



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

## 2004 asp 4

### *Co-ordinated support plans*

#### **10      Reviews of co-ordinated support plans**

- (1) Every education authority must keep under consideration the adequacy of any co-ordinated support plans prepared (and not discontinued) for any children or young persons [<sup>F1</sup>for whose school education they are responsible].
- (2) The education authority must carry out a review of each such co-ordinated support plan—
  - (a) on the expiry of the period of 12 months beginning with the date on which the plan was prepared, and
  - (b) thereafter, on the expiry of each successive period of 12 months beginning with the date on which the previous review (whether carried out under this subsection or subsection (3) or (4)) of the plan was completed.
- (3) An education authority may carry out a review of such a co-ordinated support plan before the expiry of a period referred to in subsection (2) only—
  - (a) pursuant to a request referred to in subsection (4), or
  - (b) if the authority consider it necessary or expedient to do so because of a significant change in the circumstances of the child or young person for whom the plan was prepared since the plan was prepared or, as the case may be, last reviewed.
- (4) Where the education authority receive from a person specified in subsection (5) a request to carry out a review of any such co-ordinated support plan as is mentioned in subsection (1) before the expiry of a period referred to in subsection (2), the authority must carry out a review of the plan unless the request is unreasonable.
- (5) The persons referred to in subsection (4) are—
  - (a) in the case of a co-ordinated support plan prepared for a child, the child's parent,

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*Status: Point in time view as at 10/01/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Education (Additional Support for Learning) (Scotland) Act 2004, Section 10. (See end of Document for details)*

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- [<sup>F2</sup>(aa) in the case of a co-ordinated support plan prepared for a child who has attained the age of 12 years and who the authority is satisfied has capacity to make the request, the child,]
- (b) in the case of a co-ordinated support plan prepared for a young person—
- (i) the young person, or
  - (ii) where the education authority are satisfied that the young person lacks capacity to make the request, the young person's parent.
- [<sup>F3</sup>(5A) Where any such co-ordinated support plan as is mentioned in subsection (1) is transferred to the education authority by virtue of regulations made in pursuance of section 11(8), the authority must carry out a review of the plan as soon as practicable after the date of transfer.]
- (6) In reviewing any co-ordinated support plan under this section, the education authority must, in accordance with the arrangements made by them under section 6(1), establish whether the child or young person for whom the plan was prepared still requires such a plan and—
- (a) if so, continue the plan for the child or young person and make such amendments of it as the authority consider necessary or appropriate, or
  - (b) if not, discontinue the plan.

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**Textual Amendments**

- F1** Words in s. 10(1) substituted (14.11.2010) by [Education \(Additional Support for Learning\) \(Scotland\) Act 2009 \(asp 7\)](#), **ss. 1(4)(a)**, 26(3); S.S.I. 2010/277, art. 2
- F2** S. 10(5)(aa) inserted (10.1.2018) by [Education \(Scotland\) Act 2016 \(asp 8\)](#), s. 33(2), **sch. para. 9**; S.S.I. 2017/354, reg. 2(a)
- F3** S. 10(5A) inserted (14.11.2010) by [Education \(Additional Support for Learning\) \(Scotland\) Act 2009 \(asp 7\)](#), **ss. 1(4)(b)**, 26(3); S.S.I. 2010/277, art. 2
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**Commencement Information**

- I1** S. 10 in force at 14.11.2005 by [S.S.I. 2005/564](#), **art. 2**

**Status:**

Point in time view as at 10/01/2018.

**Changes to legislation:**

There are currently no known outstanding effects for the Education (Additional Support for Learning) (Scotland) Act 2004, Section 10.