

EXECUTIVE NOTE

THE ADDITIONAL SUPPORT NEEDS TRIBUNALS FOR SCOTLAND (PRACTICE AND PROCEDURE) AMENDMENT (NO. 2) RULES 2010

S.S.I 2010/274

The above instrument was made in exercise of the powers conferred by sections 17(4) of, and paragraph 11 of Schedule 1 to, the Education (Additional Support for Learning) (Scotland) Act 2004 and all other powers enabling them to do so. The instrument is subject to negative resolution procedure.

Policy Objectives

The purpose of the instrument is to change the date on which the Additional Support Needs Tribunals for Scotland (Practice and Procedure) Amendment Rules 2010 (S.S.I. 2010/152) come into force from 16th August 2010 to 14th November 2010. The overall policy objective is to ensure that the provisions of the Education (Additional Support for Learning) (Scotland) Act 2009 (asp 7) and instruments made under powers contained in that Act are all brought into effect as a complete package on the same date. This instrument is one of four which are being made at the same time to secure that objective.

Consultation

The Additional Support for Learning Implementation Group has been consulted during the preparation of the instrument. The Additional Support for Learning Implementation Group includes COSLA, local authorities, unions, front line staff, voluntary sector organisations, representatives of partner agencies such as colleges and Health Boards as well as parental representatives.

These regulations do not contain any changes to the rules of the Additional Support Needs Tribunals for Scotland and have not therefore been subject to consultation with the Scottish Committee – Administrative Justice and Tribunals Council, although they are aware of the change. These regulations only change the date on which the Additional Support Needs Tribunals for Scotland (Practice and Procedure) Amendment Rules 2010 come into force. Those regulations will make changes to the rules and procedures of the Additional Support Needs Tribunals for Scotland and were therefore subject to consultation with the Scottish Committee – Administrative Justice and Tribunals Council.

Financial Effects

The instrument to change the commencement date has no financial effects on the Scottish Executive, local government or on business.

Scottish Executive Learning Directorate
July 2010