

PRACTICAL WORKING ARRANGEMENTS

The tables in this section are intended to form the basis for communication between the Care Inspectorate and the Registrar of Independent Schools (the Registrar). They identify the information to be shared and then set out how this exchange will happen in terms of timescale, communication method and staff contacts. This appendix should be read in conjunction with the attached Memorandum of Understanding and any indications of timescales which are provided, and any other information contained in these Notes, is subject always to the provisions set out in that Memorandum. The parties recognise and accept that other constraints may exist restricting or preventing the sharing or exchange of information as detailed below, which shall be construed accordingly.

The tables take on the following standard form

Information to be shared	This section contains information that the Care Inspectorate will share with the Registrar.	This section contains information that the Registrar will share with the Care Inspectorate
Timescales	The Care Inspectorate and Registrar will act within the timescales detailed.	
How will this info be transferred	This includes the means of communication. The staff contact details (email address and telephone number) for those with both overall responsibility and contact are detailed in Appendix 2. This will be updated as required.	
Staff with overall responsibility	Title of Care Inspectorate staff member	Title of Registrar staff member
Contact staff	Title of Care Inspectorate staff member responsible for supplying or receiving the communication.	Title of Registrar staff member responsible for supplying or receiving the communication.
Confidentiality indicator	<p>Care Inspectorate: Public Document - disseminate freely ; Private document - named contact only, disseminate within functional department; Confidential - for named recipient only, further dissemination requires explicit consent</p> <p>Registrar: Official: <i>Generally publicly available</i> Official Sensitive: <i>To be shared only as necessary for business purposes</i></p>	

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1. CARE INSPECTORATE: INFORMATION RELATING TO STATUTORY POWERS TO BE SHARED.

Public Services Reform (Scotland) Act 2010 – Section 59 – application to register school care accommodation

	Where an application is received to register a school care accommodation service the Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, inform the Registrar	
Timescale	Within 7 working days	
How will this info be transferred	Email	
Staff with overall responsibility	████████████████████	██████
Contact staff	██	████████████████████ ██████
Confidentiality Indicator	Private	OFFICIAL / OFFICIAL-SENSITIVE
	The Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, consult with the Registrar in respect of setting the maximum number of residential pupils as this has an effect on the maximum numbers who attend the school.	
Timescale		
How will this info be transferred	Phone/e-mail	
Staff with overall responsibility	████████████████████	██████
Contact staff	██	████████████████████ ██████

Public Services Reform (Scotland) Act 2010 - Section 60 – Grant or Refusal of Registration

Information to be shared	Upon completion of registration the Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, notify the Registrar of the registration of a School Care Accommodation service and any conditions attached to the registration.	
Timescale	within 48 hours	
How will this info be transferred	email	
Staff with overall responsibility	████████████████████	████████
Contact staff	████████████████████	████████████████████ ████████
Confidentiality Indicator	Private	OFFICIAL-SENSITIVE
	The Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, inform the Registrar of a refusal to grant registration of a school care accommodation service or of a pre-school service within an independent school. A copy of the Decision Notice, redacted if necessary, will be sent to the Registrar.	
Timescale	Within 48 hours	
How will this info be transferred	Phone/e-mail	
Staff with overall responsibility	████████████████████	
Contact staff	████████████████████	████████████████████ ████████
Confidentiality Indicator	Private	OFFICIAL-SENSITIVE

Public Services Reform (Scotland) Act 2010 - Section 62 - Improvement Notices

Information to be shared	Where an improvement notice is given to a provider of a school care accommodation service, the Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, send a copy of the notice to the Registrar.	
Timescale	within 24 hours	
How will this info be transferred	phone/email	
Staff with overall responsibility	████████████████████	████████
Contact staff	████████████████████	████████████████████

		Office
Confidentiality Indicator	Confidential	OFFICIAL-SENSITIVE

Public Services Reform (Scotland) Act 2010 - Section 66 – Condition Notices

Information to be shared	The Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, notify the Registrar of the imposing, varying or removing of conditions in respect of the registration of a school care accommodation service. A copy of the Decision Notice, redacted if necessary, will be sent to the Registrar.	
Timescale	within 24 hours	
How will this info be transferred	phone/email	
Staff with overall responsibility	████████████████████	████████
Contact staff	██	██ ████████
Confidentiality Indicator	Confidential	OFFICIAL-SENSITIVE

