

POLICY NOTE

THE ST MARY'S MUSIC SCHOOL (AIDED PLACES) (SCOTLAND) AMENDMENT REGULATIONS 2014

SSI 2014/143

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

2. The instrument is subject to negative resolution.

Policy Objective

3. The policy objective of these Regulations is to amend the St Mary's Music School (Aided Places) (Scotland) Regulations 2001 ('the 2001 Regulations') to

- 1) Insert a definition for the term "EEA Agreement" (European Economic Area Agreement). This is a consequence of an undertaken given to the Delegated Powers and Law Reform Committee following the European Union (Amendments in respect of the Accession of Croatia) (Scotland) Regulations 2013 (2013/177). That instrument removed the definition of "EEA Agreement" and changed the definition of "EEA State" so as to ensure that the definitions incorporated a reference to Croatia following its accession to the EU.
- 2) Amend the age-related conditions in respect of children who are entitled to take up aided places at St Mary's Music School as choristers to remove the maximum age limit of thirteen. The Regulations currently provide for pupils to enter this scheme as choristers the school year they turn 8 and they can only hold a place up until the pupil reaches 13. Subject to when a pupil's birthday falls, this can mean that a chorister has to give up his or her aided place at the end of S1 rather than S2 which is a chorister's normal final year. To address this concern an amendment has been inserted replacing the age limit with a five-year maximum period at which a pupil may remain as a chorister at the school under the Aided Places scheme.
- 3) Amend eligibility for remission of charges for school meals to make eligible children whose parents are in receipt of Universal Credit under Part 1 of the Welfare Reform Act 2012. This would ensure that the Universal Credit is taken into account in determining a child's entitlement to the meal allowance under the aided places scheme. Not recognising the Universal Credit within the regulations would prevent those parents who are in receipt of the benefit from receiving assistance.
- 4) Uprate the qualifying parental income levels for the remission of fees and charges and the making of grants under the Aided Places Scheme. The parental income scales (which determine the level of support received by individual parents through the scheme) have been increased 8 times since 2001 in order to ensure, as far as possible, that parental contributions remain a constant proportion of salary. The increase is usually based on

movement in the Retail Price Index (RPI) as at October of the previous year and therefore this Regulation brings into effect a 2.6% increase for the school session 2014/15, in line with inflation. The 2.6% RPI modification to the parental contribution levels consequently affects increases in grants in respect of expenditure on clothing and school travel.

5. Although the 2001 Regulations are being amended for the 9th time, each set of amending regulations up to now has essentially been concerned with making adjustments to qualifying income levels to take account of inflation. Due to the time constraint and necessity for the amendments to be in place by 1 August 2014 consolidation has not been possible. It is our intention to bring forward consolidation of the St Mary's Music School (Aided Places) (Scotland) Regulations 2001 for the commencement of the 2015/2106 school year.

Consultation

6. While, in relation to the Aided Places Scheme, there is no statutory obligation to consult, St Mary's Music School, has been consulted on the amending regulations, and raised no objections.

Financial Effects

7. There will be a slight increase in the financial costs to the Scottish Government, however there will be no additional financial costs to St Mary's Music School.

Scottish Government
Learning Directorate
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