

*These notes relate to the Education (Additional Support for Learning)
(Scotland) Act 2004 (asp 4) which received Royal Assent on 7 May 2004*

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

EXPLANATORY NOTES

THE ACT

Section 30 - Transitional provision: recorded children and young people

60. This section makes provision for the transition to the system established by this Act for those children and young people who have a Record of Needs immediately prior to the Act coming into force, and for whose school education an education authority are responsible.
61. When the Act commences, education authorities must, within 2 years, establish whether or not such children and young people require a co-ordinated support plan. The provision being made for the recorded child or young person is preserved as a minimum level of support unless there is a significant change in the individual's additional support needs or until the date that it is established that they require a plan, or if they do not require a plan, 2 years from the date that is established. For some recorded children and young people this could result in provision being preserved for up to 4 years. The duties on education authorities in other sections of the Act regarding individual children and young people with additional support needs, for example to ensure that provision for such needs is adequate and efficient, will apply also to such recorded children and young people.