

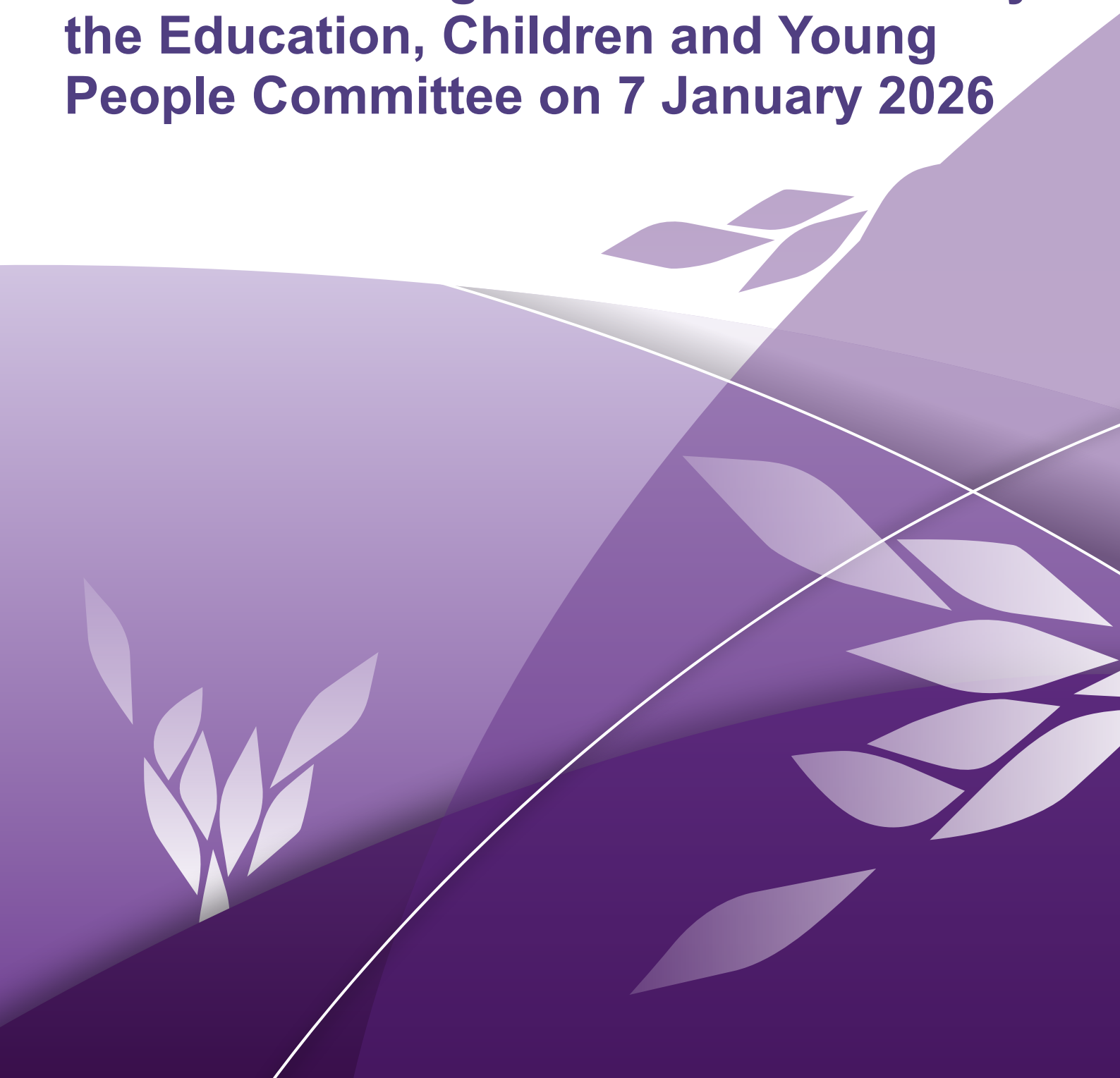


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Education, Children and Young People Committee

Subordinate Legislation considered by the Education, Children and Young People Committee on 7 January 2026



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Education, Children and Young People Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Education and Skills and matters relating to the Historical Abuse Inquiry, redress and languages falling within the responsibility of the Deputy First Minister.



