

# Children and Young People (Scotland) Bill

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## 1st Marshalled List of Amendments for Stage 2

The Bill will be considered in the following order—

Sections 1 to 3	Schedule 1
Sections 4 to 30	Schedule 2
Sections 31 to 50	Schedule 3
Sections 51 to 76	Schedule 4
Sections 77 to 80	Long Title

Amendments marked \* are new (including manuscript amendments) or have been altered.

### Section 1

#### Liam McArthur

**119** In section 1, page 1, line 9, at end insert—

<(A1) The Scottish Ministers must, when exercising any of their functions, have due regard to the UNCRC requirements.>

#### Liam McArthur

**190** In section 1, page 1, line 9, at end insert—

<(A2) The Scottish Ministers must, when exercising any function—

- (a) treat the best interests of any children likely to be affected by the exercise of the function as a key consideration, and
- (b) give such children an opportunity to express any views freely and give any such views due weight in accordance with the age and maturity of the child.

(A3) Subsection (A2) does not apply to the extent that Scottish Ministers are required by any enactment to consider the best interests of a child as the paramount or a primary consideration.>

#### Siobhan McMahon

**191** In section 1, page 1, line 13, after <requirements> insert <and the UNCRPD requirements>

#### Liam McArthur

**120** In section 1, page 1, line 19, at end insert—

<( ) how they have complied with the duty under subsection (A1),>

#### Siobhan McMahon

**192** In section 1, page 1, line 21, after <requirements> insert <and the UNCRPD requirements>

**Aileen Campbell**

87 In section 1, page 1, line 22, after <done> insert <in that period>

**Aileen Campbell**

88 In section 1, page 1, line 22, at end insert <, and

(c) their plans until the end of the next 3 year period—

(i) to take steps to secure better or further effect in Scotland of the UNCRC requirements, and

(ii) to do things in pursuance of subsection (2).

( ) In preparing such a report the Scottish Ministers must take such steps as they consider appropriate to obtain the views of children on what their plans for the purposes of subsection (3)(c) should be.>

**Liam McArthur**

193 In section 1, page 1, line 22, at end insert—

<( ) In preparing a report under subsection (3), the Scottish Ministers must consult—

(a) the persons listed, or within a description listed, in schedule 1,

(b) voluntary organisations whose activities include the provision of services to children,

(c) such other persons as they consider appropriate.>

**Liam McArthur**

121 In section 1, page 2, line 2, after <it> insert <, and

( ) a child friendly version of it,>

**Liam McArthur**

122 In section 1, page 2, line 3, at end insert—

<( ) The Scottish Ministers must promote public awareness and understanding (including appropriate awareness and understanding among children) of the findings and any recommendations contained in the report laid before the Scottish Parliament under subsection (3).>

**After section 1**

**Liam McArthur**

194\* After section 1, insert—

**<Children’s rights impact assessment**

(1) The Scottish Ministers must prepare and publish an assessment of the impact on the rights of children (“a children’s rights impact assessment”) in relation to every Bill introduced in the Scottish Parliament by a member of the Scottish Government.

- (2) A children’s rights impact assessment under subsection (1) must be laid in the Scottish Parliament before the introduction of the Bill to which it relates.
- (3) The Scottish Ministers may prepare and publish a children’s rights impact assessment in relation to—
  - (a) any subordinate legislation laid by virtue of an enactment introduced prior to the commencement of this section,
  - (b) any other subordinate legislation where the Scottish Ministers or the Scottish Parliament consider that the children’s rights impact assessment of the Bill under subsection (1) by virtue of which the subordinate legislation is laid was unsatisfactory.
- (4) A children’s rights impact assessment under subsection (3) must be laid in the Parliament before the laying of the subordinate legislation to which it relates.
- (5) In preparing a children’s rights impact assessment under subsection (1) or (3) the Scottish Ministers must consult—
  - (a) children,
  - (b) such other persons as they consider appropriate.
- (6) A children’s rights impact assessment under subsection (1) or (3) must contain—
  - (a) information on the impact of the legislation or subordinate legislation on children,
  - (b) information on how the legislation or subordinate legislation might secure better or further effect in Scotland of the UNCRC requirements,
  - (c) the views of children on the legislation or subordinate legislation,
  - (d) such other information as the Scottish Ministers consider appropriate.
- (7) The Scottish Ministers may by order specify further documents in relation to which a children’s rights impact assessment must or may be required.>

**Neil Bibby**

**195** After section 1, insert—

**<Duties of Scottish Ministers: implementation scheme**

- (1) The Scottish Ministers must establish a scheme (“the implementation scheme”) setting out the arrangements they have made, and any arrangements they propose to make, for the purposes of—
  - (a) complying with their duties under section 1,
  - (b) ensuring that UNCRC requirements are implemented in Scotland.
- (2) The implementation scheme may—
  - (a) specify the matters that must be included in reports made under section 1(3),
  - (b) include such other matters as the Scottish Ministers consider appropriate.
- (3) The Scottish Ministers—
  - (a) must, within six months of the United Nations Committee on the Rights of the Child (“the Committee”) making a recommendation under Article 45(d) of the UNCRC based on a United Kingdom report, consider whether to revise or remake the implementation scheme in light of such recommendation,

- (b) must, at the end of each 3 year period after it first establishes the implementation scheme, remake the scheme, and
  - (c) may, at any other time, revise or remake the implementation scheme.
- (4) In establishing, revising or remaking the implementation scheme, the Scottish Ministers must have regard to—
- (a) any report of the Committee under Article 44(5) or study recommended by the Committee under Article 45(c),
  - (b) any other reports or documents, suggestions or general recommendations relating to the implementation of UNCRC requirements by the United Kingdom, and
  - (c) such other matters as they consider appropriate.
- (5) Before establishing, remaking or revising the implementation scheme, the Scottish Ministers must consult—
- (a) children,
  - (b) the Commissioner for Children and Young People in Scotland,
  - (c) such other person or bodies they consider appropriate.
- (6) The Scottish Ministers must lay the implementation strategy before Parliament as soon as practicable after it is—
- (a) first established,
  - (b) revised, or
  - (c) remade.
- (7) The Scottish Ministers must publish the implementation scheme (in such manner as they consider appropriate) as soon as practicable after it is—
- (a) first established,
  - (b) revised, or
  - (c) remade.>

## Section 2

### **Liam McArthur**

**123** In section 2, page 2, line 4, at end insert—

<(A1) An authority to which this section applies must, when exercising any of the authority's functions, have due regard to the UNCRC requirements.>

### **Liam McArthur**

**196** In section 2, page 2, line 4, at end insert—

<(A2) An authority to which this section applies must, when exercising any function—

- (a) treat the best interests of any children likely to be affected by the exercise of the function as a key consideration, and
- (b) give such children an opportunity to express any views freely and give any such views due weight in accordance with the age and maturity of the child.

