

*These notes relate to the Further and Higher Education (Scotland)  
Act 2005 (asp 6) which received Royal Assent on 1 June 2005*

# **FURTHER AND HIGHER EDUCATION (SCOTLAND) ACT 2005**

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## **EXPLANATORY NOTES**

### **THE ACT – SECTION BY SECTION**

#### **Part 1 - Further and Higher Education Etc.**

#### **Provision of further and higher education, etc.**

#### ***Section 8 Support needs***

16. This section defines the term ‘support needs’ for the purposes of the Act. The need for support is linked to a person’s ability to access and participate in fundable further or fundable higher education, as compared with other people of the same age group. Students experience barriers in accessing and participating in learning for many reasons, and may therefore require support. Such a barrier may arise from factors relating to, for example, social, cognitive, emotional, psychological, linguistic, disability (physical or mental), ethnicity or family and care circumstances. These support needs may range from those needs that are relatively mild and temporary through to those that are complex and more enduring. But a support need may not arise solely due to the matters set out in subsection (3).