Education (Scotland) Act 2016

2016 asp 8

PART 1

SCHOOL EDUCATION

3 Plans and reports

(1) The Standards in Scotland's Schools etc. Act 2000 is amended as follows.

(2) After section 3D (inserted by section 2) insert—

"**3E Annual plan: Scottish Ministers**

(1) Before the beginning of the planning period each year, the Scottish Ministers must 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 of a type mentioned in section 3A(2), and
   (b) the educational benefits for those pupils that they consider will result from taking those steps.

(2) In subsection (1), "planning period" means the period of 12 months beginning with such day as the Scottish Ministers may prescribe by regulations.

(3) Regulations under subsection (2) are subject to the negative procedure.

3F Annual plan: education authority

(1) Before the beginning of the planning period each year, each education authority must prepare and publish a plan (an "annual 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 of a type mentioned in section 3A(2),
   (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

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(d) any educational benefits for pupils that the authority considers will result from taking those steps.

(2) As soon as reasonably practicable after publishing an annual plan, each education authority must give a copy of the plan to the Scottish Ministers.

(3) If a new National Improvement Framework is published by virtue of section 3C(6), each education authority must—

(a) review the authority's annual plan,

(b) make any revisions that are necessary in view of the new National Improvement Framework, and

(c) if the authority makes any revisions under paragraph (b), publish a revised annual plan and give a copy of it to the Scottish Ministers.

(4) In subsection (1), "planning period" means the period of 12 months beginning with such day as the Scottish Ministers may prescribe by regulations.

(5) Regulations under subsection (4) are subject to the negative procedure.

3G Annual report: Scottish Ministers

(1) As soon as reasonably practicable after the end of the period to which a plan published under section 3E(1) relates, the Scottish Ministers must prepare and publish a report (an "annual report") setting out for that period—

(a) the steps they have taken with a view to reducing inequalities of outcome for pupils of a type mentioned in section 3A(2),

(b) any steps they have taken in pursuance of the National Improvement Framework, and

(c) any educational benefits for pupils that they consider result from taking those steps.

(2) In preparing an annual report, the Scottish Ministers must take account of information deriving from benchmarking with other countries in so far as they consider it relevant to the matters that are to be included in the report.

(3) As soon as reasonably practicable after publishing an annual report the Scottish Ministers must lay a copy of the report before the Scottish Parliament.

3H Annual report: education authority

(1) As soon as reasonably practicable after the end of the period to which a plan published under section 3F(1) relates, each education authority must prepare and publish a report setting out for that period—

(a) the steps the authority has taken with a view to reducing inequalities of outcome for pupils of a type mentioned in section 3A(2),

(b) the steps the authority has taken to comply with the duties imposed on it by section 3B(3),

(c) any steps the authority has taken in pursuance of the National Improvement Framework, and

(d) any educational benefits for pupils that the authority considers result from taking those steps.

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(2) A report under subsection (1) may also include information on steps taken, with a view to reducing inequalities of outcome for pupils of a type mentioned in section 3A(2), by a person other than the education authority which were included in the children's services plan for the authority's area.

(3) In subsection (2), "children's services plan" has the meaning given by section 8(2) of the Children and Young People (Scotland) Act 2014.

(4) As soon as reasonably practicable after publishing a report, an education authority must give a copy of it to the Scottish Ministers.

3I Equal opportunities

(1) Each education authority must prepare and publish each year a statement (an "annual statement") setting out for the relevant period the ways in which the authority will, in providing school education, encourage equal opportunities and in particular the observance of the equal opportunity requirements.

(2) As soon as reasonably practicable after the end of each relevant period, each education authority must prepare and publish a report setting out any activities carried out by it in pursuance of its annual statement.

(3) In this section—

"equal opportunities" and "equal opportunity requirements" have the same meanings as in the exceptions to Section L2 of Schedule 5 to the Scotland Act 1998, and

"relevant period", in relation to an annual statement, means the period of 12 months beginning with the day after the day on which the annual statement is published.".

(3) In the title of section 6, for "development" substitute " improvement ".

(4) In section 6 (school improvement plans)—

(a) in subsection (1)(a)—

(i) for "a development" substitute " an improvement ", and

(ii) for the words from "objectives", where it first occurs, to "objectives", where it second occurs, substitute " authority's plan (or revised plan) under section 3F, report under section 3H and strategy for parental involvement ", and

(b) in each of subsections (1)(b) and (3) to (6), for "development", wherever it occurs, substitute " improvement ".

(5) In section 7 (review of school performance), after subsection (1), insert—

"(1A) In defining measures and standards of performance for the purposes of subsection (1), an education authority must take into account—

(a) the National Improvement Framework, and

(b) the plan (or revised plan) published by the authority under section 3F.".

(6) In section 8(2)(a) (preparation of school improvement plan delegated to headteacher), for "development" substitute " improvement ".

(7) In section 58(1) (interpretation), in the definition of "school development plan"—

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(a) for “development”, where it first occurs, substitute “ improvement ”, and
(b) for “a development” substitute “ an improvement ”.

Commencement Information

I1 S. 3(1)(2) in force at 1.12.2016 for specified purposes by S.S.I. 2016/192, reg. 2, **sch.**

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