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Education and Gaelic Committee

The Provision of Early Learning and Childcare (Specified Children) (Scotland) Amendment Order 2026 [draft]



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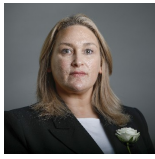
Education and Gaelic Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Education, Culture and Gaelic, with the exception of culture, and on matters relating to the Historical Abuse Inquiry, redress and languages



educationandgaelic.committee@parliament.scot

Committee Membership



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Introduction

1. At its meeting on 6 October 2026, the Education and Gaelic Committee considered a piece of subordinate legislation which is subject to the affirmative procedure.
2. This report summarises the purpose and the scrutiny of the instrument as well as confirming the Committee's decision.
3. The [minutes](#) of the meeting have been published and the Official Report of the meeting will be published on the [Committee's website](#) in due course.

The Provision of Early Learning and Childcare (Specified Children) (Scotland) Amendment Order 2026 [draft]

4. [The Provision of Early Learning and Childcare \(Specified Children\) \(Scotland\) Amendment Order 2026 \[draft\]](#) was laid on 8 September 2026.
5. The purpose of the instrument is to amend the Provision of Early Learning and Childcare (Specified Children) Order 2014 ('the 2014 Order') to protect eligibility for two-year-old children who qualify for access to funded early learning and childcare (ELC) due to their parents' receipt of certain qualifying benefits.
6. A draft policy note can be accessed [here](#).
7. The Delegated Powers and Law Reform (DPLR) Committee considered the instrument at its meeting on 15 September 2026. The DPLR Committee agreed that no points arose in relation to the instrument.
8. At its meeting on [6 October 2026](#), the Education and Gaelic Committee took evidence from Siobhian Brown, Minister for Children, Young People and The Promise and Scottish Government officials.
9. The Minister moved motion [S7M-01123](#)—That the Education and Gaelic Committee recommends that the Provision of Early Learning and Childcare (Specified Children) (Scotland) Amendment Order 2026 [draft] be approved.
10. The Education and Gaelic Committee agreed motion S7M-01123.

