and timing of the notification by an education authority in pursuance of the authority’s duty to inform parents of the authority’s proposed placing of their child in a school and of a parent’s right to make a placing request.

Regulation 17 makes similar provision in relation to notification to parents of children with additional support needs.

Regulation 18 requires an education authority on receipt of a placing request to send out information specified in Schedule 2 to the Regulations.

Regulation 19 revokes the Education (School and Placing Information) (Scotland) Regulations 1982 and relevant amending instruments listed in Schedule 3 to these Regulations.
EXECUTIVE NOTE

THE EDUCATION (SCHOOL AND PLACING INFORMATION) (SCOTLAND) REGULATIONS 2012

SSI 2012/130

Powers under which the Instrument is made
1. The Education (School and Placing Information) (Scotland) Regulations 2012 (“these Regulations”) are made by the Scottish Ministers in exercise of the powers conferred by sections 2 and 28B (1)(a)(ii) and (3) of the Education (Scotland) Act 1980.

Parliamentary procedure
2. These Regulations are subject to negative procedure in the Scottish Parliament.

Policy Objectives
3. The Education (School and Placing Information) (Scotland) Regulations 1982 (“the 1982 Regulations”) set out the arrangements for placing requests for places in schools under the management of an education authority and for supplying and making available information about schools under the management of an authority to parents and other carers of children. The information is categorised into three types, basic information, school information and supplementary information. School information is presented in the form of the School Handbook. Given the major changes in Scottish education since 1982, particularly the introduction of the Curriculum for Excellence in August 2010 and further changes planned for the National Qualifications, there is a need to change the existing School Handbook requirements to bring them up to date with these recent developments. It is also envisaged that reviewing the 1982 Regulations will allow scope for rescheduling a wider set of education statistical collections by the Scottish Government.

4. These Regulations make new provisions relating to the School Handbook. Given that the 1982 Regulations have been amended five times to date, the Scottish Ministers have taken the opportunity in making these Regulations to consolidate the 1982 Regulations with amendments. The substantive amendments being made relate to the form and content of the School Handbook and the way in which it is supplied or made available. Amendments are also being made to modernise and clarify the original provisions of the 1982 Regulations. There is no substantial change in the effect of the provisions relating to placing request arrangements.

5. These Regulations place duties and confer powers upon local authorities to provide and make available information relating to schools. The substantive amendments made to the original provisions in the 1982 Regulations which have been consolidated are as follows.

6. The kinds of school information to be contained in the School Handbook are prescribed in Part II of Schedule 1 to the 2012 Regulations. These have been changed to reflect a demand from stakeholders to include provision to provide parents and other carers of children with information about the school curriculum, now the Curriculum for Excellence, information about school ethos and improvement and opportunities for parents to be involved with supporting their child’s learning. The requirement to include in the School Handbook the national averages for specific statistical measures such as school budgeted running costs has been removed.

7. Regulation 9 includes a new duty for local authorities to make the School Handbook available online and also to provide the School Handbook to a parent or other carer of children who requests it in alternative format, if reasonable to do so. Regulation 11 which places a duty on local authorities to review and revise documents containing basic and school information, including the School Handbook, also places a new duty on local authorities to make the School Handbook available online.
8. The modernisation of the original 1982 Regulations includes making provision for contact details to include an email address, for example at regulation 7(+)(b), and updating information about schools to be provided to include the website address of schools or relevant organisations such as the Parent Council.

**Consultation**
9. There is no statutory requirement to consult when using the enabling powers referred to above. However, full public consultation took place between November 2010 and March 2011 involving parents, other carers of children and other key stakeholders on the School Handbook provisions of the 1982 Regulations. The findings provide evidence of the demand for changes to the current School Handbook requirements in line with the changes in Scottish education under the Curriculum for Excellence. The findings also support the reduction in national data collection in line with the Scottish Government statistical collections review. In addition, the Scottish Government has consulted local authorities and key stakeholders on the draft proposals and will work with them closely as the guidance on changes to School Handbooks is prepared.

**Impact Assessments**
10. An equality impact assessment has been completed on the School Handbook review and is attached. The public consultation included a number of focus groups targeting parents and other carers of children with specific needs and interests and their views have informed the proposed changes to the School Handbook requirements.

**Financial Effects**
11. The Minister for Learning, Science and Scotland’s Languages confirms that no Business and Regulatory Impact Assessment is necessary as these Regulations have no significant financial effects on the Scottish Government, local government or on private and voluntary sectors.

Scottish Government
Learning Directorate
April 2012