



Schools (Consultation) (Scotland) Act 2010

2010 asp 2

Call-in by the Scottish Ministers

15 Call-in of closure proposals

- (1) Subsections (2) to (6) apply where, in relation to any school, an education authority has decided to implement a closure proposal.
- (2) The education authority must—
 - (a) notify the Scottish Ministers of that decision within the period of 6 working days starting with the day on which the decision is made,
 - (b) along with that notification, give them a copy of—
 - (i) the proposal paper,
 - (ii) the consultation report.
- (3) Before the expiry of 6 weeks starting with the day on which that decision is made, the Scottish Ministers may issue a call-in notice to the education authority.
- (4) In considering whether to issue a call-in notice, the Scottish Ministers are to take account of any relevant representations made to them (by any person) within the first 3 weeks of that 6 week period.
- (5) A call-in notice has the effect of remitting the closure proposal to the Scottish Ministers.
- (6) The education authority may not proceed further with the proposal before the expiry of the 6 week period within which a call-in notice may be issued as respects the proposal.
- (7) But the restriction in subsection (6) ceases to apply if (before the end of that period) the Scottish Ministers inform the education authority that they do not intend to issue a call-in notice as respects the proposal.
- (8) In subsection (6), the reference to proceeding further with the proposal is to implementing it (wholly or partly).