



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 12

CHILDREN'S HEARINGS: GENERAL

Referral where failure to provide education for excluded pupil

127 Referral where failure to provide education for excluded pupil

- (1) This section applies where it appears to a children's hearing that—
 - (a) an education authority has a duty under section 14(3) of the Education (Scotland) Act 1980 (c.44) (education authority's duty to provide education for child excluded from school) in relation to the child to whom the children's hearing relates, and
 - (b) the authority is failing to comply with the duty.
- (2) The children's hearing may require the National Convener to refer the matter to the Scottish Ministers.
- (3) If a requirement is made under subsection (2), the National Convener must—
 - (a) make a referral to the Scottish Ministers, and
 - (b) give a copy of it to the education authority to which it relates and the Principal Reporter.

Commencement Information

II S. 127 in force at 24.6.2013 by [S.S.I. 2013/195](#), [arts. 2, 3](#)

Status:

Point in time view as at 24/06/2022.

Changes to legislation:

Children's Hearings (Scotland) Act 2011, Section 127 is up to date with all changes known to be in force on or before 18 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.