(A3) Subsection (A2) does not apply to the extent that an authority to which this section applies is required by any enactment to consider the best interests of a child as the paramount or a primary consideration.>

**Liam McArthur**

124 In section 2, page 2, line 6, after <appropriate> insert—  
<( )>

**Liam McArthur**

125 In section 2, page 2, line 7, after <of> insert—  
<( ) how it has complied with the duty under subsection (A1), and  
( )>

**Siobhan McMahan**

197 In section 2, page 2, line 8, at end insert <and the UNCRPD requirements>

**Liam McArthur**

126 In section 2, page 2, line 8, at end insert <, and  
( ) a child friendly version of that report.>

**Mary Fee**

198 In section 2, page 2, line 8, at end insert—  
<( ) A report published under subsection (1) must include information about the steps taken by the authority to address the wellbeing needs of children affected by parental imprisonment.>

**Section 3**

**Aileen Campbell**

89 In section 3, page 2, line 21, leave out <modifying> and insert <varying>

**Section 4**

**Siobhan McMahan**

199 In section 4, page 3, line 13, at end insert <, and  
( ) Article 7 of the UNCRPD,>

**Siobhan McMahan**

200 In section 4, page 3, line 25, at end insert <,

“the UNCRPD” means the United Nations Convention on the Rights of Persons with Disabilities adopted by General Assembly resolution A/RES/61/106 on 13 December 2006,

“the UNCRPD requirements” means the rights and obligations set out in Article 7 of the UNCRPD.>

**Siobhan McMahon**

201\* In section 4, page 3, line 26, after <document> insert <or to Article 7 of the UNCRPD>

**Siobhan McMahon**

202 In section 4, page 3, line 27, after <document> insert <or Article>

**Section 5**

**Liz Smith**

1 In section 5, page 4, line 26, at end insert <, and  
( ) that the investigation would not duplicate work that is properly the function of another person.>

**Liz Smith**

2 In section 5, page 4, line 27, after <an> insert <individual>

**Liz Smith**

3\* In section 5, page 4, line 27, after second <Commissioner> insert—  
( ) having taken reasonable steps to establish what processes exist for making complaints about, or appeals against, the decision or action in question to the service provider or any other body whose functions include dealing with such complaints or appeals, is satisfied on reasonable grounds that any such processes have been exhausted, and  
( )>

**Liz Smith**

4 In section 5, page 4, line 30, after <not> insert <otherwise>

**Liz Smith**

5 In section 5, page 4, line 38, at end insert—  
<( ) The steps authorised by subsection (5) do not include the Commissioner acting as a mediator.”.>

## Section 7

### Jayne Baxter

165 In section 7, page 6, line 13, at end insert—

<“Child Poverty Strategy for Scotland” means the Scottish strategy which the Scottish Ministers are required to publish and lay before the Scottish Parliament under section 11 of the Child Poverty Act 2010,>

### Liam McArthur

Supported by: Jayne Baxter

166 In section 7, page 6, line 17, after <generally> insert <(including infants and children aged under 3),>

### Liam McArthur

Supported by: Jayne Baxter

167 In section 7, page 6, line 19, after second <a> insert <suspected or confirmed>

### Siobhan McMahon

203 In section 7, page 6, line 19, at end insert <, or

( ) families of children mentioned in paragraph (b).>

### Aileen Campbell

90 In section 7, page 6, leave out line 26

### Mary Fee

204 In section 7, page 6, line 26, at end insert—

<( ) the Scottish Prison Service,>

### Siobhan McMahon

205 In section 7, page 6, line 28, after <service> insert <or a young persons’ service>

### Liz Smith

52 In section 7, page 6, line 29, leave out <wellbeing> and insert <welfare>

### Siobhan McMahon

206 In section 7, page 6, line 29, at end insert <or young persons>

### Siobhan McMahon

207 In section 7, page 6, line 31, at end insert <,

“young person” means a person who has attained the age of 18 years but who has not attained the age of 25 years and—

- (a) has needs of a particular type (such as needs arising from having been a looked after child, needs arising from a disability or a need for additional support in learning), or
  - (b) is of a description specified by order by the Scottish Ministers,
- “young persons’ service” means any service provided in the area of a local authority by a person mentioned in subsection (2) to young persons, whether or not the service is also provided to persons other than young persons.>

**Siobhan McMahon**

- 208** In section 7, page 6, line 32, after first <service> insert <, “young persons’ service”>

**Aileen Campbell**

- 91** In section 7, page 6, line 36, at end insert—
- <( ) the Scottish Ministers (but only in relation to a service provided by them in exercise of their functions under the Prisons (Scotland) Act 1989).>

**Siobhan McMahon**

- 209** In section 7, page 6, line 39, after first <service> insert <, “young persons’ service”>

**Siobhan McMahon**

- 210** In section 7, page 7, line 1, leave out <either> and insert <any>

**Section 8**

**Mary Fee**

- 211** In section 8, page 7, line 17, at end insert—
- <( ) A children’s services plan prepared under subsection (1) must give details of the support services provided by the local authority and each relevant health board to children affected by parental imprisonment. >

**Siobhan McMahon**

- 212\*** In section 8, page 7, line 25, after <services,> insert—
- <( ) young persons’ services to young persons,>

**Section 9**

**Siobhan McMahon**

- 213** In section 9, page 7, line 31, after <services> insert <and young persons’ services>

**Liam McArthur**  
**Supported by: Jayne Baxter**

- 168** In section 9, page 7, line 31, at end insert—

<( ) prevents harm to children occurring in the first place,>

**Liz Smith**

53 In section 9, page 7, line 32, leave out <wellbeing> and insert <welfare>

**Siobhan McMahon**

214 In section 9, page 7, line 32, after <children> insert <and young persons>

**Mary Fee**

215 In section 9, page 7, line 33, at end insert <including children affected by parental imprisonment,>

**Neil Bibby**

169 In section 9, page 7, line 33, at end insert—

<( ) secures better or further effect in the area concerned of the UNCRC requirements,>

**Jayne Baxter**

170 In section 9, page 7, line 33, at end insert—

<( ) best supports, promotes and delivers the aims and targets of the Child Poverty Strategy for Scotland,>

**Joan McAlpine**

171 In section 9, page 7, line 33, at end insert—

<( ) ensures that any action to meet needs is taken at the earliest appropriate time and that, where appropriate, action is taken to prevent needs arising,>

