

*These notes relate to the Education (Additional Support for Learning)  
(Scotland) Act 2004 (asp 4) which received Royal Assent on 7 May 2004*

# **EDUCATION (ADDITIONAL SUPPORT FOR LEARNING) (SCOTLAND) ACT 2004**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### ***Section 15 – Mediation services***

31. This section places a duty on education authorities to arrange for independent mediation services to be provided, free of charge, to parents of children or young people in the education authority area. Mediation services will seek to avoid or resolve disagreements between the authority and parents or young people concerning functions under the Act. Subsection (2) defines mediation services as being independent if those providing the service have no involvement in the authority's exercise of any other of its functions under this Act. This will allow education authorities to employ mediators directly, for example where there is a wider local authority or public sector mediation service, but any such mediators cannot be involved in any way in providing education services or decisions relating to education provision.
32. Subsection (3) provides that parents or young people are not compelled to refer disagreements to a mediation service and that their entitlement to make a reference to a Tribunal is not affected by their use or otherwise of mediation.