

SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Special provision for rural schools

Section 14 – Designation of rural schools

48. In the Consultation Paper on the Bill¹, the Scottish Ministers indicated their intention to define which schools are rural schools by reference to the 3 rural area categories contained (out of the 8 area categories) in the Scottish Government’s well-established “Urban/Rural Classification”; these are “Accessible Rural”, “Remote Rural;” and “Very Remote Rural”. This classification is regularly updated and used for a variety of purposes including analysis of data and particularly the presentation of statistics and other information. Section 14 includes provisions which enable the Scottish Ministers to proceed as they set out in the Consultation Paper (see paragraph 5).
49. [Section 14\(1\)](#) requires the Scottish Ministers to maintain a list of rural schools. That list must also be accompanied by an explanation of how it was devised (section 14(3)). Section 14(2) specifies that in considering the question of “rurality” and which schools are to be included in, or excluded from, the list, the Scottish Ministers must have particular regard to the population and geographical circumstances (remoteness etc.) of the community or settlement in which the school is located. These are essentially the factors which determine the categories of area within the existing “Urban/Rural Classification”.
50. [Section 14\(4\)](#) also requires the Scottish Ministers to monitor the list, updating it as they consider necessary, and to publish it.
51. [Section 14\(5\)](#) requires an authority to provide the Scottish Ministers with such information as they may reasonably require, in connection with maintaining the list. An example might be where there had been a significant increase or decrease in the population of the community in which a school is located – that being one of the determining factors set out in section 14(2) – such as might warrant a school being added to or removed from the list.

¹ <http://www.scotland.gov.uk/Publications/2008/04/25131457/0>