**Mark McDonald**

216 In section 9, page 7, line 33, at end insert—

<( ) optimises the speech, language and communication development of children in the area concerned,>

**Jayne Baxter**

217 In section 9, page 7, line 34, leave out <recipients> and insert <children and their parents or carers>

**Siobhan McMahon**

218 In section 9, page 7, line 35, at end insert—

<( ) that young persons' transitions, on attaining the age of 18, from children's services to young persons' services are planned sufficiently well in advance,>

**Neil Bibby**

- 172 In section 9, page 8, line 2, after <concerned> insert—  
<( )>

**Liam McArthur**  
**Supported by: Jayne Baxter**

- 173 In section 9, page 8, line 2, after <concerned> insert—  
<( ) prevents harm to children occurring in the first place, and  
( )>

**Mark McDonald**

- 219 In section 9, page 8, line 2, after <concerned> insert—  
<( ) best optimises the speech, language and communication development of every  
child in the area concerned,  
( )>

**Liz Smith**

- 54 In section 9, page 8, line 3, leave out <wellbeing> and insert <welfare>

**Siobhan McMahon**

- 220 In section 9, page 8, line 3, after <children> insert <and young persons>

**Neil Bibby**

- 174 In section 9, page 8, line 4, at end insert <, and  
( ) secures better or further effect in the area concerned of the UNCRC  
requirements.>

**Neil Bibby**

- 175 In section 9, page 8, line 4, at end insert—  
<( ) In this section, “the UNCRC requirements” has the meaning given by section 4(1).>

**Section 10**

**Aileen Campbell**

- 92 In section 10, page 8, line 8, after <providers> insert <and the Scottish Ministers>

**Liam McArthur**

- 176 In section 10, page 8, line 10, after second <plan> insert—  
<( ) take such steps as they consider appropriate to obtain the views of children,>

**Mary Fee**

221 In section 10, page 8, line 12, at end insert—

<( ) children, including children affected by parental imprisonment,>

**Jayne Baxter**

222 In section 10, page 8, line 12, at end insert—

<( ) such persons as provide services to support the speech, language and communication needs of children in the area of the local authority,>

**Jayne Baxter**

223 In section 10, page 8, line 14, after <authority,> insert—

<( ) children and young people, and parents and carers of children, in the area of the local authority,>

**Siobhan McMahon**

224 In section 10, page 8, line 19, after first <service> insert <, young persons' service>

**Aileen Campbell**

93 In section 10, page 8, line 21, leave out <or>

**Aileen Campbell**

94 In section 10, page 8, line 21, after <providers> insert <or the Scottish Ministers>

**Siobhan McMahon**

225 In section 10, page 8, line 22, after first <service> insert <, a young persons' service>

**Aileen Campbell**

95 In section 10, page 8, leave out line 26

**Aileen Campbell**

96 In section 10, page 8, line 28, after <is> insert <and the Scottish Ministers are>

**Aileen Campbell**

97 In section 10, page 8, line 35, leave out subsections (7) and (8) and insert—

<(7) As soon as reasonably practicable after a children's services plan has been prepared, the local authority and each relevant health board must—

(a) send a copy to—

(i) the Scottish Ministers, and

(ii) each of the other service providers, and

- (b) publish it (in such manner as the local authority and each relevant health board consider appropriate).
- (8) Where the Scottish Ministers or any of the other service providers disagrees with the plan in relation to any matter concerning the provision of a service by them, they must prepare and publish (in such manner as they consider appropriate)—
  - (a) a notice of the matters in relation to which they disagree, and
  - (b) a statement of their reasons for disagreeing.>

## **Section 12**

### **Siobhan McMahon**

- 226** In section 12, page 9, line 14, after first <services> insert <, young persons' services>

### **Liz Smith**

- 55** In section 12, page 9, line 17, leave out <wellbeing> and insert <welfare>

### **Siobhan McMahon**

- 227** In section 12, page 9, line 17, at end insert <or young person>

### **Aileen Campbell**

- 98** Leave out section 12 and insert—

#### **<Implementation of children's services plan**

- (1) During the period to which a children's services plan relates, the persons mentioned in subsection (2) must, so far as reasonably practicable, provide children's services and relevant services in the area of the local authority in accordance with the plan.
- (2) Those persons are—
  - (a) the local authority,
  - (b) each relevant health board,
  - (c) the Scottish Ministers,
  - (d) the other service providers.
- (3) The duty in subsection (1) to provide services in accordance with the plan—
  - (a) does not apply to the extent that the person providing the service considers that to comply with it would adversely affect the wellbeing of a child,
  - (b) does not apply in relation to the Scottish Ministers or the other service providers to the extent of any matter within a notice published by them under section 10(8) in relation to the plan.>

## **Section 13**

### **Siobhan McMahon**

- 228** In section 13, page 9, line 22, after first <services> insert <, young persons' services>

**Mary Fee**

- 229 In section 13, page 9, line 23, after <plan,> insert <including services to support children affected by parental imprisonment,>

**Liz Smith**

- 56 In section 13, page 9, line 26, leave out <wellbeing> and insert <welfare>

**Siobhan McMahon**

- 230 In section 13, page 9, line 26, after <children> insert <and young persons>

**Jayne Baxter**

- 231 In section 13, page 9, line 27, at end insert—  
<( ) the level, quality, improvement and integration of services in line with the reasonable expectations of children and young people, and their parents and carers, in the area of the local authority, demonstrated through consultation.>

**Section 14**

**Aileen Campbell**

- 99 In section 14, page 10, line 1, after <providers> insert <or the Scottish Ministers>

**Siobhan McMahon**

- 232 In section 14, page 10, line 2, after first <service> insert <, a young persons' service>

**Aileen Campbell**

- 100 In section 14, page 10, line 3, leave out <other service provider> and insert <person>

**Liz Smith**

- 127 In section 14, page 10, line 4, leave out <10(1)(b)> and insert <10(1)(b)(ii) or (iii)>

**Section 15**

**Aileen Campbell**

- 101 In section 15, page 10, line 10, at beginning insert <A person or>

**Aileen Campbell**

- 102 In section 15, page 10, line 11, leave out second <the>

**Aileen Campbell**

- 103 In section 15, page 10, line 11, leave out <on them>

**Mary Fee**

233 In section 15, page 10, line 15, at end insert—

- <( ) Guidance may be issued on how the persons mentioned in subsection (2) are to exercise their functions in relation to children affected by parental imprisonment.>

**Mark McDonald**

234 In section 15, page 10, line 15, at end insert—

- <( ) Guidance issued under subsection (1) must include guidance on—
- (a) how the persons mentioned in subsection (2) can optimise the speech, language and communication development of children and young people,
  - (b) the use of inclusive communication standards by the persons mentioned in subsection (2) in exercising their functions under this Act.>