Public Services Reform (Scotland) Act 2010 - Section 70 – Variations

Information to be shared	Where an application is received to vary the conditions of registration of a school care accommodation service is granted, the Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, inform the Registrar. A copy of the Decision Notice, redacted if necessary, will be sent to the Registrar.	
Timescale	Within 7 working days	
How will this info be transferred	phone/email	
Staff with overall responsibility	████████████████████	████████
Contact staff	██	██ ████████
Confidentiality Indicator	Confidential	OFFICIAL-SENSITIVE

Public Services Reform (Scotland) Act 2010 – Section 73 – Decision Notice to Cancel

Information to be shared	Where a notice to cancel registration of a school care accommodation service is issued the Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, send a copy of the Decision Notice, redacted if necessary, to the Registrar.	
Timescale	within 24 hours	
How will this info be transferred	email	
Staff with overall responsibility	████████████████████	██████
Contact staff	██	██ ██████
Confidentiality Indicator	Confidential	OFFICIAL-SENSITIVE

Public Services Reform (Scotland) Act 2010 - Section 65 – Emergency Cancellation of Registration

Information to be shared	The Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, notify the Registrar as soon as practicable after serving an application for urgent cancellation of registration on any provider.	
Timescale	within 24 hours	
How will this info be transferred	phone/email	
Staff with overall responsibility	████████████████████	████████
Contact staff	██	██ ████████
Confidentiality Indicator	Confidential	OFFICIAL-SENSITIVE

Public Services Reform (Scotland) Act 2010 - Section 67 – Emergency Condition Notices

Information to be shared	The Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, notify the Registrar when it issues an emergency condition notice to the provider of a school care accommodation service. The Care Inspectorate will also notify the Registrar where it has taken the decision to either vary or remove the condition specified in the emergency condition notice.	
Timescale	within 24 hours	
How will this info be transferred	phone/email	
Staff with overall responsibility	████████████████████	████████
Contact staff	██	██ ████████
Confidentiality Indicator	Confidential	OFFICIAL-SENSITIVE

Public Services Reform (Scotland) Act 2010 – Section 70(1) (b) – Cancellation of Registration at the provider’s request

Information to be shared	The Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, inform the Registrar when an application to cancel registration has been received and processed.	
Timescale	within 72 hours of the application and within 72 hours of the decision	
How will this info be transferred	email/phone	
Staff with overall responsibility	████████████████████	████████
Contact staff	██	██ ████████
Confidentiality Indicator	Public	OFFICIAL

Complaints about Service Provision

Information to be shared	<p>The Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, inform the Registrar of information relating to complaint investigations and the findings of complaint investigations. Any information provided may be redacted as necessary.</p> <p>If requirements or formal enforcement action are made or taken following the investigation of a complaint relating to school care accommodation services the Care Inspectorate will inform the Registrar.</p>	
Timescale	Within 48 hours (receipt of complaint, outcomes of complaint)	
How will this info be transferred	email/phone	
Staff with overall responsibility	████████████████████	████████
Contact staff	██ ████████████████████████████████████ ██ ████████	██
Confidentiality Indicator	Confidential	OFFICIAL-SENSITIVE

2. REGISTRAR: INFORMATION RELATING TO STATUTORY POWERS TO BE SHARED.**Education (Scotland) Act 1980, section 98A Application for Registration of Independent School**

Information to be shared	Where an application for registration as an independent school includes the provision of school care accommodation and /or pre school service the Scottish Ministers, through the Registrar, will, so far as not constrained whether by legislation or otherwise from doing so, inform the Care Inspectorate.	
Timescale		within 72 hours
How will this info be transferred		email/post
Staff with overall responsibility	████████████████████	████████
Contact staff	██	██ ████████
Confidentiality Indicator		OFFICIAL
	The Registrar will, so far as not constrained whether by legislation or otherwise from doing so, consult with the Care Inspectorate in respect of setting the maximum number of residential pupils as this has an effect on the maximum numbers who attend the school.	
Timescale		Throughout consideration of application
How will this info be transferred		Phone/e-mail
Staff with overall responsibility	████████████████████	████████
Contact staff	██	██ ████████
Confidentiality Indicator		OFFICIAL / OFFICIAL-SENSITIVE

Education (Scotland) Act 1980, section 98B –Refusal of Application for Registration; disqualifications

