

Changes to legislation: Children Act 1989, Part I is up to date with all changes known to be in force on or before 15 March 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 2

[^{F1}SUPPORT FOR CHILDREN AND FAMILIES PROVIDED BY LOCAL AUTHORITIES IN ENGLAND]

Annotations:

Amendments (Textual)

- F1** Sch. 2 heading substituted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **121**

Modifications etc. (not altering text)

- C1** Sch. 2 modified (temp.) (12.2.2009 for E. and 31.3.2010 for W.) by [Children and Young Persons Act 2008 \(c. 23\)](#), ss. 8(3), 44, **Sch. 2 para. 2**; S.I. 2009/268, **art. 3(1)(b)**; S.I. 2010/749, **art. 2(a)**

Commencement Information

- II** Sch. 2 wholly in force at 14.10.1991 see s. 108(2)(3) and [S.I. 1991/828](#), **art. 3(2)**

PART I

PROVISION OF SERVICES FOR FAMILIES

Annotations:

Commencement Information

- II** Sch. 2 Part I wholly in force at 14.10.1991 see s. 108(2)(3) and [S.I. 1991/828](#), **art. 3(2)**

Identification of children in need and provision of information

- 1 (1) Every local authority shall take reasonable steps to identify the extent to which there are children in need within their area.
- (2) Every local authority shall—
- (a) publish information—
 - (i) about services provided by them under sections 17, 18, [^{F1}20, 23B to 23D, 24A and 24B]; and
 - (ii) where they consider it appropriate, about the provision by others (including, in particular, voluntary organisations) of services which the authority have power to provide under those sections; and
 - (b) take such steps as are reasonably practicable to ensure that those who might benefit from the services receive the information relevant to them.

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Annotations:

Amendments (Textual)

F1 Words in Sch. 2 Pt. I para. 1(2)(a)(i) substituted (1.10.2001) by [2000 c. 35, s. 7\(4\)](#); [S.I. 2001/2191, art. 2](#); [S.I. 2001/2878, art. 2](#)

Commencement Information

I2 Sch. 2 Pt. I para. 1 wholly in force at 14.10.1991 see s. 108(2)(3) and [S.I. 1991/828, art. 3\(2\)](#)

[^{F2}Children’s services plans

Annotations:

Amendments (Textual)

F2 Sch. 2 para. 1A and cross heading inserted (1.4.1996) by [S.I. 1996/785, art. 2](#)

1A ^{F3}]

Annotations:

Amendments (Textual)

F3 Sch. 2 para. 1A repealed (1.3.2005 for E. and 31.7.2008 for W.) by [Children Act 2004 \(c. 31\), s. 64, Sch. 5 Pt. 1](#); [S.I. 2005/394, art. 2\(1\)\(l\)](#); [S.I. 2008/1904, art. 2\(b\)](#)

Maintenance of a register of disabled children

- 2 (1) Every local authority shall open and maintain a register of disabled children within their area.
- (2) The register may be kept by means of a computer.

Annotations:

Commencement Information

I3 Sch. 2 Pt. I para. 2 wholly in force at 14.10.1991 see s. 108(2)(3) and [S.I. 1991/828, art. 3\(2\)](#)

Assessment of children’s needs

- 3 Where it appears to a local authority that a child within their area is in need, the authority may assess his needs for the purposes of this Act at the same time as any assessment of his needs is made under—
- (a) the ^{M1}Chronically Sick and Disabled Persons Act 1970;
 - (b) [^{F4}Part IV of the Education Act 1996];
 - [^{F5}(ba) Part 3 of the Children and Families Act 2014;]
 - (c) the ^{M2}Disabled Persons (Services, Consultation and Representation) Act 1986; or
 - (d) any other enactment.

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Annotations:

Amendments (Textual)

- F4** Words in Sch. 2 para. 3(b) substituted (1.11.1996) by 1996 c. 56, ss. 1(4), 582(1), 583(2), **Sch. 37**, para. 92
- F5** Sch. 2 para. 3(ba) inserted (1.9.2014) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 3 para. 65(3)**; S.I. 2014/889, art. 7(a)

Commencement Information

- I4** Sch. 2 Pt. I para. 3 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, **art. 3(2)**

Marginal Citations

- M1** 1970 c. 44.
- M2** 1986 c. 33.

Prevention of neglect and abuse

- 4 (1) Every local authority shall take reasonable steps, through the provision of services under Part III of this Act, to prevent children within their area suffering ill-treatment or neglect.
- (2) Where a local authority believe that a child who is at any time within their area—
- (a) is likely to suffer harm; but
 - (b) lives or proposes to live in the area of another local authority [^{F6}or in the area of a local authority in Wales]
- they shall inform that other local authority [^{F7}or the local authority in Wales, as the case may be].
- (3) When informing that other local authority [^{F8}or the local authority in Wales] they shall specify—
- (a) the harm that they believe he is likely to suffer; and
 - (b) (if they can) where the child lives or proposes to live.