**Aileen Campbell**

104 In section 15, page 10, line 16, leave out subsections (3) and (4)

**Liz Smith**

128 In section 15, page 10, line 20, at end insert <

- ( ) such organisations as appear to fall within section 10(2) and which may have an interest in the guidance, and
- ( ) such other persons as they consider appropriate.>

**Section 16**

**Aileen Campbell**

105 In section 16, page 10, line 22, at beginning insert <A person or>

**Aileen Campbell**

106 In section 16, page 10, line 23, leave out second <the>

**Mary Fee**

235 In section 16, page 10, line 27, at end insert—

- <( ) Directions may be issued on the need for persons mentioned in subsection (2) to improve outcomes for children affected by parental imprisonment.>

**Mark McDonald**

236 In section 16, page 10, line 27, at end insert—

- <( ) Directions issued under subsection (1) must in particular include directions on the strategic action the persons mentioned in subsection (2) are to take to optimise the speech, language and communication development of children and young people.>

**Aileen Campbell**

- 107 In section 16, page 10, line 28, leave out subsections (3) and (4)

**Section 17**

**Aileen Campbell**

- 108 In section 17, page 10, line 36, after <Part> insert <(other than the function of complying with section 12)>

**Aileen Campbell**

- 109 In section 17, page 11, leave out lines 5 and 6 and insert—
- <( ) the local authority,
  - ( ) any relevant health board,
  - ( ) another local authority or health board.>

**Aileen Campbell**

- 110 In section 17, page 11, line 16, leave out subsections (6) to (9) and insert—
- <( ) The persons to whom a direction under subsection (2) is addressed must comply with the direction.>

**After section 18**

**Liam McArthur**

- 237 After section 18, insert—

**<PART**

**TRANSITION FROM CHILDREN’S SERVICES TO OTHER SERVICES AT AGE 18**

**Duty to plan for transition from children’s services to other services at age 18**

- (1) This section applies where—
  - (a) a child is provided with a children’s service or a related service by virtue of the child having a disability or a need for additional support in learning, and
  - (b) that disability or need is likely to mean that the child would benefit from the continued provision of services relating to the disability or need after the child attains the age of 18.
- (2) The local authority for the area in which the child resides must prepare and, no later than 6 months before the child’s eighteenth birthday, finalise a transition plan for the child which identifies—
  - (a) services the provision of which would benefit the child after the child attains the age of 18, and
  - (b) the persons who are to provide such services to the child.
- (3) In preparing a transition plan under subsection (2) a local authority must—
  - (a) ascertain and have regard to the views of the child, and

- (b) consult the persons mentioned in subsection (2)(b).
- (4) In this section, “children’s service” and “related service” have the same meanings as in Part 3.>

## **Section 19**

### **Liz Smith**

- 6 In section 19, page 12, line 7, leave out <or young person>

### **Jayne Baxter**

- 177 In section 19, page 12, line 13, leave out from <or> to <provider,> in line 15

### **Liz Smith**

- 7 In section 19, page 12, line 15, leave out <and> and insert—
- <( ) in the case of a named person service of the type mentioned in section 20(1), the individual—
- (i) is a registered midwife, or
- (ii) is a registered nurse who is a health visitor,
- and meets such other requirements as to training, qualifications, experience or position as may be specified by the Scottish Ministers by order, and
- ( ) in any other case,>

### **Liz Smith**

- 8 In section 19, page 12, line 19, leave out <or young person>

### **Aileen Campbell**

- 129 In section 19, page 12, line 21, at beginning insert <subject to subsection (5A),>

### **Jayne Baxter**

- 178 In section 19, page 12, line 22, after <to> insert <prevent harm to and>

### **Liz Smith**

- 57 In section 19, page 12, line 22, leave out <wellbeing> and insert <welfare>

### **Liz Smith**

- 9 In section 19, page 12, line 22, leave out <or young person>

### **Liz Smith**

- 10 In section 19, page 12, line 24, leave out <or young person>

**Liz Smith**

- 11 In section 19, page 12, line 25, leave out <or young person>

**Liz Smith**

- 12 In section 19, page 12, line 26, leave out from first <or> to second <person> and insert <, or a parent of the child>

**Jayne Baxter**

- 238 In section 19, page 12, line 27, after <service> insert <(including services to support the speech, language and communication needs of the child or young person)>

**Liz Smith**

- 13 In section 19, page 12, line 28, leave out <or young person>

**Liz Smith**

- 14 In section 19, page 12, line 31, leave out <or young person>

**Aileen Campbell**

- 130 In section 19, page 12, line 31, at end insert—  
<(5A) The function in subsection (5)(a) does not apply in relation to a matter arising at a time when the child or young person is, as a member of any of the reserve forces, subject to service law.>

**Section 21**

**Liz Smith**

- 15 In section 21, page 13, line 14, after <each> insert <vulnerable>

**Liz Smith**

- 58 In section 21, page 13, line 15, after <child,> insert—  
<( ) an opted-out child,>

**Liz Smith**

- 16 In section 21, page 13, line 16, leave out <or (3)>

**Liz Smith**

- 17 In section 21, page 13, line 16, at end insert—  
<( ) A “vulnerable child” is a child—  
(a) who is unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for them of care and support services,

- (b) whose health or development is likely to be significantly impaired, or further impaired, without the provision for them of care or support services,
- (c) who has a physical impairment or mental disorder,
- (d) who is looked after by a local authority in terms of section 17(6) of the 1995 Act.>

**Liz Smith**

18 In section 21, page 13, line 17, after <A> insert <vulnerable>

**Aileen Campbell**

131 In section 21, page 13, line 22, at end insert <, or

(d) in legal custody or subject to temporary release from such custody.

