

**EAST AYRSHIRE COUNCIL**

**EDUCATION COMMITTEE – 18 SEPTEMBER 2001**

**PROPOSED CHANGE IN THE STANDARDS IN SCOTLAND'S SCHOOL ETC  
ACT 2000 – RESPONSE TO CONSULTATION**

**Report by Director of Educational and Social Services**

**1. PURPOSE**

- 1.1** To inform Members of a response to a consultation mounted by the Scottish Executive on the Standards in Scotland's Schools Etc Act 2000.

**2. BACKGROUND**

- 2.1** Members will recall that the Standards in Scotland's Schools Etc Act 2000 was published in July 2000. A report was made to committee on 19 September 2000. Since the publication of the Act, two areas of difficulty have been identified which the proposal in the consultative document seeks to remedy.

**3. THE PROPOSED CHANGES TO THE ACT**

- 3.1** A copy of the proposed amendments is available in the Members' Library. The full set of proposals amounts to some 4 A4 pages including all of the notes of explanation.
- 3.2** Due to an error in the drafting of the 2000 Act and its links to other pieces of legislation, an unintended anomaly entered the arrangements for the placement of pre-five children in school. In effect, this anomaly denied the right of children of a certain age to make a placing request for a primary school.
- 3.3** The second area relates to the implementation of "A Teaching Profession for the 21<sup>st</sup> Century." Presently, school boards require to be involved in any selection process for a senior promoted post in a primary, secondary or a special school. Under the proposals for "A Teaching Profession for 21<sup>st</sup> Century," all Assistant Head Teachers will be redesignated as Depute Head Teachers, and presently this is not possible without school board involvement. The proposal contained in the Scottish Executive draft amendment, seeks to temporarily suspend the school board legislation in order to complete this exercise.

#### **4. THE CONSULTATION**

**4.1** Since these are relatively minor and technical amendments, it was decided that a major consultation exercise was not warranted. Nevertheless, the various groups within the Department of Educational and Social Services and the Council were consulted for their comments. These include Legal Services and Pre-Five Services. The opinion was that the amendments were sensible and uncontroversial.

**4.2** The Scottish Executive deadline for responses was July 2001. A return has therefore been sent to the Scottish Executive stating that the Department of Educational & Social Services is in favour of the suggested amendments, subject to any changes being highlighted by the Education Committee.

#### **5. POLICY/LEGAL/FINANCIAL IMPLICATIONS**

**5.1** Nil

#### **6. RECOMMENDATIONS**

**6.1** It is recommended that Members:

- (i) note the contents of this report.

John Mulgrew  
Director of Educational and Social Services

GS/JP  
23 July 2001

#### **LIST OF BACKGROUND PAPERS**

The Standards in Scotland's Schools etc Act 2000, Education Committee – 12 September 2000.

Members wishing further information should contact Graham Short, Head of Schools, Tel: (01563) 576089.

**Implementation Officer : Graham R Short**

**AGENDA**