



Education (Additional Support for Learning) (Scotland) Act 2004

2004 asp 4

Main definitions

[^{F1}3B Assessment of wellbeing

- (1) Subsection (2) applies where, by virtue of this Act, an education authority or Tribunal is required to consider whether the wellbeing of a child who has attained the age of 12 years would, or would not, be adversely affected.
- (2) The authority or, as the case may be, Tribunal is to consider the matter by reference to the extent to which the child is or would be—
 - safe,
 - healthy,
 - achieving,
 - nurtured,
 - active,
 - respected,
 - responsible, and
 - included.
- (3) The Scottish Ministers may by regulations modify the list in subsection (2) so as to amend, remove or add to the matters for the time being mentioned in the list.
- (4) Before making any regulations under subsection (3), the Scottish Ministers must consult such persons as they consider appropriate.]

Textual Amendments

- F1** Ss. 3A-3C inserted (10.1.2018) by [Education \(Scotland\) Act 2016 \(asp 8\)](#), s. 33(2), [sch. para. 3](#); S.S.I. 2017/354, reg. 2(a)

Status:

Point in time view as at 10/01/2018. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Education (Additional Support for Learning) (Scotland) Act 2004, Section 3B.