(2A) For the purposes of subsection (2)(d), a child is in legal custody—

- (a) while confined in or being taken to or from any penal institution in which the child may be lawfully confined,
- (b) while working, or for any other reason, outside the penal institution in the custody or under the control of an officer of the institution, a constable or a police custody and security officer,
- (c) while being taken to any place to which the child is required or authorised to be taken by virtue of the Prisons (Scotland) Act 1989, or
- (d) while kept in custody in pursuance of such a requirement or authorisation.>

**Liz Smith**

19 In section 21, page 13, line 23, leave out subsection (3)

**Liz Smith**

20 In section 21, page 13, line 24, after <a> insert <vulnerable>

**Liz Smith**

59 In section 21, page 13, line 24, after <(2)(a)> insert <and is not an opted-out child,>

**Liz Smith**

21 In section 21, page 13, line 27, after <a> insert <vulnerable>

**Liz Smith**

60 In section 21, page 13, line 27, after <(c)> insert <and is not an opted-out child,>

**Aileen Campbell**

132 In section 21, page 13, line 29, at end insert—

- <( ) During any period when a child falls within subsection (2)(d), the Scottish Ministers are to make arrangements for the provision of a named person service in relation to the child.>

**Jayne Baxter**

- 179 In section 21, page 13, line 29, at end insert—

- <( ) A local authority is to make arrangements for the provision of a named person service in relation to each child residing in its area including a pupil who is expelled or, for the time being, excluded from school.>

**Section 22**

**Aileen Campbell**

- 133 In section 22, page 13, line 33, leave out from <falls> to end of line 34

**Aileen Campbell**

- 134 In section 22, page 13, line 37, leave out subsection (4)

**Aileen Campbell**

- 135 In section 22, page 14, line 5, leave out <in any other case> and insert <where the young person is a pupil at a grant-aided school or an independent school>

**Liz Smith**

- 22 Leave out section 22

**After section 22**

**Liz Smith**

- 61 After section 22, insert—

**<Request that named person service is not provided**

- (1) A parent of a child other than a pre-school child may request that a named person service is not provided in relation to the child.
- (2) A request under subsection (1)—
  - (a) must be made to the service provider in relation to the child, and
  - (b) may be made at any time until the child attains the age of 16 years.
- (3) In considering whether to approve or refuse a request made under subsection (1), the service provider must—
  - (a) so far as reasonably practicable, ascertain and have regard to the views of the child,
  - (b) take into account any factors set out in an order under subsection (9)(a), and
  - (c) comply with any provision made under subsection (9)(b).

- (4) In having regard to the views of the child, the service provider is to take account of the child's age and maturity.
- (5) If a request under subsection (1) is approved, no person has the function of providing a named person service in relation to the child during the period for which the request has effect and the child has no named person during that period.
- (6) A request under subsection (1) has effect—
  - (a) from the time the request is approved until whichever of the following occurs first—
    - (i) the request is cancelled under subsection (8), or
    - (ii) the child attains the age of 16 years, and
  - (b) regardless of any change in the opted-out service provider in relation to the child.
- (7) A child in respect of whom a request under subsection (1) has effect is referred to in this Part as an “opted-out child”.
- (8) A request under subsection (1) which has effect—
  - (a) may be cancelled at any time by—
    - (i) the parent of the opted-out child,
    - (ii) in a case where the opted-out service provider in relation to the child is satisfied that the child is of sufficient maturity to request a cancellation, the opted-out child,
  - (b) must be cancelled by the opted-out service provider in relation to the child in circumstances set out in an order under subsection (9)(c).
- (9) The Scottish Ministers may by order make provision about—
  - (a) factors to be taken into account by service providers in considering requests under subsection (1),
  - (b) circumstances in which such requests must or must not be granted by service providers,
  - (c) circumstances in which a request under subsection (1) which has effect must be cancelled by the opted-out service provider in relation to a child,
  - (d) how a request under subsection (1) or a request for cancellation of such a request which has effect may be made,
  - (e) how and to whom the approval or refusal of a request under subsection (1) or the cancellation of such a request which has effect may be notified,
  - (f) how a refusal of a request under subsection (1) or a cancellation of such a request which has effect under subsection (8)(b) may be appealed against,
  - (g) such other matters relating to requests under subsection (1) as the Scottish Ministers consider appropriate.
- (10) The fact that a child is an opted-out child does not affect any power or duty of any person to provide any service (other than a named person service) or take any action in relation to the child.
- (11) In subsections (6)(b), (8) and (9)(c), the “opted-out service provider” means the person which would, but for the fact that the child is an opted-out child, have the function of providing a named person service in relation to the child.>

## Section 23

### Liz Smith

- 23 In section 23, page 14, line 8, leave out <or young person>

### Liz Smith

- 24 In section 23, page 14, line 12, leave out <or young person>

### Liz Smith

- 25 In section 23, page 14, line 14, leave out <or young person>

### Liz Smith

- 26 In section 23, page 14, line 16, leave out <or young person>

### Liz Smith

- 27 In section 23, page 14, line 17, leave out <or young person>

### Aileen Campbell

- 136 In section 23, page 14, line 22, leave out <might> and insert <is likely to>

### Liz Smith

- 28 In section 23, page 14, line 25, leave out <or young person>

### Aileen Campbell

- 137 In section 23, page 14, line 29, at end insert—

- <(4) In considering for the purpose of subsection (3)(b) whether information ought to be provided, the outgoing service provider is so far as reasonably practicable to ascertain and have regard to the views of the child or young person.
- (5) In having regard to the views of a child under subsection (4), an outgoing service provider is to take account of the child's age and maturity.
- (6) The outgoing service provider may decide for the purpose of subsection (3)(b) that information ought to be provided only if the likely benefit to the wellbeing of the child or young person arising in consequence of doing so outweighs any likely adverse effect on that wellbeing arising from doing so.
- (7) Other than in relation to a duty of confidentiality, this section does not permit or require the provision of information in breach of a prohibition or restriction on the disclosure of information arising by virtue of an enactment or rule of law.>

### Liz Smith

- 62 In section 23, page 14, line 29, at end insert—

- <(4) This section also applies where a person ceases to be the opted-out service provider in relation to a child.

- (5) The person (“the outgoing opted-out service provider”) must as soon as is reasonably practicable—
  - (a) inform any other person which has become or which it considers may be the person who would, but for the fact that the child is an opted-out child, be the service provider in relation to the child (“the incoming opted-out service provider”) that the outgoing opted-out service provider has ceased to be opted-out service provider in relation to the child, and
  - (b) comply with subsection (2)(b).
- (6) Where subsections (2)(b) and (3) apply by virtue of subsections (4) and (5)—
  - (a) the references in subsections (2)(b) and (3) to the outgoing service provider and the incoming service provider are to be read as references to the outgoing opted-out service provider and the incoming opted-out service provider respectively, and
  - (b) the reference in subsection (3)(a)(i) to the functions of a service provider under this Part includes reference to the functions of an opted-out service provider under section (*Request that named person service is not provided*).>

## Section 24

### Aileen Campbell

- 138** In section 24, page 14, leave out lines 33 to 37 and insert—
- <( ) the operation of the named person service provided in pursuance of the arrangements made by it, including in particular—
    - (i) how the named person functions are, generally, exercised, and
    - (ii) the arrangements, generally, for contacting named persons,>

### Liz Smith

- 63\*** In section 24, page 14, line 37, at end insert—
- <( ) the ability to request that a named person service is not provided in relation to a child under section (*Request that named person service is not provided*).>

