
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 130

The Education (School and Placing Information) (Scotland) Regulations 2012

PROVISIONS AS TO INFORMATION ABOUT PLACING REQUESTS

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—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (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.