

**2016 No. 44**

**CHILDREN AND YOUNG PERSONS**

**The Children and Young People (Scotland) Act 2014 (Relevant Services in relation to Children at Risk of Becoming Looked After etc.) Order 2016**

*Made* - - - - 26th January 2016  
*Laid before the Scottish Parliament* 28th January 2016  
*Coming into force* - - 31st August 2016

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 68(1) and 69(1)(b) and (d) of the Children and Young People (Scotland) Act 2014<sup>(a)</sup> and all other powers enabling them to do so.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Children and Young People (Scotland) Act 2014 (Relevant Services in relation to Children at Risk of Becoming Looked After etc.) Order 2016 and comes into force on 31st August 2016.

(2) In this Order, “the Act” means the Children and Young People (Scotland) Act 2014.

**Relevant services**

2.—(1) The following descriptions of relevant services are specified for the purpose of section 68(1) of the Act:—

- (a) family group decision-making services; and
- (b) support services in relation to parenting.

(2) For the purpose of paragraph (1)—

- (a) a “family group decision-making service” means a service which is designed to facilitate decision-making by a child’s family in relation to the services and support required for the child; and
- (b) a “support service in relation to parenting” means a service which is designed to increase parenting skills.

**Relevant services: further provision**

3.—(1) Relevant services are to be provided in accordance with this article.

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(a) 2014 asp 8.

(2) For the purpose of considering whether a child is within section 68(3)(a) of the Act, a local authority must consider whether the child's wellbeing is being, or is at risk of being, adversely affected by any matter, such that the child is at risk of becoming looked after.

(3) A local authority must only provide relevant services as specified in article 2 where the local authority considers that the likely benefit to the eligible child's wellbeing in doing so outweighs any likely adverse effect on that wellbeing arising from doing so.

(4) In considering the likely effect on an eligible child's wellbeing as mentioned in paragraph (3) a local authority must, so far as reasonably practicable, ascertain and have regard to the views of—

- (a) the child; and
- (b) such other persons as the local authority considers appropriate.

#### **Publication of information about the provision of relevant services**

4. Each local authority must publish, in such manner as it considers appropriate, information about—

- (a) the provision of relevant services (as specified in article 2) in its area;
- (b) the ways in which persons can contact the local authority about the provision of those relevant services; and
- (c) such other matters, relating to the provision of those relevant services, as the local authority considers appropriate.

St Andrew's House,  
Edinburgh  
26th January 2016

*AILEEN CAMPBELL*  
Authorised to sign by the Scottish Ministers

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order makes provision about relevant services to be made available under Part 12 of the Children and Young People (Scotland) Act 2014 (“the Act”).

Article 2 specifies descriptions of relevant services for the purpose of section 68(1) of the Act.

Article 3 makes provision about how a child is to be considered to be at risk of becoming looked after, in terms of section 68(3)(a) of the Act. It also makes further provision about the provision of the relevant services specified in article 2.

Article 4 requires each local authority to publish certain information about the provision of relevant services in its area.

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