
SCOTTISH STATUTORY INSTRUMENTS

2003 No. 608

**The Support and Assistance of Young People
Leaving Care (Scotland) Regulations 2003**

Formal resolution of appeals

19.—(1) Where an appeal under these Regulations has not been resolved in terms of the procedure set out in regulation 18, the local authority shall appoint an independent person to assist in considering the appeal.

(2) The appeal shall be considered, at a meeting, by an officer of a local authority not involved in the decision appealed against (which officer shall be of a higher grade or rank than that of the officer previously involved) together with an independent person.

(3) At the meeting referred to in paragraph (2), said officer, together with the independent person, shall consider any oral or written submissions made by the—

(a) appellant and by the local authority; and

(b) pathway co-ordinator, young person's supporter (if appointed) nominated officer, or by any other person nominated by the appellant to speak on their behalf in terms of paragraph (5).

(4) The appellant, together with the appellant's pathway co-ordinator and young person's supporter, and the nominated officer, shall be invited to attend the meeting referred to in paragraph (2).

(5) The appellant may also be accompanied by another person of their choice, and may nominate that person to speak on their behalf at the meeting.

(6) The independent person shall assist the officer of the local authority, as referred to in paragraph (2), in considering the appeal, but the decision upon the appeal shall be made by the officer of the local authority, alone.

(7) The independent person shall participate in any discussions held by the local authority to determine the action (if any) to be taken as a consequence of the authority's decision upon the appeal ("the appeal decision").

(8) The procedure under this regulation shall be completed within 10 working days of notification being made to the nominated officer in terms of regulation 18(c).