# Children and Young People (Scotland) Act 2014

**2014 asp 8**

## CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2014

### PART 1

**RIGHTS OF CHILDREN**

1. Duties of Scottish Ministers in relation to the rights of children
2. Duties of public authorities in relation to the UNCRC
3. Authorities to which section 2 applies
4. Interpretation of Part 1

### PART 2

**COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE IN SCOTLAND**

5. Investigations by the Commissioner
6. Requirement to respond to Commissioner’s recommendations

### PART 3

**CHILDREN’S SERVICES PLANNING**

7. Introductory
8. Requirement to prepare children’s services plan
9. Aims of children’s services plan
10. Children’s services plan: process
11. Children’s services plan: review
12. Implementation of children’s services plan
13. Reporting on children’s services plan
14. Assistance in relation to children’s services planning
15. Guidance in relation to children’s services planning
16. Directions in relation to children’s services planning
17. Children’s services planning: default powers of Scottish Ministers
18. Interpretation of Part 3
### PART 4
**PROVISION OF NAMED PERSONS**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td>Named person service</td>
</tr>
<tr>
<td>20</td>
<td>Named person service in relation to pre-school child</td>
</tr>
<tr>
<td>21</td>
<td>Named person service in relation to children not falling within section 20</td>
</tr>
<tr>
<td>22</td>
<td>Continuation of named person service in relation to certain young people</td>
</tr>
<tr>
<td>23</td>
<td>Communication in relation to movement of children and young people</td>
</tr>
<tr>
<td>24</td>
<td>Duty to communicate information about role of named persons</td>
</tr>
<tr>
<td>25</td>
<td>Duty to help named person</td>
</tr>
<tr>
<td>26</td>
<td>Information sharing</td>
</tr>
<tr>
<td>27</td>
<td>Disclosure of information</td>
</tr>
<tr>
<td>28</td>
<td>Guidance in relation to named person service</td>
</tr>
<tr>
<td>29</td>
<td>Directions in relation to named person service</td>
</tr>
<tr>
<td>30</td>
<td>Complaints in relation to Part 4</td>
</tr>
<tr>
<td>31</td>
<td>Relevant authorities</td>
</tr>
<tr>
<td>32</td>
<td>Interpretation of Part 4</td>
</tr>
</tbody>
</table>

### PART 5
**CHILD’S PLAN**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>33</td>
<td>Child’s plan: requirement</td>
</tr>
<tr>
<td>34</td>
<td>Content of a child’s plan</td>
</tr>
<tr>
<td>35</td>
<td>Preparation of a child’s plan</td>
</tr>
<tr>
<td>36</td>
<td>Responsible authority: general</td>
</tr>
<tr>
<td>37</td>
<td>Responsible authority: special cases</td>
</tr>
<tr>
<td>38</td>
<td>Delivery of a child’s plan</td>
</tr>
<tr>
<td>39</td>
<td>Child’s plan: management</td>
</tr>
<tr>
<td>40</td>
<td>Assistance in relation to child’s plan</td>
</tr>
<tr>
<td>41</td>
<td>Guidance on child’s plans</td>
</tr>
<tr>
<td>42</td>
<td>Directions in relation to child’s plans</td>
</tr>
<tr>
<td>43</td>
<td>Complaints in relation to Part 5</td>
</tr>
<tr>
<td>44</td>
<td>Listed authorities</td>
</tr>
<tr>
<td>45</td>
<td>Interpretation of Part 5</td>
</tr>
</tbody>
</table>

### PART 6
**EARLY LEARNING AND CHILDCARE**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>46</td>
<td>Early learning and childcare</td>
</tr>
<tr>
<td>47</td>
<td>Duty to secure provision of early learning and childcare</td>
</tr>
<tr>
<td>48</td>
<td>Mandatory amount of early learning and childcare</td>
</tr>
<tr>
<td>49</td>
<td>Looked after 2 year olds: alternative arrangements to meet wellbeing needs</td>
</tr>
<tr>
<td>50</td>
<td>Duty to consult and plan on delivery of early learning and childcare</td>
</tr>
<tr>
<td>51</td>
<td>Method of delivery of early learning and childcare</td>
</tr>
<tr>
<td>52</td>
<td>Flexibility in way in which early learning and childcare is made available</td>
</tr>
<tr>
<td>53</td>
<td>Interpretation of Part 6</td>
</tr>
</tbody>
</table>
PART 7
POWER TO PROVIDE SCHOOL EDUCATION FOR PRE-SCHOOL CHILDREN

54 Duty to consult and plan in relation to power to provide school education for pre-school children

PART 8
DAY CARE AND OUT OF SCHOOL CARE

55 Duty to consult and plan in relation to day care and out of school care

PART 9
CORPORATE PARENTING

56 Corporate parents
57 Application of Part: children and young people
58 Corporate parenting responsibilities
59 Planning by corporate parents
60 Collaborative working among corporate parents
61 Reports by corporate parents
62 Duty to provide information to Scottish Ministers
63 Guidance on corporate parenting
64 Directions to corporate parents
65 Reports by Scottish Ministers

PART 10
AFTERCARE

66 Provision of aftercare to young people

PART 11
CONTINUING CARE

67 Continuing care: looked after children

PART 12
SERVICES IN RELATION TO CHILDREN AT RISK OF BECOMING LOOKED AFTER, ETC.

