



# Education (Scotland) Act 2016

## 2016 asp 8

### PART 1

#### SCHOOL EDUCATION

#### **1 Pupils experiencing inequalities of outcome**

After section 3 of the Standards in Scotland's Schools etc. Act 2000 insert—

##### **“3A Pupils experiencing inequalities of outcome: Scottish Ministers’ duty**

- (1) The Scottish Ministers must, when exercising their powers relating to school education, have due regard to the need to exercise the powers in the way mentioned in subsection (2).
- (2) The way is a way designed to reduce inequalities of outcome for—
  - (a) pupils who experience those inequalities as a result of socio-economic disadvantage, and
  - (b) pupils who—
    - (i) experience those inequalities other than as a result of socio-economic disadvantage, and
    - (ii) are of such description as may be specified in regulations made by the Scottish Ministers.
- (3) Regulations under subsection (2)(b)(ii) are subject to the affirmative procedure.

##### **3B Pupils experiencing inequalities of outcome: education authority’s duties**

- (1) This section applies where—
  - (a) an education authority is making a decision of a strategic nature about the carrying out of its functions relating to school education, or
  - (b) an education authority is considering what steps to take to implement such a decision.

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*Status: This is the original version (as it was originally enacted).*

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- (2) The authority must have due regard to the need to carry out its functions relating to school education in the way mentioned in section 3A(2).
- (3) The authority must—
- (a) seek and have regard to the views of persons mentioned in subsection (4) in relation to the decision and steps,
  - (b) provide any advice and support that the authority thinks appropriate to those persons in relation to its consideration of the decision and steps.
- (4) The persons are—
- (a) the headteachers of such schools managed by the authority as the authority thinks appropriate,
  - (b) such pupils as the authority thinks appropriate,
  - (c) the parents of such pupils as the authority thinks appropriate,
  - (d) the representatives of any trade union which appears to the authority to be representative of the teaching staff at such schools managed by the authority as the authority thinks appropriate,
  - (e) such voluntary organisations as the authority thinks appropriate,
  - (f) any other persons the authority thinks appropriate.”.