Information to be shared	The Registrar will, so far as not constrained whether by legislation or otherwise from doing so, notify the Care Inspectorate when Scottish Minister refuse an application for registration as an independent school with school care accommodation and make a disqualification order under one or more of the grounds in this section 98B(1)(a) to (d).	
Timescale		within 72 Hours
How will this info be transferred		email/phone
Staff with overall responsibility	████████████████████	██████████
Contact staff	██ ████████████████████	██ ██████████
Confidentiality Indicator		OFFICIAL-SENSITIVE

Education (Scotland) Act 1980, section 98C Registration, Notification and Appeals

Information to be shared	The Registrar will, so far as not constrained whether by legislation or otherwise from doing so, notify the Care Inspectorate when the Scottish Ministers have granted or refused an application for registration of an independent school with school care accommodation and any conditions in accordance with 98A(4).	
Timescale		within 48 hours
How will this info be transferred		email/phone
Staff with overall responsibility	████████████████████	██████████
Contact staff	██	██ ██████████
Confidentiality Indicator		OFFICIAL-SENSITIVE

Education (Scotland) Act 1980, section 98D Removal from the Register when school no longer being carried on

Information to be shared	The Registrar will, so far as not constrained whether by legislation or otherwise from doing so, notify the Care Inspectorate when the Scottish Minister make an order directing the removal of an independent school with school care accommodation from the Register.		
Timescale		within 24 hours	The Care Inspectorate needs to have urgent notice of this as a registered school care accommodation service needs to be a "registered" school.
How will this info be transferred		email/phone	
Staff with overall responsibility	████████████████████	████████	
Contact staff	██	██ ████████	
Confidentiality Indicator		OFFICIAL-SENSITIVE	

Education (Scotland) Act 1980, section 98E Imposition, variation and revocation of conditions

Information to be shared	The Registrar will, so far as not constrained whether by legislation or otherwise from doing so, notify the Care Inspectorate when Scottish Ministers have ordered the imposition, variation or removal of conditions from a registered independent school with school care accommodation.	
Timescale		within 48 hours
How will this info be transferred		email/phone
Staff with overall responsibility	████████████████████	████████
Contact staff	██	██ ████████
Confidentiality Indicator		OFFICIAL-SENSITIVE

Education (Scotland) Act 1980, section 99

Information to be shared	Where a notice of complaint is served in relation to an independent school with school care accommodation the Scottish Ministers, through the Registrar will, so far as not constrained whether by legislation or otherwise from doing so, send a copy to the Care Inspectorate.	
Timescale		within 24 hours
How will this info be transferred		email/phone
Staff with overall responsibility	████████████████████	████████
Contact staff	██	██ ████████
Confidentiality Indicator		OFFICIAL-SENSITIVE

Education (Scotland) Act 1980, section 100 and section 102

Information to be shared	[REDACTED] so far as not constrained whether by legislation or otherwise from doing so, notify the Care Inspectorate of any Orders made by Scottish Ministers under these sections	
Timescale		within 24 hours
How will this info be transferred		email/phone
Staff with overall responsibility	[REDACTED]	[REDACTED]
Contact staff	[REDACTED]	[REDACTED]
Confidentiality Indicator		OFFICIAL-SENSITIVE

2. GENERAL CO-OPERATION AND COLLABOATION BETWEEN CARE INSPECTORATE AND REGISTRAR

	Care Inspectorate	Registrar
General Context	The Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, proactively share such information as is relevant and lawful with the Registrar's contacts to ensure the safety of users of school care accommodation services. Information will also be proactively shared to effectively and efficiently integrate the regulatory process as far as is possible.	The Registrar will pro-actively share such information as is relevant and lawful, so far as not constrained whether by legislation or otherwise from doing so with the Care Inspectorate contacts to ensure the safety of users of care services. Information will also be proactively shared to effectively and efficiently integrate the regulatory process as far as is possible.

