



Children and Young People (Scotland) Act 2014

2014 asp 8

PART 5

CHILD'S PLAN

39 Child's plan: management

- (1) The managing authority of a child's plan is to keep under review whether—
 - (a) the wellbeing need of the child stated in the plan is still accurate,
 - (b) in relation to each targeted intervention, it or the manner of its provision, is still appropriate,
 - (c) the outcome of the plan has been achieved, and
 - (d) the management of the plan should transfer to another relevant authority.
- (2) In reviewing a child's plan, the managing authority—
 - (a) is to consult—
 - (i) each other relevant authority to which subsection (3) applies,
 - (ii) where it is neither the managing authority nor consulted under subparagraph (i), the responsible authority in relation to the child, and
 - (iii) where the child's named person is not an employee of the managing authority, the child's named person, and
 - (b) is so far as reasonably practicable to ascertain and have regard to the views of—
 - (i) the child,
 - (ii) the child's parents,
 - (iii) such persons, or the persons within such description, as the Scottish Ministers may by order specify, and
 - (iv) such other persons as the managing authority considers appropriate.
- (3) This subsection applies to a relevant authority if—
 - (a) it is providing a targeted intervention contained in the plan, or

Changes to legislation: Children and Young People (Scotland) Act 2014, Section 39 is up to date with all changes known to be in force on or before 12 July 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. (See end of Document for details) View outstanding changes

- (b) a targeted intervention contained in the plan is being provided by a third person under arrangements made by the authority.
- (4) In having regard to the views of the child as mentioned in subsection (2)(b)(i), the managing authority is to take account of the child's age and maturity.
- (5) The managing authority of a child's plan may in consequence of the review—
- (a) amend the plan so as to revise—
 - (i) the wellbeing need of the child,
 - (ii) a targeted intervention,
 - (iii) the manner in which a targeted intervention requires to be provided, or
 - (iv) the outcome which the plan is intended to achieve,
 - (b) transfer the management of the plan to another relevant authority, or
 - (c) end the plan.
- (6) The Scottish Ministers may by order make provision about the management of child's plans, including provision about—
- (a) when and how a child's plan is to be reviewed in accordance with subsection (1),
 - (b) who is to be the managing authority of a child's plan,
 - (c) when and to whom management of a child's plan is to or may transfer under subsection (5)(b),
 - (d) when and how a new targeted intervention may be included in a child's plan,
 - (e) the keeping, disclosure and destruction of child's plans.
- (7) Subject to provision made under subsection (6)(b), the managing authority of a child's plan is—
- (a) the relevant authority which prepared it, or
 - (b) where management of the child's plan has been transferred under subsection (5)(b), the relevant authority to which the management of the child's plan was so transferred (or where there has been more than one such transfer, last so transferred).

Commencement Information

II S. 39 in force at 5.1.2016 for specified purposes by [S.S.I. 2015/406](#), art. 3(2)(3), [Sch. Pt. 1](#)

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Changes and effects yet to be applied to :

- s. 39 coming into force by [S.S.I. 2016/60 art. 2\(a\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). Art. 2(a)(i) revoked (30.8.2016) by S.S.I. 2016/233, art. 2)
- specified provision(s) revocation of earlier commencing provision S.S.I. 2016/60, art. 2(a)(i)(ii) by [S.S.I. 2016/233 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 16A inserted by [2024 asp 5 s. 25\(2\)](#)