
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 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.