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

Schools (Consultation) (Scotland) Act 2010

SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

Process for all schools

| 1  | Overview of key requirements |
| 2  | Relevant proposals and consultees |
| 2A | Restriction on closure proposals |
| 3  | Educational benefits statement |
| 4  | Proposal paper |
| 5  | Correction of the paper |
| 6  | Notice and consultation period |
| 7  | Public meeting |
| 8  | Involvement of HMIE |
| 9  | Consultation report |
| 10 | Content of the report |
| 11 | Time for further consideration |

Special provision for rural schools

| 11A | Presumption against rural school closure |
| 12  | Factors for rural closure proposals |
| 12A | Preliminary requirements in relation to rural school closure |
| 13  | Additional consultation requirements |
| 14  | Designation of rural schools |

Call-in by the Scottish Ministers

| 15  | Call-in of closure proposals |
| 16  | Determination of case |
| 17  | Grounds for call-in etc. |
| 17A | Referral to the Convener of the School Closure Review Panels |
| 17B | Review by Panel |
| 17C | Decision following review |
17D Appeal against decision of the Panel

General

18 Ancillary provision
19 Guidance
20 Regulations
21 Definitions
22 Commencement and short title

SCHEDULE 1 — Relevant proposals

Closure

1 (1) A proposal to permanently— (a) discontinue a school, or...

Establishment

2 A proposal to establish— (a) a new school (apart from...

Relocation

3 A proposal to relocate — (a) a school (apart from...

Admission arrangements

4 A proposal to vary any admission arrangements for a school...

Transfer from primary to secondary school

5 A proposal to vary the arrangements for the transfer of...

Primary school commencement date

6 A proposal to change the school commencement date of a...

Special class outwith a special school

7 A proposal to vary arrangements for the constitution of a...

Transport to denominational school

8 A proposal to discontinue arrangements for the provision of transport...

Changing from denominational to non-denominational school

9 A proposal to change a denominational school into a non-
denominational...

Discontinuance of a further education centre

10 (1) A proposal to discontinue a further education centre which...

Meaning of expressions used in this schedule

11 (1) In this Act, a reference to any school that...
12 For the purposes of this schedule and schedule 2— “catchment...
SCHEDULE 2 — Relevant consultees

Closure
1 In relation to a proposal specified in paragraph 1 of...

Establishment
2 In relation to a proposal specified in paragraph 2 of...

Relocation
3 In relation to a proposal specified in paragraph 3 of...

Admission arrangements
4 In relation to a proposal specified in paragraph 4 of...

Transfer from primary to secondary school
5 In relation to a proposal specified in paragraph 5 of...

Primary school commencement date
6 In relation to a proposal specified in paragraph 6 of...

Special class outwith a special school
7 In relation to a proposal specified in paragraph 7 of...

Transport to denominational school
8 In relation to a proposal specified in paragraph 8 of...

Changing from denominational to non-denominational school
9 In relation to a proposal specified in paragraph 9 of...

Discontinuance of a further education centre
10 In relation to a proposal specified in paragraph 10 of...

Gaelic consultee
11 In relation to any proposal mentioned above which affects the...

Denominational consultee
12 In relation to any proposal mentioned above which affects a...

Meaning of expressions used in this schedule
13 In this schedule— “community council” is one established by a...

SCHEDULE 2A — School Closure Review Panels

Convener of the School Closure Review Panels
1 (1) There is established the office of the Convener of...
Panel members
2 (1) The Convener is to appoint such number of persons...

Property, staff and services
3 (1) The Scottish Ministers may— (a) provide, or ensure the...

Directions
4 (1) The Scottish Ministers may issue directions to the Convener...

Reports
5 (1) As soon as practicable after the end of each...

SCHEDULE 3 — Ancillary provision

Modification of enactments
1 (1) In section 22 (discontinuance and moves of educational establishments)...
2 In the Local Government etc. (Scotland) Act 1994 (c. 39),...

Transitional, transitory and saving provision
3 (1) Sub-paragraphs (2) to (5) apply to any relevant proposal...
4 (1) Sub-paragraph (2) applies to a relevant proposal if—
5 Despite paragraph 1(2)— (a) to the extent required for the...
6 (1) In paragraph 3(2), the reference to proceeding with the...
Changes to legislation:
There are currently no known outstanding effects for the Schools (Consultation) (Scotland) Act 2010.