



Carers (Scotland) Act 2016

2016 asp 9

PART 2

ADULT CARER SUPPORT PLANS AND YOUNG CARER STATEMENTS

CHAPTER 2

YOUNG CARER STATEMENTS

Meaning of responsible authority: young carers

19 Responsible authority: general

- (1) For the purposes of this Chapter the “responsible authority”, in relation to a young carer, is—
 - (a) where the young carer is a pre-school child, the health board for the area in which the child resides,
 - (b) where the young carer is not a pre-school child, the local authority for the area in which the child resides.
- (2) Subsection (1) is subject to section 20.
- (3) In this section and section 20 “pre-school child” has the meaning given by section 36(3) of the 2014 Act.

20 Responsible authority: special cases

- (1) Where in pursuance of a decision of a local authority or health board a young carer who is a pre-school child resides in the area of a health board which is different to that in which the young carer would otherwise reside, the health board for the area in which the young carer would otherwise reside is the responsible authority in relation to the young carer.
- (2) Where the young carer is a pupil at a public school which is managed by a local authority other than the one for the area in which the young carer resides, that other authority is the responsible authority in relation to the young carer.

Status: This is the original version (as it was originally enacted).

- (3) Where the young carer is a pupil at a grant-aided school or an independent school, the directing authority of that school is the responsible authority in relation to the young carer.
- (4) Subsection (3) does not apply where the young carer is such a pupil by virtue of a placement by the local authority for the area in which the young carer resides.
- (5) In this section “grant-aided school”, “independent school” and “public school” have the meanings given by section 135 of the Education (Scotland) Act 1980.