



# Children and Young People (Scotland) Act 2014

2014 asp 8

## PART 17

### OTHER REFORMS

#### *Wellbeing under 1995 Act*

#### **95 Consideration of wellbeing in exercising certain functions**

After section 23 of the 1995 Act, insert—

##### **“23A Sections 17, 22 and 26A: consideration of wellbeing**

- (1) This section applies where a local authority is exercising a function under or by virtue of section 17, 22 or 26A of this Act.
- (2) The local authority must have regard to the general principle that functions should be exercised in relation to children and young people in a way which is designed to safeguard, support and promote their wellbeing.
- (3) For the purpose of subsection (2) above, the local authority is to assess the wellbeing of a child or young person by reference to the extent to which the matters listed in section 96(2) of the 2014 Act are or, as the case may be, would be satisfied in relation to the child or young person.
- (4) In assessing the wellbeing of a child or young person as mentioned in subsection (3) above, a local authority is to have regard to the guidance issued under section 96(3) of the 2014 Act.
- (5) In this section, “the 2014 Act” means the Children and Young People (Scotland) Act 2014.”