



Children Act 1989

1989 CHAPTER 41

PART III

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

[^{F1}Visiting

[^{F1} ^{F2} 23ZB] **Independent visitors for children looked after by a local authority**

- (1) A local authority looking after a child must appoint an independent person to be the child's visitor if—
 - (a) the child falls within a description prescribed in regulations made by the [^{F3}Secretary of State]; or
 - (b) in any other case, it appears to them that it would be in the child's interests to do so.
- (2) A person appointed under this section must visit, befriend and advise the child.
- (3) A person appointed under this section is entitled to recover from the appointing authority any reasonable expenses incurred by that person for the purposes of that person's functions under this section.
- (4) A person's appointment as a visitor in pursuance of this section comes to an end if—
 - (a) the child ceases to be looked after by the local authority;
 - (b) the person resigns the appointment by giving notice in writing to the appointing authority; or
 - (c) the authority give him notice in writing that they have terminated it.
- (5) The ending of such an appointment does not affect any duty under this section to make a further appointment.
- (6) Where a local authority propose to appoint a visitor for a child under this section, the appointment shall not be made if—

Changes to legislation: Children Act 1989, Section 23ZB is up to date with all changes known to be in force on or before 18 April 2024. 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) View outstanding changes

- (a) the child objects to it; and
 - (b) the authority are satisfied that the child has sufficient understanding to make an informed decision.
- (7) Where a visitor has been appointed for a child under this section, the local authority shall terminate the appointment if—
- (a) the child objects to its continuing; and
 - (b) the authority are satisfied that the child has sufficient understanding to make an informed decision.
- (8) If the local authority give effect to a child's objection under subsection (6) or (7) and the objection is to having anyone as the child's visitor, the authority does not have to propose to appoint another person under subsection (1) until the objection is withdrawn.
- (9) The [^{F4}Secretary of State] may make regulations as to the circumstances in which a person is to be regarded for the purposes of this section as independent of the appointing authority.]]

Textual Amendments

- F1** S. 23ZA and cross-heading inserted (1.9.2009 and 15.11.2010 for certain purposes for E., 26.4.2010 for certain purposes for W., 28.3.2011 for W. otherwise, 1.4.2011 for E. otherwise) by [Children and Young Persons Act 2008 \(c. 23\)](#), **ss. 15, 44**; S.I. 2009/2273, **art. 2(2)(d)**; S.I. 2010/1326, **art. 2(d)**; S.I. 2010/2714, **art. 2(d)**; S.I. 2010/2981, **art. 4(d)** (with art. 5); S.I. 2011/949, **art. 3(1)(a)**
- F2** S. 23ZB inserted (1.9.2009 for E. for specified purposes, 26.4.2010 for W. for specified purposes, 1.4.2011 for E. so far as not already in force, 6.4.2016 for W. in so far as not already in force) by [Children and Young Persons Act 2008 \(c. 23\)](#), **ss. 16(1), 44(4)**; S.I. 2009/2273, art. 2(2)(e); S.I. 2010/1329, art. 2(e); S.I. 2010/2981, art. 4(e); S.I. 2016/452, art. 2(d)
- F3** Words in s. 23ZB(1)(a) 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), **73(a)**
- F4** Words in s. 23ZB(9) 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), **73(b)**

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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. 8(4)(k) inserted by 2021 c. 17 s. 52(1)
- s. 31A(4A) inserted by 2014 c. 6 s. 15(2)(b)