



Children and Young People (Scotland) Act 2014

2014 asp 8

PART 6

EARLY LEARNING AND CHILDCARE

49 Looked after 2 year olds: alternative arrangements to meet wellbeing needs

- (1) Subsection (2) applies where—
 - (a) an authority's duty under section 47(1) applies in relation to a child only by virtue of the child falling within section 47(3)(a),
 - (b) the authority, after assessing the child's needs, considers that making alternative arrangements in relation to the child's education and care would better safeguard or promote the child's wellbeing.
- (2) Where this subsection applies, the authority—
 - (a) need not comply with its duty under section 47(1) in relation to the child, but
 - (b) must make such alternative arrangements in relation to the child's education and care as it considers appropriate for the purposes of safeguarding or promoting the child's wellbeing.
- (3) Subsection (2) does not apply in relation to a child who is not being looked after by the authority if a parent of the child objects to the authority making alternative arrangements.
- (4) The authority may, at any time, review any alternative arrangements it makes in relation to a child in pursuance of subsection (2)(b) (and must do so on becoming aware of any significant change in the child's circumstances) and may, following such a review, alter those arrangements.
- (5) The authority must seek to ensure that a record of—
 - (a) the outcome of any assessment of a child's needs that it undertakes in pursuance of subsection (1)(b), and
 - (b) any alternative arrangements that it makes in relation to the child's education and care in pursuance of subsection (2)(b),

Status: This is the original version (as it was originally enacted).

is included in any child's plan which is prepared for the child under Part 5.