Annotations:

Amendments (Textual)

- F6** Words in Sch. 2 para. 4(2)(b) inserted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413), regs. 2(1), **108(a)**
- F7** Words in Sch. 2 para. 4(2) inserted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413), regs. 2(1), **108(b)**
- F8** Words in Sch. 2 para. 4(3) inserted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413), regs. 2(1), **108(c)**

Commencement Information

- I5** Sch. 2 Pt. I para. 4 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, **art. 3(2)**

Provision of accommodation in order to protect child

- 5 (1) Where—

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- (a) it appears to a local authority that a child who is living on particular premises is suffering, or is likely to suffer, ill treatment at the hands of another person who is living on those premises; and
 - (b) that other person proposes to move from the premises,
- the authority may assist that other person to obtain alternative accommodation.
- (2) Assistance given under this paragraph may be in cash.
- (3) Subsections (7) to (9) of section 17 shall apply in relation to assistance given under this paragraph as they apply in relation to assistance given under that section.

Annotations:

Commencement Information

I6 Sch. 2 Pt. I para. 5 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, **art. 3(2)**

Provision for disabled children

- 6 ^{F9}(1) Every local authority shall provide services designed—
- (a) to minimise the effect on disabled children within their area of their disabilities; ^{F10} ...
 - (b) to give such children the opportunity to lead lives which are as normal as possible ^{F11}; and
 - (c) to assist individuals who provide care for such children to continue to do so, or to do so more effectively, by giving them breaks from caring.]
- ^{F12}(2) The duty imposed by sub-paragraph (1)(c) shall be performed in accordance with regulations made by the ^{F13}Secretary of State].]

Annotations:

Amendments (Textual)

- F9** Sch. 2 para. 6(1): Sch. 2 para. 6 renumbered as Sch. 2 para. 6(1) (1.4.2011 for E., 19.6.2012 for W.) by Children and Young Persons Act 2008 (c. 23), **ss. 25(2)**, 44(4); S.I. 2010/2981, art. 4(j); S.I. 2012/1553, art. 2(d)
- F10** Word in Sch. 2 para. 6(1) repealed (1.4.2011 for E., 19.6.2012 for W.) by Children and Young Persons Act 2008 (c. 23), s. 44(4), **Sch. 4**; S.I. 2010/2981, art. 4(l); S.I. 2012/1553, art. 2(e)
- F11** Sch. 2 para. 6(1)(c) and word inserted (1.4.2011 for E., 19.6.2012 for W.) by Children and Young Persons Act 2008 (c. 23), **ss. 25(3)**, 44(4); S.I. 2010/2981, art. 4(j); S.I. 2012/1553, art. 2(d)
- F12** Sch. 2 para. 6(2) inserted (1.9.2009 for E. for specified purposes, 26.4.2010 for W. for specified purposes, 1.4.2011 for E. in so far as not already in force, 19.6.2012 for W. in so far as not already in force) by Children and Young Persons Act 2008 (c. 23), **ss. 25(4)**, 44(4); S.I. 2009/2273, art. 2(2)(h); S.I. 2010/1329, art. 2(j); S.I. 2010/2981, art. 4(j); S.I. 2012/1553, art. 2(d)
- F13** Words in Sch. 2 para. 6(2) substituted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413), regs. 2(1), **109**

Commencement Information

I7 Sch. 2 Pt. I para. 6 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, **art. 3(2)**

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Provision to reduce need for care proceedings etc.

- 7 Every local authority shall take reasonable steps designed—
- (a) to reduce the need to bring—
 - (i) proceedings for care or supervision orders with respect to children within their area;
 - (ii) criminal proceedings against such children;
 - (iii) any family or other proceedings with respect to such children which might lead to them being placed in the authority's care; or
 - (iv) proceedings under the inherent jurisdiction of the High Court with respect to children;
 - (b) to encourage children within their area not to commit criminal offences; and
 - (c) to avoid the need for children within their area to be placed in secure accommodation [^{F14}within the meaning given in section 25 and in section 119 of the Social Services and Well-being (Wales) Act 2014].

