



# Education (Additional Support for Learning) (Scotland) Act 2004

2004 asp 4

## *Supporters and advocacy*

### **14 Supporters and advocacy**

- (1) Where, in connection with the exercise of an education authority's functions under this Act in relation to any child or young person, the relevant person wishes—
- (a) to have another person (referred to as a “supporter”) present at any discussions with the authority for the purpose of supporting the relevant person in the course of those discussions, or
  - (b) another person (referred to as an “advocate”) to—
    - (i) conduct such discussions or any part of them, or
    - (ii) make representations to the authority,on the relevant person's behalf,
- the education authority must comply with the relevant person's wishes, unless the wishes are unreasonable.
- (2) In subsection (1), “the relevant person” means—
- (a) in the case of a child, the child's parent,
  - (b) in the case of a young person—
    - (i) the young person, or
    - (ii) if the authority are satisfied that the young person lacks capacity to participate in discussions or make representations as referred to in subsection (1), the young person's parent.
- (3) Nothing in subsection (1) is to be read as requiring an education authority to provide or pay for a supporter or advocate.