

# **SCHOOLS (HEALTH PROMOTION AND NUTRITION) (SCOTLAND) ACT 2007**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### ***Health promotion***

##### ***Section 1: Duties in relation to promotion of health***

8. **Section 1** inserts a new section 2A into the Standards in Scotland's Schools etc. Act 2000 (the "2000 Act") which places a duty on Scottish Ministers and education authorities to endeavour to ensure that all public schools and hostels provided and maintained by education authorities for pupils attending those schools are health-promoting. The new section 2A also places the same duty on managers of grant-aided schools in relation to a school under their management.
9. Subsection (4) of the new section 2A states that, in discharging their duties, education authorities and managers of grant-aided schools must have regard to any guidance about health promotion in schools which the Scottish Ministers may issue from time to time.
10. Subsection (5) of the new section 2A defines what constitutes a health-promoting school.

##### ***Section 2: Annual statement: account of health promotion***

11. Section 5 of the 2000 Act places a duty on education authorities to prepare and publish an annual statement of improvement objectives. This is a detailed plan setting out objectives in respect of each of the national priorities for education which are set down in an order made under section 4 of the 2000 Act. The statement must be drawn up on an annual basis and sets out the improvement which the education authority is aiming to deliver. The statement then forms the basis for the school development plans prepared under section 6 of the 2000 Act by each school managed by the education authority.
12. **Section 2** of the Act makes amendments to section 5 of the 2000 Act to ensure that strategies for ensuring that schools are health-promoting form part of the statement of improvement objectives. Paragraph (a) amends subsection (1) of section 5 to make clear that the annual statement is to be about the duty to ensure schools are health-promoting as well as being about the duty to secure improvement in education. Paragraph (b) amends subsection (2) of section 5 to make it clear that the statement must include an account of what the education authority plans to do in order to fulfil its duty in relation to health promotion.
13. As a result of these amendments to section 5 of the 2000 Act, all school development plans prepared under section 6 of that Act will have to take account of the improvement objectives set out by education authorities in relation to health promotion.