

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 6 – Children and young persons for whom education authority are responsible

13. This section places duties on each education authority relating to the children and young people for whom school education is being provided by the authority, either directly or indirectly. An education authority must have in place arrangements for identifying those with additional support needs and what their additional support needs are, and for determining who may require a co-ordinated support plan.
14. Subsection (2) enables parents, or young people, to request that an education authority establish whether their child, or they as a young person, have additional support needs. They can also request the authority to establish if the child or young person needs a co-ordinated support plan. Education authorities have to comply with the request unless it is unreasonable. Where the authority does comply with a request and it is established that the child or young person does have additional support needs, the authority must advise whoever made the request of that fact.
15. Subsections (5) and (6) provide for other circumstances where it is brought to the attention of the education authority that a child or young person may have additional support needs or may require a co-ordinated support plan. Where this happens, the education authority must establish if this is so or not, unless they consider it unreasonable to do so. For example, any member of school or out-of-school club staff or someone in the child's community, such as a youth worker or sports coach, or even the child themselves, may alert the education authority.