



Coronavirus (Recovery and Reform) (Scotland) Act 2022

2022 asp 8

PART 2

EDUCATION

CHAPTER 2

SCHOOL CONSULTATIONS

18 School consultations: meetings and documents

- (1) The Schools (Consultation) (Scotland) Act 2010 is modified as follows.
- (2) After section 11 insert—

“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.

Status: This is the original version (as it was originally enacted).

- (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,
- “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).”.