



Schools (Consultation) (Scotland) Act 2010

2010 asp 2

Process for all schools

[^{F1}11ZA Directions relating to making documents available and holding public meetings

- (1) The Scottish Ministers may, on the application of an education authority, give a direction that the education authority is to take one or more of the actions mentioned in subsection (2).
- (2) Those actions are—
 - (a) to disregard the duty under section 4(4)(a) and 9(3)(a) to publish things in printed form,
 - (b) to treat the duty under sections 4(4)(b) and 9(3)(b) to make things available for inspection in a place as a duty to make things available in such manner as the education authority considers appropriate instead,
 - (c) to meet the duty under section 7(1) to hold a public meeting in a place by holding a meeting using remote facilities instead.
- (3) A direction may be given under this section only if the Scottish Ministers are satisfied that giving the direction is a necessary and proportionate action for or in connection with the protection of public health.
- (4) A direction given under this section may vary or revoke an earlier direction.
- (5) A direction under this section—
 - (a) may be varied or revoked,
 - (b) may relate to one or more relevant proposals,
 - (c) may be given subject to such conditions as may be specified in the direction.
- (6) A direction given under this section must be published in such manner as the Scottish Ministers consider appropriate.
- (7) In this section—

“protection of public health” is to be construed in accordance with section 1(5) of the Public Health etc. (Scotland) Act 2008,

Changes to legislation: There are currently no known outstanding effects for the Schools (Consultation) (Scotland) Act 2010, Section 11ZA. (See end of Document for details)

“remote facilities” means any equipment or facility which—

- (a) enables persons who are not in the same place to participate in the meeting, and
- (b) enables those persons to speak to and be heard by each other (whether or not it enables those persons to see and be seen by each other).]

Textual Amendments

F1 S. 11ZA inserted (1.10.2022) by [Coronavirus \(Recovery and Reform\) \(Scotland\) Act 2022 \(asp 8\)](#), ss. **18(2)**, 59(1)

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