



# Education (Additional Support for Learning) (Scotland) Act 2004

2004 asp 4

## EDUCATION (ADDITIONAL SUPPORT FOR LEARNING) (SCOTLAND) ACT 2004

### *Main definitions*

- 1 Additional support needs
- 2 Co-ordinated support plans
- 3 Children and young persons who lack capacity

### *General powers and duties*

- 4 Duties of education authority in relation to children and young persons for whom they are responsible
- 5 General functions of education authority in relation to additional support needs

### *Establishment of additional support needs and need for co-ordinated support plan*

- 6 Children and young persons for whom education authority are responsible
- 7 Other children and young persons
- 8 Assessments and examinations

### *Co-ordinated support plans*

- 9 Duty to prepare co-ordinated support plans
- 10 Reviews of co-ordinated support plans
- 11 Co-ordinated support plans: further provision

### *Exchange of information*

- 12 Duties to seek and take account of views, advice and information
- 13 Provision of information etc. on occurrence of certain events

*Supporters and advocacy*

- 14 Supporters and advocacy

*Mediation and dispute resolution*

- 15 Mediation services  
16 Dispute resolution

*Appeals*

- 17 Additional Support Needs Tribunals for Scotland  
18 References to Tribunal in relation to co-ordinated support plan  
19 Powers of Tribunal in relation to reference  
20 References to Tribunal and powers of Tribunal: further provision  
21 Appeal to Court of Session against Tribunal decision

*Placing requests*

- 22 Placing requests

*Miscellaneous*

- 23 Other agencies etc. to help in exercise of functions under this Act  
24 Power to prescribe standards etc. for special schools  
25 Attendance at establishments outwith the United Kingdom  
26 Publication of information by education authority  
27 Code of practice and directions

*General*

- 28 Requests under this Act: further provision  
29 Interpretation  
30 Transitional provision: recorded children and young persons  
31 Duty to inform in writing or alternative permanent form  
32 Ancillary provision  
33 Modification of enactments  
34 Orders, regulations and rules  
35 Commencement and short title

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**SCHEDULE 1 — Additional Support Needs Tribunals for Scotland**

- 1 Interpretation  
2 The President  
3 The panels  
4 Constitution of Tribunals  
5 Terms of office  
6 Removal from office  
7 Allowances for Tribunal members  
8 Administration of Tribunal functions  
9 Staff, property and services  
10 Finance  
11 Rules of procedure  
12 Practice directions  
13 Evidence

- 14 Decisions of a Tribunal
- 15 Annual report
- 16 Disclosure of information
- 17 Allowances etc. for attendance at hearings and preparation of reports

SCHEDULE 2 — Children and young persons with additional support needs:  
placing requests

- 1 Introductory
- 2 Duty to comply with placing requests
- 3 Circumstances in which duty does not apply
- 4 Placing requests: further provision
- 5 Reference to appeal committee of refusal of placing request
- 6 References to appeal committees: supplementary provisions
- 7 Appeal to sheriff from appeal committee
- 8 Young persons having additional support needs

SCHEDULE 3 — Modification of enactments

- 1 Teaching Council (Scotland) Act 1965 (c. 19)
- 2 National Health Service (Scotland) Act 1978 (c. 29)
- 3 Education (Scotland) Act 1980 (c. 44)
- 4 Education (Scotland) Act 1981 (c. 58)
- 5 Disabled Persons (Services, Consultation and Representation) Act 1986  
(c. 33)
- 6 Self-Governing Schools etc. (Scotland) Act 1989 (c. 39)
- 7 Further and Higher Education (Scotland) Act 1992 (c. 37)
- 8 Tribunals and Inquiries Act 1992 (c. 53)
- 9 Children (Scotland) Act 1995 (c. 36)
- 10 Education (Scotland) Act 1996 (c. 43)
- 11 Standards in Scotland's Schools etc. Act 2000 (asp 6)