

# **CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2014**

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## **EXPLANATORY NOTES**

### **OVERVIEW**

3. The Act makes provision in relation to aspects of children's services so as to:
- Reflect in domestic law the role of the United Nations Convention on the Rights of the Child (UNCRC) in influencing the design and delivery of policies and services by placing duties on the Scottish Ministers and the wider public sector, and strengthening the powers of the Commissioner for Children and Young People in Scotland to enable investigations to be conducted in relation to matters concerning individual children and young people;
  - Improve the way services work to support children, young people and families by: ensuring there is a single planning approach for children who need additional support from services; creating a single point of contact around every child or young person; ensuring coordinated planning and delivery of services with a focus on outcomes, and providing a holistic and shared understanding of a child's or young person's wellbeing;
  - Strengthen the role of early years support in children's and families' lives by:
    - Increasing the amount and flexibility of free early learning and childcare from 475 hours a year to a minimum of 600 hours for 3 and 4 year olds; 2 year olds who are, or have been at any time since turning 2, looked after, subject to a kinship care order, or with a parent appointed guardian; as well enabling further expansion through secondary legislation with the intention to expand to 2 year olds from workless or job-seeking households in the first instance (by August 2014);
    - Introducing a comprehensive and coordinated approach to consultation and planning on all Early Learning and Childcare, day care and out of school care which local authorities have duties or powers to secure.
  - Ensure better permanence planning for looked after children by: extending corporate parenting across the public sector; clarifying eligibility of care leavers who are entitled to corporate parenting and aftercare support; extending support to young people leaving care for longer (up to and including the age of 25); entitling 16 year olds in foster, kinship or residential care the right to stay in care until they are 21 years old; supporting families and the parenting role of kinship carers through new legal entitlements; and putting Scotland's National Adoption Register on a statutory footing;
  - Strengthen existing legislation on school closures under the Schools (Consultation) (Scotland) Act 2010 ("the 2010 Act"), adding to the requirements education authorities are subject to when taking forward a school closure proposal, particularly when proposing to close a rural school. A new process is also put in

*These notes relate to the Children and Young People (Scotland) Act 2014 (asp 8) which received Royal Assent on 27 March 2014*

place for school closure proposals called in by Scottish Ministers which are to be referred to the Convener of the School Closure Review Panels for determination by a Panel;

- Strengthen existing legislation that affects children and young people by creating a new right to appeal a local authority decision to place a child in secure accommodation, and by making procedural and technical changes in the areas of children's hearings support arrangements; and
- Amend the Education (Scotland) Act 1980 ("the 1980 Act") to enable the Scottish Ministers to impose a duty on education authorities to provide certain pupils (prescribed by regulations) with school lunches free of charge; as well as giving education authorities the power to provide school lunches free of charge to pupils who satisfy such conditions as the authority think fit.