



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

## 2004 asp 4

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

### **8 Assessments and examinations**

(1) Where—

- (a) an education authority propose—
  - (i) in pursuance of any provision of this Act, to establish whether a child or young person has additional support needs or requires, or would require, a co-ordinated support plan, or
  - (ii) to review under section 10 any such plan prepared for any child or young person, and
- (b) the appropriate person makes a request that the education authority arrange for the child or young person to whom the proposal referred to in paragraph (a) relates to undergo, for the purposes of the proposal, a process of assessment or examination (such a request being referred to in this section as an “assessment request”),

the education authority must comply with the assessment request unless the request is unreasonable.

(2) In subsection (1)(b), “the appropriate person” means—

- (a) where the proposal referred to in subsection (1)(a) arises from a request referred to in section 6(2), 7(1) or 10(4), the person making the request,
- (b) in any other case—
  - (i) where the proposal relates to a child, the child’s parent,
  - (ii) where the proposal relates to a young person, the young person or, where the authority are satisfied that the young person lacks capacity to make the request, the young person’s parent.

(3) Where a child or young person is to undergo a process of assessment or examination in pursuance of an assessment request, the process is to be carried out by such person as the education authority consider appropriate.

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*Status: This is the original version (as it was originally enacted).*

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- (4) In subsection (1)(b), the reference to assessment or examination includes educational, psychological or medical assessment or examination.