

# **CHILDREN'S HEARINGS (SCOTLAND) ACT 2011**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Schedule 4 – Transfer of staff and property to CHS***

##### **Staff transfer orders**

402. Paragraphs 2 to 4 set out the arrangements for the transfer to CHS of staff working in SCRA and local authorities whose functions are to be taken on by CHS. Paragraph 2(1) and 2(2) enable the Scottish Ministers to make a “staff transfer order” to effect this transfer. Where a staff transfer order makes provision for the transfer of SCRA employees to CHS the order may require SCRA and CHS acting jointly to make a scheme in relation to the transfer of those staff. Where a staff transfer order makes provision for the transfer of local authority employees to CHS, the order may require the local authority and CHS acting jointly to make a scheme in relation to the transfer of those staff. If SCRA and CHS or the local authority and CHS are unable to comply with the requirement to make a staff transfer scheme, paragraph 2(4) provides for Ministers to create the scheme.