Notifications and communications received from schools

Information to be shared	The Care Inspectorate will, so far as not constrained whether by legislation or otherwise from doing so, inform the Registrar of any significant notifications received relating to: the welfare of children, the operation of the school, the provider of the school care accommodation. This includes any requests to alter the maximum number of boarders in a school care accommodation service.	<p>The Registrar will, so far as not constrained whether by legislation or otherwise from doing so inform the Care Inspectorate of any significant notifications received relating to the welfare of children school closures, change of address, proprietor and change of accommodation.</p> <p>The Registrar will, so far as not constrained whether by legislation or otherwise from doing so notify the Care Inspectorate of any request received to alter the maximum roll of a relevant school.</p> <p>Registrar will, so far as not constrained whether by legislation or otherwise from doing so inform the Care Inspectorate when a school has plans to provide residential accommodation.</p>
Timescale	Within 72 hours	Within 72 hours
How will this info be transferred	email/phone	e-mail/phone
Staff with overall responsibility	████████████████████	████████
Contact staff	████████████████████ ████████	████████████████████
Confidentiality Indicator	Private	OFFICIAL-SENSITIVE

Media Relations

Information to be shared	The Care Inspectorate and the Registrar may wish to co-ordinate their media handling of issues relating to partnership working and relevant services. In such cases, they will share any information which is relevant and lawful and which does not jeopardise any ongoing criminal investigations.	
What will trigger the transfer	On request	On request
timescale	Immediate	Immediate
How will this info be transferred	By fax, email or telephone	Phone/e-mail
Staff with overall responsibility	██████████	██████████
Contact staff	██████████████████	██████████████████████████████
Confidentiality Indicator	Private	OFFICIAL-SENSITIVE

General Information Exchange

Information to be shared	The Care Inspectorate will update the Registrar of any information which, in the opinion of the Care Inspectorate, may be of interest to them. This will include any relevant legislation, policies, research, conferences and courses.	The Registrar will update the Care Inspectorate of any information which, in the opinion of the Registrar, may be of interest to the Care Inspectorate. This will include any relevant legislation, policies, research, conferences and courses.
What will trigger the transfer	On request	On request
timescale	specified with request	specified with request
How will this info be transferred	specified with request	specified with request
Staff with overall responsibility	██████████████████	██████████
Contact staff	██████████████████████████████	██████████████████████████████
Confidentiality Indicator	Private	OFFICIAL-SENSITIVE

Inspection Reports relating to inspection visits conducted by the Care Inspectorate and certificates of registration

Inspection Reports	<p>So far as not constrained whether by legislation or otherwise from doing so, inspection findings will be shared with the Registrar if any Quality Theme is graded weak or unsatisfactory.</p> <p>Finalised inspection reports are available on the Care Inspectorate website.</p> <p>Certificates of registration and conditions of registration are available on the Care Inspectorate website</p>	
timescale	When reports are drafted/when reports are published on the Care Inspectorate website	
How will this info be transferred	Via email for drafts reports/ via website for finalised reports	
Staff with overall responsibility	████████████████████	████████
Contact staff	██	██
Confidentiality Indicator	Draft reports: Confidential Finalised reports: Public	

Ministerial correspondence

Questions raised by Scottish Ministers	The Care Inspectorate will, so far as not constrained by legislation or otherwise, notify the Registrar of questions raised by Scottish Ministers in relation to relevant services in order to co-ordinate a joint response where appropriate	The Registrar will, so far as not constrained whether by legislation or otherwise from doing so notify the Care Inspectorate of questions raised by Scottish Ministers in relation to partnership working of the parties or relevant services in order to co-ordinate a joint response where appropriate
What will trigger the transfer	As required	As required
timescale	72 hours	Within 3 days for correspondence/Immediate for parliamentary briefing
How will this info be transferred	Phone/email	Phone/e-mail
Staff with overall responsibility	████████████████████	████████
Contact staff	████████████████████	██
Confidentiality Indicator	Private	OFFICIAL-SENSITIVE

Summary – Aide Memoir

While the tables in this appendix detail exactly the information that may be shared and the timescales for sharing it, the following aide memoir has been provided as a general guide and is not comprehensive.

Should it be shared?

- **Have I received information that relates to the safety of children and young people at a registered independent school, school care accommodation service or other service of interest to the Care Inspectorate or Registrar of Independent Schools?**
- **Does it relate to the registration of a service (new or existing with nursery or boarding provision or a registered independent school**
- **Does it relate to enforcement action against a boarding school? Or is enforcement action a possible outcome?**

If the answer to any of these questions is yes, and it is not incongruous with the Data Protection Principles within the Data Protection Act 2018 and the GDPR to share that information, that information may, and should, be shared with the Care Inspectorate/ Registrar of Independent Schools as applicable.