

# **CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2014**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 2 – Commissioner for Children and Young People In Scotland**

##### ***Section 6 – Requirement to respond to Commissioner’s recommendations***

21. Subsection (2) amends section 11 of the 2003 Act, providing the Commissioner with a power to require a response from a service provider to any recommendations made as part of a report linked to either a general investigation or an individual investigation and to identify a time by which that response must be received. Where a report includes a requirement to respond, a copy of the report must also be shared with the service provider on whom the requirement is imposed.
22. Subsection (3) adds a new section 14AA to the 2003 Act. This section sets out the arrangements for publishing a service provider’s response to any recommendations made by the Commissioner. It requires the Commissioner to publish any response made by a service provider in respect of recommendations following a general investigation unless the Commissioner considers publication to be inappropriate. The Commissioner may publish a response to recommendations following an individual investigation. Any published material should not, so far as reasonable and practicable, name or identify any child referred to in it.
23. Where a service provider fails to respond to a requirement, the Commissioner may take steps to publicise this failure.