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Introduction

1. This report sets out the Education, Children and Young People Committee's consideration of Scottish Statutory Instruments (SSIs) at its meeting on 7 January 2026. The minutes of the meeting have been published on the Committee's [webpages](#). The Official Report of the meeting will be published on the Committee's [webpages](#) in due course.

Education (Scotland) Act 2025 (Consequential Provisions) Regulations 2026 [draft]


2. The [Education \(Scotland\) Act 2025 \(Consequential Provisions\) Regulations 2026 \[draft\]](#) were laid on 20 November 2025. The instrument was laid subject to the affirmative procedure.
 3. The [policy note](#) states that these regulations—
 - ” make provision in consequence of the Education (Scotland) Act 2025 (“the Act”). Part 1 of the Act establishes Qualifications Scotland, which replaces the Scottish Qualifications Authority (“SQA”). Part 2 of the Act establishes the office of His Majesty’s Chief Inspector of Education in Scotland (“HMCIES”), which will take on functions previously exercised by His Majesty’s inspectors of schools (“HM inspectors”) appointed under the Education (Scotland) Act 1980.
 4. The Delegated Powers and Law Reform (DPLR) Committee considered the instrument at its meeting on [2 December 2025](#). The DPLR Committee made no recommendations in relation to the instrument.
 5. At the Education, Children and Young People Committee meeting on 7 January 2026, the Cabinet Secretary for Education and Skills, Jenny Gilruth, moved the following motion in her name—
 - ” [S6M-19851](#)—That the Education, Children and Young People Committee recommends that the Education (Scotland) Act 2025 (Consequential Provisions) Regulations 2026 [draft] be approved.
6. The Education, Children and Young People Committee agreed motion [S6M-19851](#).

Official Statistics (Scotland) Amendment Order 2026 [draft]

7. The [Official Statistics \(Scotland\) Amendment Order 2026 \[draft\]](#) was laid on 20 November 2025. The instrument was laid subject to the affirmative procedure.
 8. The [policy note](#) states—
 - ” This Order specifies that wholly Scottish devolved statistics produced, or to be produced, by Qualifications Scotland are official statistics. “Scottish devolved statistics” is defined in section 66 of the Statistics and Registration Service Act 2007 (“the 2007 Act”).
 9. The Delegated Powers and Law Reform (DPLR) Committee considered the instrument at its meeting on [2 December 2025](#). The DPLR Committee made no recommendations in relation to the instrument.
 10. At the Education, Children and Young People Committee meeting on 7 January 2026, the Cabinet Secretary for Education and Skills, Jenny Gilruth, moved the following motion in her name—
 - ” [S6M-19852](#)—That the Education, Children and Young People Committee recommends that the Official Statistics (Scotland) Amendment Order 2026 [draft] be approved.
11. The Education, Children and Young People Committee agreed motion [S6M-19852](#).

Cross-border Placement of Children (Requirements, Effect and Enforcement) (Scotland) Regulations 2026 [draft]

12. The [Cross-Border Placement of Children \(Requirements, Effect and Enforcement\) \(Scotland\) Regulations 2026](#) [draft] were laid on 25 November 2025. The instrument was laid subject to the affirmative procedure.
13. The [policy note](#) states that the overarching aim of the regulations is to provide a robust legal framework in respect of cross-border placements made into residential and foster care in Scotland, thereby ensuring that the welfare of placed children is safeguarded and promoted, and that their rights are upheld.
14. The Delegated Powers and Law Reform (DPLR) Committee considered the instrument at its meeting on [9 December 2025](#). The DPLR Committee agreed that no points arose on the instrument.
15. At the Education, Children and Young People Committee meeting on 7 January 2026, the Minister for Children, Young People and The Promise, moved the following motion in her name—

 [S6M-19990](#)—That the Education, Children and Young People Committee recommends that the Cross-border Placement of Children (Requirements, Effect and Enforcement) (Scotland) Regulations 2026 [draft] be approved.

16. The Education, Children and Young People Committee agreed motion S6M-19990.

