



Children and Young People (Scotland) Act 2014

2014 asp 8

PART 2

COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE IN SCOTLAND

6 Requirement to respond to Commissioner's recommendations

- (1) The Commissioner for Children and Young People (Scotland) Act 2003 is amended as follows.
- (2) In section 11—
 - (a) after subsection (2), insert—

“(2A) In relation to any such recommendation, the report may include a requirement to respond.

(2B) A requirement to respond is a requirement that the service provider provides, within such period as the Commissioner reasonably requires, a statement in writing to the Commissioner setting out—

 - (a) what the service provider has done or proposes to do in response to the recommendation; or
 - (b) if the service provider does not intend to do anything in response to the recommendation, the reasons for that.”
 - (b) after subsection (5) (as inserted by section 5 of this Act), add—

“(6) Where a report of an investigation includes a requirement to respond, the Commissioner must give a copy of the report to the service provider.”
- (3) After section 14, insert—

Status: This is the original version (as it was originally enacted).

“14AA Publication of responses to recommendations of investigations

- (1) The Commissioner must publish any statement provided in response to a requirement to respond to a recommendation arising out of a general investigation.
- (2) Subsection (1) does not apply if, or to the extent that, the Commissioner considers publication to be inappropriate.
- (3) The Commissioner may publish any statement provided in response to a requirement to respond to a recommendation arising out of an individual investigation.
- (4) The Commissioner must ensure that, so far as reasonable and practicable having regard to the subject matter, the version of the statement which is published under subsection (1) or (3) does not name or identify any child or young person, or group of children or young people, referred to in it.
- (5) The Commissioner may, in such manner as the Commissioner considers appropriate, publicise a failure to comply with a requirement to respond.”