### Liz Smith

- 29** In section 24, page 15, line 1, leave out from first <or> to second <person> in line 2 and insert <must provide the child and the parents of the child>

### Liz Smith

- 30** In section 24, page 15, line 3, leave out <or young person>

### Liz Smith

- 31** In section 24, page 15, line 5, leave out <or young person>

## Section 25

**Liz Smith**

- 32 In section 25, page 15, line 8, leave out <or young person>

**Liz Smith**

- 33 In section 25, page 15, line 10, leave out <or young person>

## Section 26

**Liz Smith**

- 34 In section 26, page 15, line 22, leave out <or young person>

**Aileen Campbell**

- 139 In section 26, page 15, line 25, leave out <might> and insert <is likely to>

**Liz Smith**

- 35 In section 26, page 15, line 26, leave out <or young person>

**Liz Smith**

- 36 In section 26, page 15, line 28, leave out <or young person>

**Liz Smith**

- 37 In section 26, page 15, line 31, leave out <or young person>

**Aileen Campbell**

- 140 In section 26, page 15, line 35, leave out <might> and insert <is likely to>

**Liz Smith**

- 64 In section 26, page 15, line 36, leave out <wellbeing> and insert <welfare>

**Liz Smith**

- 38 In section 26, page 15, line 36, leave out <or young person>

**Aileen Campbell**

- 141 In section 26, page 15, line 40, at end insert—

<(4A) In considering for the purpose of subsection (2)(b) or (4)(b) whether information ought to be provided, the information holder is so far as reasonably practicable to ascertain and have regard to the views of the child or young person.

(4B) In having regard to the views of a child under subsection (4A), an information holder is to take account of the child's age and maturity.

- (4C) The information holder may decide for the purpose of subsection (2)(b) or (4)(b) that information ought to be provided only if the likely benefit to the wellbeing of the child or young person arising in consequence of doing so outweighs any likely adverse effect on that wellbeing arising from doing so.>

**Liz Smith**

- 39 In section 26, page 16, line 1, leave out <or young person>

**Aileen Campbell**

- 142 In section 26, page 16, line 8, at end insert—

<( ) Other than in relation to a duty of confidentiality, this section does not permit or require the provision of information in breach of a prohibition or restriction on the disclosure of information arising by virtue of an enactment or rule of law.>

**Liz Smith**

- 180 Leave out section 26

**Section 27**

**Aileen Campbell**

- 143 In section 27, page 16, line 10, leave out subsection (1)

**Aileen Campbell**

- 144 In section 27, page 16, line 12, leave out <Subsection (3)> and insert <This section>

**Aileen Campbell**

- 145 In section 27, page 16, line 13, leave out <subsection (1)> and insert <this Part>

**Liz Smith**

- 181 Leave out section 27

**Section 28**

**Aileen Campbell**

- 146 In section 28, page 16, line 21, leave out <Service providers> and insert <A person mentioned in subsection (1A)>

**Aileen Campbell**

- 147 In section 28, page 16, line 22, leave out <exercising functions under this Part> and insert <the exercise of functions conferred by this Part.

(1A) Those persons are—

- (a) a local authority,

- (b) a health board,
- (c) a directing authority,
- (d) a relevant authority.>

**Jayne Baxter**

**182** In section 28, page 16, line 22, at end insert—

<( ) Guidance may be issued on—

- (a) the role of the named person,
- (b) the role of the lead professional for children’s services in each local authority area, and
- (c) the interface between these roles.>

**Mary Fee**

**239** In section 28, page 16, line 22, at end insert—

<( ) Guidance may be issued on how the persons mentioned in subsection (1A) should exercise their functions in relation to children affected by parental imprisonment.>

**Jayne Baxter**

**240** In section 28, page 16, line 22, at end insert—

<( ) Guidance issued under subsection (1) must include guidance on—

- (a) how service providers and named persons are to implement inclusive language communication standards, and
- (b) the taking (or supporting) by service providers and named persons of action to optimise the speech, language and communication development of children and young people.>

**Aileen Campbell**

**111** In section 28, page 16, line 23, leave out subsections (2) and (3)

**Section 29**

**Aileen Campbell**

**148** In section 29, page 16, line 36, at end insert—

<( ) a relevant authority.>

**Mary Fee**

**241** In section 29, page 16, line 36, at end insert—

<( ) Directions may be issued on how the persons mentioned in subsections (2)(a) and (b) are to exercise their functions in relation to children affected by parental imprisonment.>

**Aileen Campbell**

112 In section 29, page 16, line 37, leave out subsections (3) and (4)

**Jayne Baxter**

242 In section 29, page 16, line 37, at end insert—

<( ) Directions issued under subsection (1) must in particular include directions on—

- (a) how service providers and named persons are to implement inclusive language communication standards, and
- (b) the taking (or supporting) by service providers and named persons of action to optimise the speech, language and communication development of children and young people.>

**Section 30**

**Liz Smith**

40 In section 30, page 17, line 6, at end insert—

<“child” means a person who has not attained the age of 16 years,>

**Aileen Campbell**

149 In section 30, page 17, line 6, at end insert—

<“constable” has the same meaning as in section 13(b) of the Prisons (Scotland) Act 1989,>

**Aileen Campbell**

150 In section 30, page 17, line 8, at end insert <, each of the following>

**Liz Smith**

65 In section 30, page 17, line 21, at end insert—

<“opted-out child” has the meaning given by section (*Request that named person service is not provided*)(7),

“opted-out service provider” has the meaning given by section (*Request that named person service is not provided*)(11),>

**Aileen Campbell**

151 In section 30, page 17, line 22, at end insert—

<“penal institution” means any—

- (a) prison (other than a naval, military or air force prison),
- (b) remand centre (within the meaning of section 19(1)(a) of the Prisons (Scotland) Act 1989), or
- (c) young offenders institution (within the meaning of section 19(1)(b) of the Prisons (Scotland) Act 1989),>

**Liz Smith**

- 41 In section 30, page 17, leave out lines 24 and 25

**Aileen Campbell**

- 152 In section 30, page 17, line 27, at end insert—

<“reserve forces” has the meaning given by section 374 of the Armed Forces Act 2006,>

**Aileen Campbell**

- 153 In section 30, page 17, line 33, at end insert <, each of the following>

**Aileen Campbell**

- 154 In section 30, page 17, line 36, at end insert <, and

( ) the Scottish Ministers,>

**Liz Smith**

- 42 In section 30, page 17, line 37, leave out <or young person>

**Aileen Campbell**

- 155 In section 30, page 17, line 37, leave out from <health> to <providing> in line 38 and insert <person which has the function of making arrangements for the provision of>

