



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

2004 asp 4

Establishment of additional support needs and need for co-ordinated support plan

[^{F1}8A Assessments and examinations: further provision

- (1) A person specified in subsection (3) may request that the education authority arrange for a child or young person to whom section 4(1)(a) applies to undergo, for the purpose of considering the additional support needs of the child or young person, a process of assessment or examination.
- (2) The education authority must comply with the request unless it is unreasonable.
- (3) The persons referred to in subsection (1) are—
 - (a) where the request relates to a child, the child's parent,
[where the request relates to a child who has attained the age of 12 years and
^{F2}(aa) who the authority is satisfied has capacity to make the request, the child,]
 - (b) where the request relates to a young person, the young person or, where the authority are satisfied the young person lacks capacity to make the request, the young person's parent.
- (4) The education authority must, in accordance with the arrangements made by them under section 4(1)(b), take into account the results of any assessment or examination undertaken by virtue of this section.
- (5) A process of assessment or examination undertaken by virtue of this section is to be carried out by such person as the education authority consider appropriate.
- (6) In this section the reference to assessment or examination includes educational, psychological or medical assessment or examination.]

Textual Amendments

- F1** S. 8A inserted (14.11.2010) by [Education \(Additional Support for Learning\) \(Scotland\) Act 2009 \(asp 7\)](#), ss. 7, 26(3); S.S.I. 2010/277, art. 2

Changes to legislation: *There are currently no known outstanding effects for the Education (Additional Support for Learning) (Scotland) Act 2004, Section 8A. (See end of Document for details)*

F2 S. 8A(3)(aa) inserted (10.1.2018) by Education (Scotland) Act 2016 (asp 8), s. 33(2), **sch. para. 7**;
S.S.I. 2017/354, reg. 2(a)

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