

CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4 – Provision of named persons

Section 21 – Named person service in relation to children not falling within section 20

57. Subsections (1), (2) and (3) state that an education authority must make arrangements to provide a named person service for each child living in its area unless: they are a pre-school child (as defined in section 20); they attend a school managed by a different local authority or attend a grant-aided school or independent school; they are kept in secure accommodation; or they are in legal custody (as defined at subsection (3) or subject to temporary release from custody. The duty to provide a named person does not apply to a child who is a member of any of the regular forces.
58. Subsection (5) provides that, during any period when a child is a pupil at a public school managed by a different authority from the one in which they reside, the different authority must make arrangements to provide the named person service for that child. Subsection (6) provides that at any time when the child attends a grant-aided school, independent school or is kept in secure accommodation, that establishment must provide the named person service for the child. Subsection (7) provides that, during any period when a child is in legal custody or subject to temporary release from such custody, the Scottish Ministers must make arrangements to provide the named person service for the child.