68 Provision of relevant services to parents and others
69 Relevant services: further provision
70 Interpretation of Part 12

PART 13
SUPPORT FOR KINSHIP CARE

71 Assistance in relation to kinship care orders
72 Orders which are kinship care orders
73 Kinship care assistance: further provision
74 Interpretation of Part 13
PART 14
ADOPTION REGISTER

75 Scotland’s Adoption Register

PART 15
SCHOOL CLOSURE PROPOSALS, ETC.

76 References to the Schools (Consultation) (Scotland) Act 2010
77 Restriction on closure proposals
78 Financial implications of closure proposals
79 Correction of proposal paper
80 Special provision for rural school closure proposals
81 Call-in of closure proposals

PART 16
CHILDREN’S HEARINGS

82 Safeguards: exceptions to duty to prepare report on appointment
83 Maximum period of child protection order
84 Power to determine that deeming of person as relevant person to end
85 Grounds hearing: non-acceptance of facts supporting ground
86 Failure of child to attend grounds hearing: power to make interim order
87 Limit on number of further interim compulsory supervision orders
88 Area support teams: establishment
89 Area support teams: administrative support by local authorities
90 Interpretation of Part 16

PART 17
OTHER REFORMS

Detention of children in secure accommodation

91 Appeal against detention of child in secure accommodation

Children’s legal aid

92 Power of Scottish Ministers to modify circumstances in which children’s legal aid to be made available

Provision of school meals

93 Provision of free school lunches

Licensing of child performances

94 Extension of licensing of child performances to children under 14

Wellbeing under 1995 Act

95 Consideration of wellbeing in exercising certain functions
PART 18

GENERAL

96 Assessment of wellbeing
97 Interpretation
98 Modification of enactments
99 Subordinate legislation
100 Guidance and directions
101 Ancillary provision
102 Commencement
103 Short title

SCHEDULE 1 — Authorities to which section 2 applies
1 A local authority
2 Children’s Hearings Scotland
3 The Scottish Children’s Reporter Administration
4 A health board
5 A board constituted under section 2(1)(b) of the National Health...
6 Healthcare Improvement Scotland
7 The Scottish Qualifications Authority
8 Skills Development Scotland Co. Ltd (registered number SC 202659)
9 Social Care and Social Work Improvement Scotland
10 The Scottish Social Services Council
11 The Scottish Sports Council
12 The chief constable of the Police Service of Scotland
13 The Scottish Police Authority
14 The Scottish Fire and Rescue Service
15 The Scottish Legal Aid Board
16 The Mental Welfare Commission for Scotland
17 The Scottish Housing Regulator
18 Bòrd na Gàidhlig
19 Creative Scotland

SCHEDULE 2 — Relevant authorities
1 NHS 24
2 NHS National Services Scotland
3 Scottish Ambulance Service Board
4 State Hospitals Board for Scotland
5 The National Waiting Times Centre Board
6 Skills Development Scotland Co. Ltd (registered number SC 202659)
7 Social Care and Social Work Improvement Scotland
8 The Scottish Sports Council
9 The chief constable of the Police Service of Scotland
10 The Scottish Police Authority
11 The Scottish Fire and Rescue Service
12 The Commissioner for Children and Young People in Scotland
13 A body which is a “post-16 education body” for the...

SCHEDULE 3 — Listed authorities
1 The Scottish Ministers
SCHEDULE 4 — Corporate parents

1 The Scottish Ministers
2 A local authority
3 The National Convener of Children’s Hearings Scotland
4 Children’s Hearings Scotland
5 The Principal Reporter
6 The Scottish Children’s Reporter Administration
7 A health board
8 A board constituted under section 2(1)(b) of the National Health...
9 Healthcare Improvement Scotland
10 The Scottish Qualifications Authority
11 Skills Development Scotland Co. Ltd (registered number SC 202659)
12 Social Care and Social Work Improvement Scotland
13 The Scottish Social Services Council
14 The Scottish Sports Council
15 The chief constable of the Police Service of Scotland
16 The Scottish Police Authority
17 The Scottish Fire and Rescue Service
18 The Scottish Legal Aid Board
19 The Commissioner for Children and Young People in Scotland
20 The Mental Welfare Commission for Scotland
21 The Scottish Housing Regulator
22 Bòrd na Gàidhlig
23 Creative Scotland
24 A body which is a “post-16 education body” for the...

SCHEDULE 5 — Modification of enactments

1 Social Work (Scotland) Act 1968
2 Education (Scotland) Act 1980
3 Legal Aid (Scotland) Act 1986
4 Children (Scotland) Act 1995
5 Criminal Procedure (Scotland) Act 1995
6 Education Act 1996
7 Standards in Scotland’s Schools Act 2000
8 Regulation of Care (Scotland) Act 2001
9 Mental Health (Care and Treatment) (Scotland) Act 2003
10 Education (Additional Support for Learning) (Scotland) Act 2004
11 Adoption and Children (Scotland) Act 2007
12 Children’s Hearings (Scotland) Act 2011