**Liz Smith**

- 43 In section 30, page 17, line 39, leave out <or young person>

**Aileen Campbell**

- 156 In section 30, page 17, line 39, at end insert—

<“subject to service law” has the meaning given by section 374 of the Armed Forces Act 2006,>

**Aileen Campbell**

- 157 In section 30, page 17, line 39, at end insert—

<“temporary release” means release by virtue of rules made under section 39(6) of the Prisons (Scotland) Act 1989,>

**Liz Smith**

- 44 In section 30, page 18, leave out line 1

## Schedule 2

### Aileen Campbell

158 In schedule 2, page 42, line 27, leave out paragraph 1

### Aileen Campbell

159 In schedule 2, page 42, line 31, at end insert—  
<The National Waiting Times Centre Board>

### Aileen Campbell

160 In schedule 2, page 43, line 3, leave out paragraph 12

### Aileen Campbell

161 In schedule 2, page 43, line 5, leave out paragraphs 14 and 15

### Aileen Campbell

162 In schedule 2, page 43, line 7, leave out <or a “regional strategic body”>

## Section 31

### Liz Smith

66 In section 31, page 18, line 11, leave out <wellbeing> and insert <welfare>

### Liz Smith

67 In section 31, page 18, line 13, leave out first <wellbeing> and insert <welfare>

### Liz Smith

68 In section 31, page 18, line 13, leave out second <wellbeing> and insert <welfare>

### Mark McDonald

243 In section 31, page 18, line 14, at end insert—  
<( ) A matter affecting a child’s wellbeing under subsection (2) includes matters in relation to a child’s speech, language and communication.>

### Liz Smith

69 In section 31, page 18, line 15, leave out <wellbeing> and insert <welfare>

### Liam McArthur

183 In section 31, page 18, line 24, leave out from first <to> to end of line 28 and insert—  
<( ) and taking account of the child’s age and maturity, to—

- (i) give the child an opportunity to indicate whether the child wishes to express the child's views,
  - (ii) if the child wishes to do so, give the child an opportunity to express them, and
  - (iii) have regard to any views expressed by the child, and
- ( ) to ascertain and have regard to the views of the child's parents.>

**Jayne Baxter**

- 244** In section 31, page 18, line 28, at end insert <and the child's speech, language and communication needs>

**Liz Smith**

- 45** In section 31, page 18, line 28, at end insert—
- <( ) The Scottish Ministers may by order make provision for the process for the resolution of disputes between the responsible authority and the child's parents as regards the requirement for a child's plan.>

**Section 32**

**Liz Smith**

- 70** In section 32, page 18, line 36, leave out <wellbeing> and insert <welfare>

**Liz Smith**

- 71** In section 32, page 19, line 3, leave out <wellbeing> and insert <welfare>

**Section 33**

**Liz Smith**

- 46** In section 33, page 19, line 25, at end insert—
- <( ) The Scottish Ministers may by order make provision for a process for the resolution of disputes—
- (a) between the responsible authority and the relevant authority as to—
    - (i) who is to take responsibility for preparing the child's plan, and
    - (ii) the content of the child's plan,
  - (b) between the authority preparing the child's plan and the child's parents on the content of the child's plan, and
  - (c) on any other matters relating to the preparation of the child's plan.>

## Section 36

### Liz Smith

- 72 In section 36, page 20, line 27, leave out <wellbeing> and insert <welfare>

## Section 37

### Liz Smith

- 73 In section 37, page 20, line 30, leave out <wellbeing> and insert <welfare>

### Jayne Baxter

- 245 In section 37, page 20, line 31, at end insert—

<( ) the speech, language and communication needs of the child have been addressed, and whether the child is receiving ongoing support to address those needs,>

### Jayne Baxter

- 246 In section 37, page 21, line 5, at end insert <and the child's speech, language and communication needs>

### Liz Smith

- 74 In section 37, page 21, line 8, leave out <wellbeing> and insert <welfare>

### Liz Smith

- 47 In section 37, page 21, line 20, at end insert—

<( ) the process for resolving disputes as regards the management of a child's plan.>

## Section 38

### Aileen Campbell

- 163 In section 38, page 21, line 37, leave out subsection (3) and insert—

<( ) Other than in relation to a duty of confidentiality, subsection (1) does not permit or require the provision of information in breach of a prohibition or restriction on the disclosure of information arising by virtue of an enactment or rule of law.>

### Aileen Campbell

- 164 In section 38, page 22, line 1, leave out <(3)> and insert <(1)>

## Section 39

### Mary Fee

- 247 In section 39, page 22, line 11, at end insert—

<( ) Guidance may be issued on how a child’s plan is to support a child affected by parental imprisonment.>

**Jayne Baxter**

**248** In section 39, page 22, line 11, at end insert—

<( ) Guidance issued under subsection (1) must include guidance on—

- (a) how persons exercising a function under this Part (other than the function of complying with section 36) are to implement inclusive language standards, and
- (b) the inclusion within a child’s plan by persons exercising a function under this Part (other than the function of complying with section 36) of action to optimise the speech, language and communication development of children and young people.>

**Aileen Campbell**

**113** In section 39, page 22, line 12, leave out subsections (2) and (3)

**Section 40**

**Mary Fee**

**249** In section 40, page 22, line 26, at end insert—

<( ) Directions may be issued on how a child’s plan is to support a child affected by parental imprisonment.>

**Mark McDonald**

**250** In section 40, page 22, line 26, at end insert—

<( ) Directions issued under subsection (1) must in particular include directions on the strategic action the persons mentioned in subsection (2) are to take to optimise the speech, language and communication development of children and young people.>

**Aileen Campbell**

**114** In section 40, page 22, line 27, leave out subsections (3) and (4)

**Section 42**

**Mark McDonald**

**251** In section 42, page 23, line 19, after <development> insert <, including speech, language and communication development,>

## Section 43

### Liz Smith

**48** In section 43, page 23, line 25, leave out from <under> to end of line 31 and insert <of pre-school age and has not commenced attendance at a primary school (other than at a nursery class in such a school),

( ) is under pre-school age but falls within subsection (3).

(2A) A child is of pre-school age from the school commencement date in the year in which, on the last day of February, the child was aged (or turned) 2 until the school commencement date two years later.

