

*Changes to legislation: There are currently no known outstanding effects for the Schools (Consultation) (Scotland) Act 2010, SCHEDULE 2. (See end of Document for details)*

## SCHEDULE 2

*(introduced by section 2)*

### RELEVANT CONSULTEES

#### *Closure*

- 1 In relation to a proposal specified in paragraph 1 of schedule 1, the consultees are—
- (a) the Parent Council or Combined Parent Council of any affected school,
  - (b) the parents of the pupils at any affected school,
  - (c) the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper,
  - (d) the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity),
  - (e) the staff (teaching and other) at any affected school,
  - (f) any trade union which appears to the education authority to be representative of the persons mentioned in sub-paragraph (e),
  - (g) the community council (if any),
  - [<sup>F1</sup>(h) the community planning partnership (within the meaning of section 4(5) of the Community Empowerment (Scotland) Act 2015) for the area of the local authority in which any affected school is situated,
  - (ha) any other community planning partnership that the education authority considers relevant,]
  - (i) any other education authority that the education authority considers relevant,
  - (j) any other users of any affected school that the education authority considers relevant.

#### **Textual Amendments**

- F1** Sch. 2 para. 1(h)(ha) substituted for sch. 2 para. 1(h) (20.12.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\), s. 142\(1\)](#), [sch. 4 para. 10\(a\)](#); S.S.I. 2016/410, art. 2(a)

#### **Commencement Information**

- II** Sch. 2 para. 1 in force at 5.4.2010 by [S.S.I. 2010/70](#), [art. 2](#)

#### *Establishment*

- 2 In relation to a proposal specified in paragraph 2 of schedule 1, the consultees are—
- (a) the Parent Council or Combined Parent Council of any affected school,
  - (b) the parents of the pupils at any affected school,
  - (c) the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper,
  - (d) the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity),
  - (e) the staff (teaching and other) at any affected school,
  - (f) any trade union which appears to the education authority to be representative of the persons mentioned in sub-paragraph (e),

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- (g) the community council (if any),
- [<sup>F2</sup>(h) the community planning partnership (within the meaning of section 4(5) of the Community Empowerment (Scotland) Act 2015) for the area of the local authority in which any affected school is situated,
- (ha) any other community planning partnership that the education authority considers relevant,]
- (i) any other education authority that the education authority considers relevant,
- (j) any other users of any affected school that the education authority considers relevant.

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**Textual Amendments**

**F2** Sch. 2 para. 2(h)(ha) substituted for sch. 2para. 2(h) (20.12.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), s. 142(1), **sch. 4 para. 10(a)**; S.S.I. 2016/410, art. 2(a)

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**Commencement Information**

**I2** Sch. 2 para. 2 in force at 5.4.2010 by [S.S.I. 2010/70](#), **art. 2**

*Relocation*

- 3 In relation to a proposal specified in paragraph 3 of schedule 1, the consultees are—
- (a) the Parent Council or Combined Parent Council of any affected school,
  - (b) the parents of the pupils at any affected school,
  - (c) the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper,
  - (d) the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity),
  - (e) the staff (teaching and other) at any affected school,
  - (f) any trade union which appears to the education authority to be representative of the persons mentioned in sub-paragraph (e),
  - (g) the community council (if any),
  - [<sup>F3</sup>(h) the community planning partnership (within the meaning of section 4(5) of the Community Empowerment (Scotland) Act 2015) for the area of the local authority in which any affected school is situated,
  - (ha) any other community planning partnership that the education authority considers relevant,]
  - (i) any other education authority that the education authority considers relevant,
  - (j) any other users of any affected school that the education authority considers relevant.

