

These notes relate to the Education (Additional Support for Learning) (Scotland) Act (asp 7) which received Royal Assent on 25 June 2009 (asp 7) which received Royal Assent on 25 June 2009

EDUCATION (ADDITIONAL SUPPORT FOR LEARNING) (SCOTLAND) ACT (ASP 7) WHICH RECEIVED ROYAL ASSENT ON 25 JUNE 2009

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Section 8: Additional support needs etc.: specified children and young people

39. Section 8(1) inserts new subsections (1A) and (1B) into section 1 of the 2004 Act. Subsection (1A) deems looked after children and young persons to have additional support needs. Therefore, all the provisions of the 2004 Act relating to children and young persons with additional support needs apply to looked after children and young people.
40. Subsection (1B) provides that where, in the course of identifying the additional support needs of a particular looked after child or young person an education authority decide that that child or young person is likely to be able to benefit from school education without the provision of additional support, then subsection (1A) will cease to apply and the child or young person will no longer be deemed to have additional support needs.
41. Subsection (2) requires that every education authority should consider whether those looked after children and young people who are deemed to have additional support needs under Subsection (1) and where the education authority are responsible for their education, require co-ordinated support plans.