

POLICY NOTE

THE EDUCATION AUTHORITY ANNUAL PLAN PLANNING PERIOD (SCOTLAND) REGULATIONS 2017

SSI 2017/165

The above instrument is made in exercise of the powers conferred by section 3F(4) of the Standards in Scotland's Schools etc. Act 2000 ("the 2000 Act"). The instrument is subject to negative procedure.

Policy Objectives

Section 3F(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 education authorities to prepare and publish a plan setting out (a) the steps that the authority proposes 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, (b) the steps that the authority proposes to take during the planning period to comply with the duties imposed on it by section 3B(3), (c) the steps that the authority proposes to take during the planning period in pursuance of the National Improvement Framework, and (d) any educational benefits for pupils that the authority considers will result from taking those steps, before the beginning of the *planning period* each year.

Section 3F(4) 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 September as the start date for the planning period which is to apply in relation to the annual plan prepared and published by education authorities under section 3F(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).

Section 3(1) and (2) of the 2016 Act will be commenced for the purpose of inserting the remainder of section 3F into the 2000 Act (including the requirement in section 3F(1) that education authorities prepare and publish an annual plan) on 1st August 2017.

Given that the annual plan has to be prepared and published before the beginning of the planning period, it is considered appropriate for the planning period to commence on 1st September which, therefore, gives authorities one month to prepare and publish their annual plans.

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

An Impact Assessment was prepared for the introduction of the Education (Scotland) Bill so it is not considered necessary to prepare an additional Impact Assessment.

Financial Effects

A Financial Memorandum was prepared for the introduction of the Education (Scotland) Bill so it is not considered necessary to prepare an additional assessment of financial effects.

National Improvement Framework Unit

Learning Directorate

May 2017