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**Textual Amendments**

**F3** Sch. 2 para. 3(h)(ha) substituted for sch. 2para. 3(h) (20.12.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), s. 142(1), **sch. 4 para. 10(a)**; S.S.I. 2016/410, art. 2(a)

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**Commencement Information**

**I3** Sch. 2 para. 3 in force at 5.4.2010 by [S.S.I. 2010/70](#), **art. 2**

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### *Admission arrangements*

- 4 In relation to a proposal specified in paragraph 4 of schedule 1, the consultees are—
- (a) the Parent Council or Combined Parent Council of any affected school,
  - (b) the parents of the pupils at any affected school,
  - (c) the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper,
  - (d) the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity),
  - (e) the staff (teaching and other) at any affected school,
  - (f) any trade union which appears to the education authority to be representative of the persons mentioned in sub-paragraph (e),
  - (g) the community council (if any),
  - [<sup>F4</sup>(h) the community planning partnership (within the meaning of section 4(5) of the Community Empowerment (Scotland) Act 2015) for the area of the local authority in which any affected school is situated,
  - (ha) any other community planning partnership that the education authority considers relevant,]
  - (i) any other education authority that the education authority considers relevant.

#### **Textual Amendments**

- F4** Sch. 2 para. 4(h)(ha) substituted for sch. 2 para. 4(h) (20.12.2016) by Community Empowerment (Scotland) Act 2015 (asp 6), s. 142(1), **sch. 4 para. 10(a)**; S.S.I. 2016/410, art. 2(a)

#### **Commencement Information**

- I4** Sch. 2 para. 4 in force at 5.4.2010 by S.S.I. 2010/70, **art. 2**

### *Transfer from primary to secondary school*

- 5 In relation to a proposal specified in paragraph 5 of schedule 1, the consultees are—
- (a) the Parent Council or Combined Parent Council of any affected school,
  - (b) the parents of the pupils at any affected school,
  - (c) the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper,
  - (d) the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity),
  - (e) the staff (teaching and other) at any affected school,
  - (f) any trade union which appears to the education authority to be representative of the persons mentioned in sub-paragraph (e),
  - (g) the community council (if any),
  - [<sup>F5</sup>(h) the community planning partnership (within the meaning of section 4(5) of the Community Empowerment (Scotland) Act 2015) for the area of the local authority in which any affected school is situated,
  - (ha) any other community planning partnership that the education authority considers relevant,]
  - (i) any other education authority that the education authority considers relevant.

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**Textual Amendments**

**F5** Sch. 2 para. 5(h)(ha) substituted for sch. 2 para. 5(h) (20.12.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), s. 142(1), [sch. 4 para. 10\(a\)](#); S.S.I. 2016/410, art. 2(a)

**Commencement Information**

**I5** Sch. 2 para. 5 in force at 5.4.2010 by [S.S.I. 2010/70](#), [art. 2](#)

*Primary school commencement date*

- 6 In relation to a proposal specified in paragraph 6 of schedule 1, the consultees are—
- (a) the Parent Council or Combined Parent Council of any affected school,
  - (b) the parents of the pupils at any affected school,
  - (c) the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper,
  - (d) the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity),
  - (e) the staff (teaching and other) at any affected school,
  - (f) any trade union which appears to the education authority to be representative of the persons mentioned in sub-paragraph (e),
  - (g) any other education authority that the education authority considers relevant.

**Commencement Information**

**I6** Sch. 2 para. 6 in force at 5.4.2010 by [S.S.I. 2010/70](#), [art. 2](#)

*Special class outwith a special school*

- 7 In relation to a proposal specified in paragraph 7 of schedule 1, the consultees are—
- (a) the Parent Council or Combined Parent Council of any affected school,
  - (b) the parents of the pupils at any affected school,
  - (c) the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper,
  - (d) the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity),
  - (e) the staff (teaching and other) at any affected school,
  - (f) any trade union which appears to the education authority to be representative of the persons mentioned in sub-paragraph (e),
  - (g) any other education authority that the education authority considers relevant.

