

EXECUTIVE NOTE

THE ADDITIONAL SUPPORT FOR LEARNING (CO-ORDINATED SUPPORT PLAN AND DISPUTE RESOLUTION) (SCOTLAND) AMENDMENT REGULATIONS 2010

S.S.I 2010/275

The above instrument was made in exercise of the powers conferred by sections 11(8) and 16 of 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 for Learning (Co-ordinated Support Plan) (Scotland) Amendment Regulations 2010 (S.S.I. 2010/149) and the Additional Support for Learning Dispute Resolution (Scotland) (S.S.I. 2010/144) Amendment Regulations 2010 come into force from 16th August 2010 to 14th November 2010.

Regulation 3 of these Regulations harmonises the terminology used in the Additional Support for Learning (Co-ordinated Support Plan) (Scotland) Amendment Regulations 2010 in line with comments from the Subordinate Legislation Committee. There is no change to the meaning of the Regulation.

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.

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Consultation

The change in the coming into force date is made solely in response to strong representations by stakeholders, notably by the Additional Support for Learning Implementation Group, that local authorities, schools and those involved in delivering education for children and young people are understandably very focused on other aspects of Curriculum for Excellence and therefore the importance of the changes around additional support might be lost if the legislation was introduced in August. Local authorities also sought more time to enable them to deliver training programmes in early autumn to facilitate implementation of the legislation.

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 changes also reflect comments from the Subordinate Legislation Committee.

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