
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 152

**The Children and Young People (Scotland) Act
2014 (Part 4 and Part 5 Complaints) Order 2016**

Matters which may be the subject of a complaint

2.—(1) Subject to paragraphs (2) and (3), the matters which may be the subject of a complaint are—

- (a) any exercise of, or any failure to exercise, a function which is conferred on a service provider or relevant authority by or under Part 4 of the Act; or
- (b) any exercise of, or any failure to exercise, a function which is conferred on any of the following by or under Part 5 of the Act:—
 - (i) the responsible authority in relation to a child;
 - (ii) a relevant authority;
 - (iii) the managing authority of a child's plan; or
 - (iv) a listed authority.

(2) Paragraph (1) is to be construed as follows—

- (a) the reference to a service provider includes a service provider in relation to a child or young person; and
- (b) references to a service provider or any authority include any person exercising a function on behalf of, or under arrangements made by, that service provider or authority in accordance with Part 4 or 5 of the Act.

(3) A matter mentioned in paragraph (1) may not be the subject of a complaint if a complaint in respect of that matter has already been determined in accordance with this Order.