**Commencement Information**

**I7** Sch. 2 para. 7 in force at 5.4.2010 by [S.S.I. 2010/70](#), [art. 2](#)

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*Transport to denominational school*

- 8 In relation to a proposal specified in paragraph 8 of schedule 1, the consultees are—
- (a) the Parent Council or Combined Parent Council of any affected school,
  - (b) the parents of the pupils at any affected school,
  - (c) the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper,
  - (d) the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity),
  - (e) the staff (teaching and other) at any affected school,
  - (f) any trade union which appears to the education authority to be representative of the persons mentioned in sub-paragraph (e),
  - (g) any other education authority that the education authority considers relevant.

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**Commencement Information**

**I8** Sch. 2 para. 8 in force at 5.4.2010 by [S.S.I. 2010/70](#), [art. 2](#)

*Changing from denominational to non-denominational school*

- 9 In relation to a proposal specified in paragraph 9 of schedule 1, the consultees are—
- (a) the Parent Council or Combined Parent Council of any affected school,
  - (b) the parents of the pupils at any affected school,
  - (c) the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper,
  - (d) the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity),
  - (e) the staff (teaching and other) at any affected school,
  - (f) any trade union which appears to the education authority to be representative of the persons mentioned in sub-paragraph (e),
  - (g) any other education authority that the education authority considers relevant.

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**Commencement Information**

**I9** Sch. 2 para. 9 in force at 5.4.2010 by [S.S.I. 2010/70](#), [art. 2](#)

*Discontinuance of a further education centre*

- 10 In relation to a proposal specified in paragraph 10 of schedule 1, the consultees are—
- (a) the Parent Council or Combined Parent Council of any school at which the pupils who attend the further education centre also attend,
  - (b) the parents of the pupils of school age attending the centre,
  - (c) the parents of any pupils expected by the education authority to attend the centre within two years of the date of publication of the proposal paper,
  - (d) the pupils attending the centre (in so far as the education authority considers them to be of a suitable age and maturity),

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- (e) the staff (teaching and other) of any school at which the pupils who attend the further education centre also attend,
- (f) any trade union which appears to the education authority to be representative of the persons mentioned in sub-paragraph (e),
- (g) the community council (if any),
- [<sup>F6</sup>(h) the community planning partnership (within the meaning of section 4(5) of the Community Empowerment (Scotland) Act 2015) for the area of the local authority in which the further education centre is situated,]
- (i) the staff (teaching and other) at the centre,
- (j) the students attending the centre,
- (k) the employers of any such students,
- (l) any other users of the centre that the education authority considers relevant.

**Textual Amendments**

**F6** Sch. 2 para. 10(h) substituted (20.12.2016) by [Community Empowerment \(Scotland\) Act 2015 \(asp 6\)](#), s. 142(1), [sch. 4 para. 10\(b\)](#); [S.S.I. 2016/410](#), art. 2(a)

**Commencement Information**

**I10** Sch. 2 para. 10 in force at 5.4.2010 by [S.S.I. 2010/70](#), [art. 2](#)

*Gaelic consultee*

- 11 In relation to any proposal mentioned above which affects the provision of Gaelic medium education, Bòrd na Gàidhlig is also a consultee.

**Commencement Information**

**I11** Sch. 2 para. 11 in force at 5.4.2010 by [S.S.I. 2010/70](#), [art. 2](#)

*Denominational consultee*

- 12 In relation to any proposal mentioned above which affects a denominational school, also a consultee is the person duly authorised for the purpose by the church or denominational body in whose interest the affected school is conducted.

**Commencement Information**

**I12** Sch. 2 para. 12 in force at 5.4.2010 by [S.S.I. 2010/70](#), [art. 2](#)

*Meaning of expressions used in this schedule*

- 13 In this schedule—  
 “community council” is one established by a local authority under Part IV of the Local Government (Scotland) Act 1973 (c. 65),  
 “Parent Council” and “Combined Parent Council” means one established in accordance with sections 6 and 16 respectively of the Scottish Schools (Parental Involvement) Act 2006 (asp 8).

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**Commencement Information**

**I13** Sch. 2 para. 13 in force at 5.4.2010 by [S.S.I. 2010/70](#), [art. 2](#)

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