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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 175**

**EDUCATION**

**The Requirements for Community Learning  
and Development (Scotland) Regulations 2013**

<i>Made</i>	- - - -	<i>29th May 2013</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>31st May 2013</i>
<i>Coming into force</i>	- -	<i>1st September 2013</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2 of the Education (Scotland) Act 1980(1) and all other powers enabling them to do so.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Requirements for Community Learning and Development (Scotland) Regulations 2013 and come into force on 1st September 2013.

(2) In these Regulations—

“community learning and development” includes programmes of learning and activities designed with individuals and groups to promote the educational and social development of those individuals and groups; and

“target individuals and groups” means those individuals and groups that the education authority considers, having regard to the needs of the communities within the area of the education authority, are most likely to benefit from the provision of community learning and development.

**Assessment of community learning and development needs**

2. An education authority is required to initiate and, having done so, to maintain and facilitate a process by which community learning and development secured within the area of the education authority is secured in a way that—

- (a) identifies target individuals and groups;
- (b) has regard to the needs of those target individuals and groups for that community learning and development;

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(1) 1980 (c.44). Section 2 was amended by the Self-Governing Schools etc. (Scotland) Act 1989 (c.39), section 69 and the Education (Scotland) Act 1996 (c.43), Schedule 6. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

- (c) assesses the degree to which those needs are already being met; and
- (d) identifies barriers to the adequate and efficient provision of that community learning and development.

3. In exercise of the requirement in regulation 2, the education authority is to take such action as it thinks fit with a view to securing that the following persons are involved in and consulted on the process—

- (a) persons appearing to the education authority to be representative of the target individuals and groups; and
- (b) persons appearing to the education authority to be representative of persons providing community learning and development within the area of the education authority.

### **Three year plan**

4.—(1) An education authority is required to publish a 3 year plan containing the information specified in paragraph (2) no later than—

- (a) 1st September 2015; and
- (b) each third year after the date of publication of the previous plan.

(2) The plan must specify—

- (a) how the education authority will co-ordinate its provision of community learning and development with other persons that provide community learning and development within the area of the education authority;
- (b) what action the education authority will take to provide community learning and development over the period of the plan;
- (c) what action other persons intend to take to provide community learning and development within the area of the education authority over the period of the plan; and
- (d) any needs for community learning and development that will not be met within the period of the plan.

(3) Before publishing a plan, the education authority must consult—

- (a) persons appearing to the education authority to be representative of the target individuals and groups for community learning and development;
- (b) persons appearing to the education authority to be representative of persons providing community learning and development within the area of the education authority; and
- (c) such other persons as the education authority thinks fit.

St Andrew's House, Edinburgh  
29th May 2013

*AILEEN CAMPBELL*  
Authorised to sign by the Scottish Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations place requirements on education authorities that they are to meet in discharging their duties under section 1 of the Education (Scotland) Act 1980 to secure adequate and efficient provision of further education. The requirements in these regulations relate to community learning and development (defined in regulation 1) secured within the education authority's area.

Regulation 2 sets requirements in relation to the process to be undertaken by the education authority in securing community learning and development. The education authority is obliged to involve and consult certain representative persons in carrying out that process (regulation 3).

Regulation 4 requires that education authorities publish plans every 3 years containing information about the provision of community learning and development.