Annotations:

Amendments (Textual)

F14 Words in Sch. 2 para. 7(c) inserted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413), regs. 2(1), **110**

Commencement Information

I8 Sch. 2 Pt. I para. 7 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, art. 3(2)

Provision for children living with their families

- 8 Every local authority shall make such provision as they consider appropriate for the following services to be available with respect to children in need within their area while they are living with their families—
- (a) advice, guidance and counselling;
 - (b) occupational, social, cultural or recreational activities;
 - (c) home help (which may include laundry facilities);
 - (d) facilities for, or assistance with, travelling to and from home for the purpose of taking advantage of any other service provided under this Act or of any similar service;
 - (e) assistance to enable the child concerned and his family to have a holiday.

Annotations:

Commencement Information

I9 Sch. 2 Pt. I para. 8 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, art. 3(2)

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[^{F15}Provision for accommodated children

Annotations:

Amendments (Textual)

F15 Sch. 2 para. 8A and cross-heading inserted (28.3.2011 for W., 1.4.2011 for E.) by [Children and Young Persons Act 2008 \(c. 23\)](#), [ss. 19, 44](#); [S.I. 2010/2981](#), [art. 4\(f\)](#); [S.I. 2011/949](#), [art. 3\(1\)\(b\)](#)

- 8A (1) Every local authority shall make provision for such services as they consider appropriate to be available with respect to accommodated children.
- (2) “Accommodated children” are those children in respect of whose accommodation the local authority have been notified under section 85 or 86 [^{F16}or under section 120 of the Social Services and Well-being (Wales) Act 2014 (assessment of children accommodated by health authorities and education authorities)].
- (3) The services shall be provided with a view to promoting contact between each accommodated child and that child's family.
- (4) The services may, in particular, include—
- (a) advice, guidance and counselling;
 - (b) services necessary to enable the child to visit, or to be visited by, members of the family;
 - (c) assistance to enable the child and members of the family to have a holiday together.
- (5) Nothing in this paragraph affects the duty imposed by paragraph 10.]

Annotations:

Amendments (Textual)

F16 Words in [Sch. 2 para. 8A\(2\)](#) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), [regs. 2\(1\), 111](#)

Family centres

- 9 (1) Every local authority shall provide such family centres as they consider appropriate in relation to children within their area.
- (2) “Family centre” means a centre at which any of the persons mentioned in subparagraph (3) may—
- (a) attend for occupational, social, cultural or recreational activities;
 - (b) attend for advice, guidance or counselling; or
 - (c) be provided with accommodation while he is receiving advice, guidance or counselling.
- (3) The persons are—
- (a) a child;
 - (b) his parents;
 - (c) any person who is not a parent of his but who has parental responsibility for him;
 - (d) any other person who is looking after him.

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Annotations:

Commencement Information

I10 Sch. 2 Pt. I para. 9 wholly in force at 14.10.1991 see s. 108(2)(3) and [S.I. 1991/828, art. 3\(2\)](#)

Maintenance of the family home

- 10 Every local authority shall take such steps as are reasonably practicable, where any child within their area who is in need and whom they are not looking after is living apart from his family—
- (a) to enable him to live with his family; or
 - (b) to promote contact between him and his family,
- if, in their opinion, it is necessary to do so in order to safeguard or promote his welfare.

Annotations:

Commencement Information

I11 Sch. 2 Pt. I para. 10 wholly in force at 14.10.1991 see s. 108(2)(3) and [S.I. 1991/828, art. 3\(2\)](#)

Duty to consider racial groups to which children in need belong

- 11 Every local authority shall, in making any arrangements—
- (a) for the provision of day care within their area; or
 - (b) designed to encourage persons to act as local authority foster parents,
- have regard to the different racial groups to which children within their area who are in need belong.

Annotations:

Commencement Information

I12 Sch. 2 Pt. I para. 11 wholly in force at 14.10.1991 see s. 108(2)(3) and [S.I. 1991/828, art. 3\(2\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(1A)(aa) inserted by 2009 c. 24 Sch. 6 para. 21(3)
- s. 4(1C) inserted by 2009 c. 24 Sch. 6 para. 21(4)
- s. 4ZA(2)(aa) inserted by 2009 c. 24 Sch. 6 para. 22(3)
- s. 4ZA(3A) inserted by 2009 c. 24 Sch. 6 para. 22(4)
- s. 23D(3)(4) inserted by 2017 c. 16 s. 3(4)
- s. 23E(1)(aa) inserted by 2017 c. 16 s. 3(6)
- s. 23E(1A)(ba) inserted by 2018 anaw 2 Sch. 1 para. 2(2)(b)
- s. 23E(1ZA) inserted by 2017 c. 16 s. 3(7)
- s. 23CZB inserted by 2017 c. 16 s. 3(2)
- s. 23ZZA and cross-heading inserted by 2017 c. 16 s. 4
- s. 31A(4A) inserted by 2014 c. 6 s. 15(2)(b)
- s. 36(11) inserted by 2018 anaw 2 Sch. 1 para. 2(3)