



Children and Young People (Scotland) Act 2014

2014 asp 8

PART 5

CHILD'S PLAN

40 Assistance in relation to child's plan

- (1) A person mentioned in subsection (2) must comply with any reasonable request made of the person to provide a person exercising functions under this Part with information, advice or assistance for that purpose.
- (2) Those persons are—
 - (a) a relevant authority,
 - (b) a listed authority.
- (3) Subsection (1) does not apply where the person to whom the request is made considers that provision of the information, advice or assistance concerned would—
 - (a) be incompatible with any duty of the person, or
 - (b) unduly prejudice the exercise of any function of the person.
- (4) Other than in relation to a duty of confidentiality, subsection (1) does not permit or require the provision of information in breach of a prohibition or restriction on the disclosure of information arising by virtue of an enactment or rule of law.
- (5) Subsection (6) applies—
 - (a) where, by virtue of subsection (1), a person provides information in breach of a duty of confidentiality, and
 - (b) in providing the information, the person informs the recipient of the breach of duty.
- (6) The recipient is not to provide the information to any other person unless the provision of information is permitted or required by virtue of any enactment (including this Part) or rule of law.