



# Children and Young People (Scotland) Act 2014

2014 asp 8

## PART 8

### DAY CARE AND OUT OF SCHOOL CARE

#### 55 Duty to consult and plan in relation to day care and out of school care

(1) Section 27 of the 1995 Act is amended as follows.

(2) After subsection (1) insert—

“(1A) A local authority must, at least once every two years—

- (a) consult such persons as appear to be representative of parents of children in need within their area who satisfy the conditions mentioned in paragraphs (a) and (b) of subsection (1) above about how they should provide day care for such children in pursuance of that subsection; and
- (b) after having had regard to the views expressed, prepare and publish their plans for how they intend to provide day care for such children in pursuance of that subsection.

(1B) A local authority must, at least once every two years—

- (a) consult such persons as appear to be representative of parents of children within their area who satisfy the conditions mentioned in paragraphs (a) and (b) of subsection (1) above but are not in need about whether and if so how they should provide day care for such children under that subsection; and
- (b) after having had regard to the views expressed, prepare and publish their plans in relation to the provision of day care for such children under that subsection.”

(3) After subsection (3) insert—

“(3A) A local authority must, at least once every two years—

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*Status: This is the original version (as it was originally enacted).*

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- (a) consult such persons as appear to be representative of parents of children in need within their area who are in attendance at a school about how they should provide appropriate care for such children in pursuance of subsection (3) above; and
  - (b) after having had regard to the views expressed, prepare and publish their plans for how they intend to provide appropriate care for such children in pursuance of that subsection.
- (3B) A local authority must, at least once every two years—
  - (a) consult such persons as appear to be representative of parents of children within their area who are in attendance at a school but are not in need about whether and if so how they should provide appropriate care for such children under subsection (3) above; and
  - (b) after having had regard to the views expressed, prepare and publish plans in relation to the provision of appropriate care for such children in their area under that subsection.
- (3C) The Scottish Ministers may by order modify subsection (1A), (1B), (3A) or (3B) above so as to vary the regularity within which a local authority must consult and plan in pursuance of that subsection.
- (3D) An order made under subsection (3C) above is subject to the negative procedure.”.