

**PE1583/F**

**Buidheann-Stiùiridh an Ionnsachaidh**  
**Learning Directorate**  
Aonad Ro-Innleachd agus Coileanaidh  
Strategy and Performance Division

F/T: 0131-244 4502  
E: Shirley.anderson@gov.scot

Ms Sigrìd Robinson  
Assistant Clerk  
Public Petitions Committee  
T3.40  
The Scottish Parliament  
Edinburgh  
EH99 1SP



Ar faidhle/Our ref: Pol/11626

18 January 2016

Dear Ms Robinson

## **CONSIDERATION OF PETITION PE1583 – PLAYGROUND SUPERVISION**

Thank you for your letter of 15 December 2015 seeking the Government's view on the Scottish Parliament Petition PE1583 that was discussed at the Public Petitions Committee meeting held on 15 December. Petition PE1583 calls for the Scottish Government to review and amend national legislation and guidance given to local authorities to ensure that all primary schools are required to provide playground supervision in the twenty minute period before school starts.

Regulation 3(a) of the Schools (Safety and Supervision of Pupils) (Scotland) Regulations 1990 place upon education authorities, without prejudice to any duties arising under any statute or rule of law, a general duty of reasonable care for the safety of pupils when under their charge. The Regulations further require education authorities to secure, in the case of a primary school with a roll of 50 or more pupils or of a special school, that pupils are supervised by at least one adult when in the playground during any break time. The Regulations do not specifically require supervision before the start of the school day.

Scottish Ministers welcome the opportunity offered by this petition to emphasise that the safety and wellbeing of all children attending school in Scotland is of paramount importance to them. All those who work with children and young people in learning environments have a role to play in making sure all children and young people feel safe, secure, included, listened to and supported.

It is important that local authorities, schools, staff and parents work together in identifying and addressing any issues of concern in respect of the safety of children travelling to school

Cidhe Bhictòria, Dùn Èideann, EH6 6QQ  
Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)

and during the period before the school day begins. Ensuring that appropriate risk assessments are carried out and action taken should alleviate such concerns.

In light of the above, Scottish Ministers are not convinced that the legislative changes proposed by the petitioner would be appropriate. However, they look forward to considering any evidence offered by ADES, COSLA and others in response to the petition and are happy to explore options for working with schools and local councils to strengthen practice in this area.

I hope this reply is helpful.

Yours sincerely

**Mrs Shirley Anderson**  
**Scottish Government Policy Officer**