

POLICY NOTE

THE ADDITIONAL SUPPORT FOR LEARNING (SOURCES OF INFORMATION) (SCOTLAND) ORDER 2016

SSI 2016/299

The above instrument is made in exercise of the powers conferred by section 26(2)(i) of the Education (Additional Support for Learning) (Scotland) Act 2004 (as amended). The instrument is subject to negative procedure.

Policy Objectives

This Order replaces The Additional Support for Learning (Sources of Information) (Scotland) Order 2010 (“the 2010 Order”), The Additional Support for Learning (Sources of Information) (Scotland) Amendment Order 2011 (“the 2011 Amendment Order”) and The Additional Support for Learning (Sources of Information) (Scotland) Amendment Order 2014 (“the 2014 Amendment Order”) which specify persons from whom parents of children or young persons who have additional support needs can obtain advice, further information and support in relation to the provision for such needs, including such support and advocacy as is referred to in section 14 of the Education (Additional Support for Learning) (Scotland) Act 2004 (as amended).

The 2011 Amendment Order, contained an incorrect cross reference to a provision in the 2010 Order, referring to “article 2(b)” of the 2010 Order, however article 2(b) does not exist. The correct reference is to article 2.

This Order therefore rectifies the discrepancy, reaffirms persons from whom parents of children or young persons who have additional support needs can obtain advice, further information and support and revokes the previous Orders referred to above (as well as the Additional Support for Learning (Appropriate Agencies and Sources of Information) (Scotland) Amendment of Commencement Dates Order 2010) and meets a commitment which was made to the Delegated Powers and Law Reform Committee (DPLRC) to correct the information contained within the 2011 Amendment Order.

Consultation

This Order does not result in any change to the persons from which parents and young people can obtain advice, further information and support, therefore, it was considered that public consultation was not required. However, the amendment was considered and agreed by the Advisory Group for Additional Support for Learning.

Impact Assessments

Given this Order simply restates the legal position in terms of the persons from which parents of children or young persons who have additional support needs can obtain advice etc., there will be no new impact on people as a result, therefore, it was considered that carrying out impact assessments was not necessary.

Financial Effects

It was considered that the Order will have no new impact on business or the third sector therefore it was not considered that carrying out a Business and Regulatory Impact Assessment (BRIA) was necessary.

Scottish Government
Learning Directorate

27 September 2016