

Members' Library Service Request Form

Date of Document	03/09/13
Originator	Darrin Nightingale
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Document Title	Consultation Response: Amending the Schools (Consultation)(Scotland) Act 2010

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East Lothian Council

Additional information:

This is a response at officer level to the Scottish Government's consultation on amending the Schools (Consultation)(Scotland) Act 2010. Consultation documents can be found at <http://www.scotland.gov.uk/Publications/2013/07/5984> .

Authorised By	Darrin Nightingale
Designation	Head of Education
Date	04/09/13

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Amending the Schools (Consultation) (Scotland) Act 2010



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

EAST LoTHIAN COUNCIL

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

NIGHTINGALE

Forename

DARRIN

2. Postal Address

DEPT. OF SERVICES FOR PEOPLE

JOAN MUIR HOUSE

HADDINGTON

Postcode EH4 3HA Phone 01620 827633 Email dnightingale@eastlothian.gov.uk

3. Permissions - I am responding as...

Individual

Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your response to be made available?

Please tick as appropriate

Yes No

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

No

Consultation Questions

Q1. Do you support clarifying the presumption against closure of rural schools by stating it in legislation by means of an amendment to the 2010 Act?

Yes No Don't know

Do you have any comments?

Q2. Do you support amending the 2010 Act to make it clear that relevant financial information should be included in a school closure consultation?

Yes No Don't know

Do you have any comments?

Q3A. Do you support giving Education Scotland a more sustained role in a school closure proposal?

Yes No Don't know

Do you have any comments?

SECTION 3.4 IS VERY IMPORTANT

Q3B. If so, would you prefer Education Scotland's role to be clarified through legislation or a Memorandum of Understanding?

Legislation Memorandum of Understanding Don't know

Q4. Do you support amending the 2010 Act to provide clarity regarding Ministers' role in considering both the process and merits of the closure proposal?

Yes No Don't know

Do you have any comments?

Q5A. Do you agree that the criteria specified in paragraph 5.6 are appropriate as a dispute resolution process under the 2010 Act?

Yes No Don't know

If not, what criteria would you support?

Q5B. Do you support replacing the current Ministerial determination of school closure proposals that have been called in with an independent referral mechanism such as arbitration?

Yes No Don't know

If not, what other options for dispute resolution would you suggest?

Q6A. Do you support a five year moratorium between closure proposals for the same school?

Yes No Don't know

Do you have any comments?

THE CURRENT ECONOMIC CLIMATE IS POTENTIALLY TOO VOLATILE.

Q6B. If so, would you prefer this provision to be made in guidance or legislation?

Guidance Legislation Don't know

Please send this form to schoolestates@scotland.gsi.gov.uk or

School Infrastructure Unit, Area 2-A South, Victoria Quay, Edinburgh EH6 6QQ

Email is preferred, if possible, and if you use email it is not necessary to send an additional copy by post.

If you have any queries, please contact Lucy Carmichael on 0131 244 0373 or using the email address above.