

Q1. Should the ASL Act legislation relating to an Additional Support Needs Tribunal for Scotland's (ASNTS's) jurisdiction regarding placing requests be amended to allow an ASNTS to consider any placing request appeal where a co-ordinated support plan (CSP) is involved or is being considered, at any time before the final determination by the appeal committee or sheriff?

Yes No

Additional comments:

Q2. Can you foresee any problems with amending the legislation as suggested in Q1 above? If so, what are they?

Q3. Do you agree that the parents of children with additional support needs (ASN), with or without CSPs, should have the same rights in respect of making out of area placing requests as parents of children without ASN?

Yes No

Additional comments:

Q4. If you do not agree with Q3 above, why not?

Q5. Are you content that in instances where a CSP is involved or is being considered, a decision to refuse an out of area placing request should be referred to an ASNTS?

Yes No

Additional comments:

Q6. Do you agree that in instances where a child or young person is attending a school outwith his/her home authority area, as a result of a placing request, responsibility for providing mediation and dispute resolution should rest with the host authority?

Yes No

Additional comments:

Q7. In the situation described in Q6 above, do you agree that a contribution in respect of a host authority's provision to parents or young people of mediation or dispute resolution services should not be recoverable from the home authority under section 23(2) of the Education Scotland Act 1980?

Yes No

Additional comments:

Q8. Do you think that the CSP process would be streamlined by amending the legislation to provide that, following the acceptance of an out of area placing request for a child/young person who has a CSP, the host authority assumes responsibility for reviewing the CSP, and that such a review should be conducted immediately?

Yes No

Additional comments:

Q9. In relation to the situation described in Q8 above, do you agree that the best time for the transfer of education authority responsibility to take place is at the time the child starts at the new school?

Yes No

Additional comments:

Q10. Should the ASL Act legislation be amended to allow references to an ASNTS regarding the following education authority failures?:

- Under section 6(2)(b) of the ASL Act, a parent or young person requests the education authority to establish whether a CSP is required and the education authority simply fails to acknowledge his/her request.

Yes No

Additional comments:

- Under section 11(2)(a) of the ASL Act, the education authority has issued its proposal to establish whether a child or young person requires, or would require, a CSP but fails to decide either way.

Yes No

Additional comments:

Q11. Should a new ASNTS document based process be introduced to expedite those references in which an education authority has failed to meet a relevant timescales?

Yes No

Additional comments:

Answer Sheet for Consultation Questions

Q12. Are you content for an ASNTS to be given the power to review its decisions?

Yes No

Additional comments:

Q13. Do you agree that the legislation should be amended to allow a breach of a restricted reporting order under paragraph 11(2)(n) of Schedule 1, or an award of expenses under paragraph 11(2)(s) of Schedule 1, to be enforced?

Yes No

Additional comments:
