



The Scottish Parliament
Pàrlamaid na h-Alba

Published 27 February 2019
SP Paper 474
2nd Report, 2019 (Session 5)

Education and Skills Committee Comataidh Foghlam is Sgilean

Continuing Care (Scotland) Amendment Order 2019 (Draft)



Published in Scotland by the Scottish Parliamentary Corporate Body.

All documents are available on the Scottish Parliament website at:
<http://www.parliament.scot/abouttheparliament/91279.aspx>

For information on the Scottish Parliament contact Public Information on:
Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: sp.info@parliament.scot

Contents

Instrument overview	1
Delegated Powers and Law Reform Committee consideration	2
Education and Skills Committee consideration	3
Bibliography	4

Education and Skills Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Education and Skills.



<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/education-committee.aspx>



es.committee@parliament.scot



0131 348 5204

Committee Membership



Convener
Clare Adamson
Scottish National Party



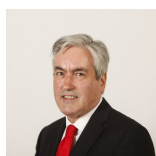
Deputy Convener
Johann Lamont
Scottish Labour



Alasdair Allan
Scottish National Party



Jenny Gilruth
Scottish National Party



Iain Gray
Scottish Labour



Ross Greer
Scottish Green Party



Gordon MacDonald
Scottish National Party



Rona Mackay
Scottish National Party



Oliver Mundell
Scottish Conservative
and Unionist Party



Tavish Scott
Scottish Liberal
Democrats



Liz Smith
Scottish Conservative
and Unionist Party

Instrument overview

1. The [Continuing Care \(Scotland\) Amendment Order 2019 \(Draft\)](#) was laid by the Scottish Government under section 26A(11)(b) of the Children (Scotland) Act 1995 on 25 January 2019. It is subject to the [affirmative procedure](#).
2. This instrument raises the upper age limit for young people who are eligible to receive continuing care from local authorities from 20 years of age to 21.
3. This instrument is the fourth in a series of annual amendments to the original Continuing Care (Scotland) Order 2015. As is outlined in the [policy note](#) for the instrument,
 - ” this final increase is in line with discussions during the passage of the Children and Young People (Scotland) Bill to extend this higher age limit annually, by way of further amendments to the Continuing Care (Scotland) Order 2015, up to the age of twenty-one.

Delegated Powers and Law Reform Committee consideration

4. The Delegated Powers and Law Reform Committee considered the instrument on [5 February 2019](#) and determined that there were no issues within its remit to draw to the attention of the Parliament.

Education and Skills Committee consideration

5. At its meeting on the 20 February 2019, the Committee considered the Continuing Care (Scotland) Amendment Order 2019 (Draft).
6. The Minister for Children and Young People, Maree Todd MSP, outlined the purpose of the instrument, confirming:

” It is the final part of the agreed annual roll-out strategy, increasing the higher age range in step with the first eligible cohort of 16-year-olds so that the provisions cover all young people who cease to be looked after on or after their 16th birthday and enable them to remain in continuing care up to their 21st birthday.

Source: Education and Skills Committee 20 February 2019 [Draft], Maree Todd (Minister for Children and Young People), contrib. 2¹

7. The Committee asked the Minister about data collection in connection with the policy, and about support for kinship and foster care. The Minister offered to write to the Committee to provide an update.
8. Maree Todd MSP, Minister for Children and Young People, moved—

[S5M-15747](#)—That the Education and Skills Committee recommends that the Continuing Care (Scotland) Amendment Order 2018 be approved.

The motion was agreed to.

- [1] Education and Skills Committee 20 February 2019 [Draft], Maree Todd (Minister for Children and Young People), contrib. 2, <http://www.scottish.parliament.uk/parliamentarybusiness/report.aspx?r=11948&c=2152888>

