



# Schools (Consultation) (Scotland) Act 2010

2010 asp 2

*Process for all schools*

## **1 Overview of key requirements**

- (1) Subsection (2) applies where, in relation to any school, an education authority has formulated a relevant proposal.
  - (2) Before proceeding with the proposal, the education authority must comply with the initial and subsequent requirements set out in subsections (3) and (4).
  - (3) The initial requirements are—
    - (a) to prepare an educational benefits statement in accordance with section 3,
    - (b) to prepare (and publish) a proposal paper in accordance with section 4,
    - (c) to give notice of the proposal to the relevant consultees (and invite representations) in accordance with section 6,
    - (d) to hold (and give notice of) a public meeting in accordance with section 7,
    - (e) to involve HMIE in accordance with section 8.
  - (4) The subsequent requirements are—
    - (a) to review the proposal in accordance with section 9(1),
    - (b) to prepare (and publish) a consultation report in accordance with sections 9 and 10.
- [<sup>F1</sup>(4A) In the case of a closure proposal in relation to a rural school, the education authority must also comply with—
- (a) the preliminary requirements set out in section 12A when it is formulating the proposal,
  - (b) the additional consultation requirements set out in section 13.]
- (5) In subsection (2), the reference to proceeding with the proposal is to—
    - (a) deciding to implement it (wholly or partly), or
    - (b) implementing it (wholly or partly).

---

**Changes to legislation:** There are currently no known outstanding effects for the  
Schools (Consultation) (Scotland) Act 2010, Section 1. (See end of Document for details)

---

---

#### **Textual Amendments**

- F1** S. 1(4A) inserted (1.8.2014) by Children and Young People (Scotland) Act 2014 (asp 8), **ss. 80(5), 102(3)**; S.S.I. 2014/165, **art. 2, Sch.** (with **art. 5**)
- 

#### **Commencement Information**

- I1** S. 1 in force at 5.4.2010 by S.S.I. 2010/70, **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Schools (Consultation) (Scotland) Act 2010, Section 1.