(2B) The Scottish Ministers may by order specify that a child—

(a) who—

(i) is under school age on the second school commencement date mentioned in subsection (2A),

(ii) is not commencing attendance at a primary school on that date (other than commencing or continuing attendance at a nursery class in such a school), and

(iii) meets such other criteria as may be specified in the order,

is, until the next school commencement date, to be regarded as an eligible pre-school child, or

(b) who is within such age range below pre-school age, or is of such other description, as may be specified in the order is to be regarded as an eligible pre-school child.>

### Neil Bibby

**84** In section 43, page 23, line 32, after <and> insert—

<( ) the child>

### Neil Bibby

**85** In section 43, page 23, line 35, at end insert <,

( ) the child's parent is or has been at any time since the child's second birthday in receipt of a tax credit within the meaning of the Tax Credits Act 2002 (or any successor benefit or allowance).>

### Neil Bibby

**86** In section 43, page 23, line 35, at end insert <,

( ) the child—

(i) would, if the child was a pupil, qualify under or by virtue of section 53(3)(a) of the 1980 Act for the provision of free school lunches, or

(ii) the child has at any time since the child's second birthday fallen within sub-paragraph (i).>

**Liz Smith**

- 49 In section 43, page 24, line 1, leave out <(2)(c)(ii) may provide that a child is to be> and insert <(2B) may provide that a child is to be regarded as>

**Liz Smith**

- 50 In section 43, page 24, line 3, at end insert—  
<( ) In subsection (2A), “school commencement date” means the date fixed under section 32(1) of the 1980 Act by the local authority for the area in which the child resides.>

**Section 45**

**Liz Smith**

- 75 In section 45, page 24, line 20, leave out <wellbeing> and insert <welfare>

**Liz Smith**

- 76 In section 45, page 24, line 25, leave out <wellbeing> and insert <welfare>

**Section 52**

**Liz Smith**

- 77 In section 52, page 26, line 14, leave out <wellbeing> and insert <welfare>

**Jayne Baxter**

- 252 In section 52, page 26, line 16, after <needs> insert <, including any speech, language and communication development needs,>

**Liz Smith**

- 78 In section 52, page 26, line 20, leave out <wellbeing> and insert <welfare>

**Jayne Baxter**

- 253 In section 52, page 26, line 20, at end insert—  
<( ) to optimise the speech, language and communication development of those children and young people to whom this Part applies,>

**Section 54**

**Liz Smith**

- 79 In section 54, page 27, line 4, leave out <wellbeing> and insert <welfare>

## **Section 57**

**Aileen Campbell**

- 115** In section 57, page 28, line 9, leave out subsections (3) and (4)

## **Section 58**

**Aileen Campbell**

- 116** In section 58, page 28, line 21, leave out subsections (2) and (3)

## **Section 61**

**Liam McArthur**

- 184** In section 61, page 29, line 34, leave out <counselling> and insert <early intervention>

**Liam McArthur**

- 185** In section 61, page 29, line 36, at end insert—

<( ) Services which may be specified as early intervention services under subsection (1) include counselling and other forms of talking therapy.>

**Liam McArthur**

- 186** In section 61, page 30, line 10, leave out <counselling> and insert <early intervention>

## **Section 62**

**Liam McArthur**

- 187** In section 62, page 30, line 18, leave out <counselling> and insert <early intervention>

**Liam McArthur**

- 188** In section 62, page 30, line 24, leave out <counselling> and insert <early intervention>

**Liam McArthur**

- 189** In section 62, page 30, line 27, leave out <counselling> and insert <early intervention>

## **Section 73**

**Liz Smith**

- 80** Leave out section 73

### After section 73

**Jayne Baxter**

**254** After section 73, insert—

**<National speech, language and communication strategy for children and young people**

- (1) The Scottish Ministers must, no later than one year after this section comes into force, lay a national speech, language and communication strategy for children and young people before the Scottish Parliament.
- (2) The strategy must, in particular, set out—
  - (a) the Scottish Ministers objectives for speech, language and communication for children and young people,
  - (b) their proposals for meeting those objectives,
  - (c) the timescales over which those proposals and policies are expected to take effect.
- (3) Before laying the strategy before the Scottish Parliament, the Scottish Ministers must publish a draft strategy and consult with—
  - (a) children and young people, including children and young people with speech, language and communication needs,
  - (b) the parents of children and young people with speech, language and communication needs,
  - (c) persons working for, and on behalf of, children and young people, including children and young people with speech, language and communication needs,
  - (d) the providers of services to children with speech, language and communication services in relation to those needs,
  - (e) such others persons as they consider appropriate.
- (4) The strategy must be accompanied by a report setting out—
  - (a) the consultation process undertaken in order to comply with subsection (3), and
  - (b) the ways in which the views expressed during that process have been taken account of in finalising the strategy (or stating that no account has been taken of such views).
- (5) The Scottish Ministers must, no later than—
  - (a) 5 years after laying a strategy before the Scottish Parliament under subsection (1), and
  - (b) the end of every subsequent period of 5 years,

lay a revised strategy before the Scottish Parliament; and subsections (2) to (4) apply to a revised strategy as they apply to a strategy laid under subsection (1).>

**Jayne Baxter**

**255** After section 73, insert—

**<Duty of public authorities to use inclusive communication standards**

A public authority with functions under this Act must use inclusive communication standards in exercising those functions.>

**Section 74**

**Liz Smith**

**81** Leave out section 74

**After section 74**

**Liz Smith**

**82** After section 74, insert—

**<Guidance for voluntary organisations**

- (1) The Scottish Ministers may issue guidance on the application of this Act as regards voluntary organisations.
- (2) Guidance may be issued generally or for particular purposes.
- (3) Before issuing or revising guidance, the Scottish Ministers must consult the persons to whom it relates.>

**Section 75**

**Liz Smith**

**51** In section 75, page 39, line 18, after <means> insert <(except in Part 4)>

**Jayne Baxter**

**256** In section 75, page 39, line 20, at end insert—

<( ) In this Act “inclusive communication”—

- (a) means sharing information in a way that everybody can understand,
- (b) relates to all modes of communication, and
- (c) requires that service providers—
  - (i) recognise that people understand and express themselves in different ways, and
  - (ii) provide information to people in ways which meet their needs.>

**Section 77**

**Aileen Campbell**

**117** In section 77, page 40, leave out line 14

**Liz Smith**

83 In section 77, page 40, line 14, at end insert—

<section (*Request that named person service is not provided*)>

**After section 77**

**Aileen Campbell**

118 After section 77, insert—

**<Guidance and directions**

- (1) Any power of the Scottish Ministers to issue guidance or directions under this Act may be exercised—
  - (a) to issue guidance or directions generally or for particular purposes,
  - (b) to issue different guidance or directions to different persons or otherwise for different purposes.
- (2) The Scottish Ministers must publish (in such manner as they consider appropriate) any guidance or directions issued by them under this Act.
- (3) In subsection (2)—
  - (a) the reference to guidance includes revision of guidance,
  - (b) the reference to directions includes revision and revocation of directions.>



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