

POLICY NOTE

THE SCOTTISH MINISTERS ANNUAL PLAN PLANNING PERIOD (SCOTLAND) REGULATIONS 2016

SSI 2016/373

The above instrument is made in exercise of the powers conferred by section 3E(2) of the Standards in Scotland's Schools etc. Act 2000 ("the 2000 Act"). The instrument is subject to negative procedure.

Policy Objectives

Section 3E(1) of the 2000 Act, as inserted into the 2000 Act by section 3(2) of the Education (Scotland) Act 2016 ("the 2016 Act"), provides for the Scottish Ministers to prepare and publish a plan setting out (a) the steps that they propose to take during *the planning period* with a view to reducing inequalities of outcome for pupils experiencing them as a result of socio-economic inequality and (b) the educational benefits for those pupils that they consider will result from taking those steps, before the beginning of the *planning period* each year.

Section 3E(2) of the 2000 Act provides that the "planning period" means the period of 12 months beginning with such day as the Scottish Ministers may prescribe by regulations. These regulations prescribe 1st January as the start date for the planning period which is to apply in relation to the annual plan prepared and published by the Scottish Ministers under section 3E(1) of the 2000 Act. This date will apply both to the first and subsequent annual plans.

Sections 3(1) and 3(2) of the 2016 Act were commenced on 1st August 2016 so far as necessary to allow the Scottish Ministers to make the planning period regulations (the Education (Scotland) Act 2016 (Commencement No. 1) Regulations 2016). The requirement for the Scottish Ministers to prepare and publish the annual plan referred to above will be commenced on 1st December 2016. These Regulations therefore require to be in force in December 2016 to enable the Scottish Ministers to prepare and publish the first statutory plan in advance of the first statutory planning period commencing.

Consultation

The policy underpinning these regulations was consulted on as part of the *Consultation on Draft Statutory Guidance: Standards in Scotland's Schools etc. Act 2000* between August and November 2016.

Impact Assessments

Given that the regulations impact the Scottish Ministers only, it was considered that an impact assessment was not necessary.

Financial Effects

Given that the regulations impact the Scottish Ministers only, it was considered that carrying out a Business and Regulatory Impact Assessment (BRIA) was not necessary.

Scottish Government
Learning Directorate

November 2016