

Status: Point in time view as at 09/01/2015.

Changes to legislation: There are currently no known outstanding effects for the Schools (Consultation) (Scotland) Act 2010, SCHEDULE 2A. (See end of Document for details)

^{F1}SCHEDULE 2A (introduced by section 17A)

SCHOOL CLOSURE REVIEW PANELS

Textual Amendments

- F1** Sch. 2A inserted (1.8.2014 so far as necessary to enable Scottish Ministers to make regulations under paras. 1(9) and 2(5) and 9.1.2015 in so far as not already in force) by [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#), ss. **81(5)**, 102(3); S.S.I. 2014/165, art. 2, Sch.; S.S.I. 2014/353, art. 2(1)(a)

Convener of the School Closure Review Panels

- 1 (1) There is established the office of the Convener of the School Closure Review Panels.
- (2) The Scottish Ministers must appoint a person to hold that office.
- (3) A person so appointed—
- (a) is not to be regarded as a servant or agent of the Crown and does not have any status, immunity or privilege of the Crown,
 - (b) subject to any provision made in regulations under sub-paragraph (9), holds and vacates office on such terms and conditions as the Scottish Ministers may determine.
- (4) The Convener—
- (a) may delegate a function conferred on the Convener by this Act,
 - (b) must delegate such a function if required to do so by directions issued under paragraph 4.
- (5) Nothing in sub-paragraph (4)(a) prevents the Convener from carrying out any function delegated under that sub-paragraph.
- (6) Sub-paragraph (7) applies during any period when—
- (a) the office of the Convener is vacant, or
 - (b) the person holding that office is unable to perform the functions conferred on the office because the person is incapacitated.
- (7) The Scottish Ministers may appoint a person to act as Convener during that period.
- (8) A person appointed to act as Convener under sub-paragraph (7)—
- (a) is to be appointed on such terms and conditions as the Scottish Ministers may determine,
 - (b) while acting as such, is to be treated for all purposes, except those of any regulations made under sub-paragraph (9), as the Convener.
- (9) The Scottish Ministers may by regulations make provision for or about—
- (a) eligibility for, and disqualification from, appointment under sub-paragraph (2),
 - (b) tenure and removal from office of a person appointed under sub-paragraph (2),
 - (c) payment of—
 - (i) salary, fees, expenses and allowances to such a person,

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- (ii) pensions, allowances or gratuities (including by way of compensation for loss of office) to, or in respect of, such a person,
- (d) such other matters in relation to the appointment of the Convener as the Scottish Ministers consider appropriate.

Panel members

- 2 (1) The Convener is to appoint such number of persons as the Convener considers appropriate to be eligible to serve as members of a School Closure Review Panel.
- (2) Each Panel is to consist of 3 of the persons appointed under sub-paragraph (1).
- (3) It is for the Convener to select—
 - (a) the members of the Panel,
 - (b) one of those members to chair the Panel.
- (4) The Convener is to make appropriate arrangements for the training of persons appointed under sub-paragraph (1).
- (5) The Scottish Ministers may by regulations make provision for or about—
 - (a) eligibility for, and disqualification from, appointment under sub-paragraph (1),
 - (b) tenure and removal from office of persons so appointed,
 - (c) the process for the selection of Panel members under sub-paragraph (3),
 - (d) payment of expenses, fees and allowances to persons selected under that sub-paragraph,
 - (e) such other matters as the Scottish Ministers consider appropriate in relation to—
 - (i) the appointment of persons under sub-paragraph (1),
 - (ii) the selection of Panel members under sub-paragraph (3).

Property, staff and services

- 3 (1) The Scottish Ministers may—
 - (a) provide, or ensure the provision of, such property, staff and services to the Convener as they consider necessary or expedient in connection with the exercise of the Convener's functions,
 - (b) pay grants to the Convener for the purposes of enabling the Convener to employ staff and obtain services in connection with the exercise of the Convener's functions.
- (2) The Convener is to provide a School Closure Review Panel with such staff and services as the Convener considers necessary or expedient in connection with the exercise of the Panel's functions.

Directions

- 4 (1) The Scottish Ministers may issue directions to the Convener as to the exercise of the Convener's functions (and the Convener must comply with them).
- (2) Directions under sub-paragraph (1) may vary or revoke earlier such directions.

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- (3) The Scottish Ministers must publish any directions issued under sub-paragraph (1) in such manner as they consider appropriate.

Reports

- 5 (1) As soon as practicable after the end of each calendar year, the Convener must prepare a report on—
- (a) the exercise of the Convener's functions during that year, and
 - (b) the exercise of the functions of any School Closure Review Panel which has carried out a review under section 17B during that year.
- (2) A report prepared under sub-paragraph (1) must be—
- (a) submitted to the Scottish Ministers, and
 - (b) published in such manner as the Convener considers appropriate.]

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