



# Schools (Consultation) (Scotland) Act 2010

2010 asp 2

*Process for all schools*

## **8 Involvement of HMIE**

- (1) The education authority must send to HMIE—
  - (a) when published, a copy of the proposal paper,
  - (b) as regards any relevant written representations received by the authority (from any person) during the consultation period—
    - (i) a copy of them, or
    - (ii) if HMIE agree, a summary of them,
  - (c) a summary of any oral representations made to it (by any person) at the public meeting,
  - (d) as available (and so far as otherwise practicable), a copy of any other relevant documentation.
- (2) HMIE are to prepare a report on the educational aspects of the relevant proposal.
- (3) In preparing the report, HMIE may—
  - (a) enter any affected school and make such reasonable enquiries of such persons there as HMIE consider appropriate, and
  - (b) make such reasonable enquiries of such other persons as HMIE consider appropriate.
- (4) In preparing the report, HMIE are to have regard (in particular) to—
  - (a) the educational benefits statement,
  - (b) the things sent to them under subsection (1)(b) and (c),
  - (c) any written representations made (by any person) direct to HMIE on any educational aspect of the proposal so far as HMIE consider them to be relevant.
- (5) HMIE must submit the report to the education authority—
  - (a) not later than 3 weeks after the authority has complied with subsection (1) (which 3 week period may not start during the consultation period), or

---

*Status: This is the original version (as it was originally enacted).*

---

- (b) within such longer period as is agreed between them.
- (6) In this Act, “HMIE’s report” is the report prepared under subsection (2).
- (7) In this Act, a reference to “HMIE” is a reference to Her Majesty’s Inspectors (including any of them).