



Children Act 1989

1989 CHAPTER 41

PART III

LOCAL AUTHORITY SUPPORT FOR CHILDREN AND FAMILIES

[^{F1} Personal advisers and pathway plans]

[^{F1}24 Persons qualifying for advice and assistance.

[In this Part “a person qualifying for advice and assistance” means a person to whom ^{F2}(1) subsection (1A) or (1B) applies.

(1A) This subsection applies to a person—

- (a) who has reached the age of sixteen but not the age of twenty-one;
- (b) with respect to whom a special guardianship order is in force (or, if he has reached the age of eighteen, was in force when he reached that age); and
- (c) who was, immediately before the making of that order, looked after by a local authority.

(1B) This subsection applies to a person to whom subsection (1A) does not apply, and who—

- (a) is under twenty-one; and
- (b) at any time after reaching the age of sixteen but while still a child was, but is no longer, looked after, accommodated or fostered.]

(2) In [^{F3}subsection (1B)(b)], “looked after, accommodated or fostered” means—

- (a) looked after by a local authority;
- (b) accommodated by or on behalf of a voluntary organisation;
- (c) accommodated in a private children’s home;
- (d) accommodated for a consecutive period of at least three months—
 - (i) by any Health Authority, Special Health Authority, Primary Care Trust or local education authority, or

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Changes to legislation: Children Act 1989, Section 24 is up to date with all changes known to be in force on or before 24 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)

- (ii) in any care home or independent hospital or in any accommodation provided by a National Health Service trust [^{F4}or an NHS foundation trust] ; or
- (e) privately fostered.
- (3) Subsection (2)(d) applies even if the period of three months mentioned there began before the child reached the age of sixteen.
- (4) In the case of a person qualifying for advice and assistance by virtue of subsection (2) (a), it is the duty of the local authority which last looked after him to take such steps as they think appropriate to contact him at such times as they think appropriate with a view to discharging their functions under sections 24A and 24B.
- (5) In each of sections 24A and 24B, the local authority under the duty or having the power mentioned there (“the relevant authority”) is—
- [in the case of a person to whom subsection (1A) applies, a local authority ^{F5}(za) determined in accordance with regulations made by the Secretary of State;]]
- (a) in the case of a person qualifying for advice and assistance by virtue of subsection (2)(a), the local authority which last looked after him; or
- (b) in the case of any other person qualifying for advice and assistance, the local authority within whose area the person is (if he has asked for help of a kind which can be given under section 24A or 24B).

Textual Amendments

- F1** Ss. 24, 24A, 24B, 24C substituted for s. 24 (1.10.2001) by 2000 c. 35, s. 4(1); S.I. 2001/2191, art. 2; S.I. 2001/2878, art. 2
- F2** S. 24(1)-(1B) substituted (30.12.2005) for s. 24(1) by 2002 c. 38, ss. 139, 148, Sch. 3 para. 60(a) (with Sch. 4 paras. 6-8); S.I. 2005/2213, art. 2(o)
- F3** Words in s. 24(2) substituted (30.12.2005) by 2002 c. 38, ss. 139, 148, Sch. 3 para. 60(b) (with Sch. 4 paras. 6-8); S.I. 2005/2213, art. 2(o)
- F4** Words in s. 24(2)(d)(ii) inserted (1.4.2004) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 34, Sch. 4 para. 76; S.I. 2004/759, art. 2
- F5** S. 24(5)(za) inserted (30.12.2005) by 2002 c. 38, ss. 139, 148, Sch. 3 para. 60(c) (with Sch. 4 paras. 6-8); S.I. 2005/2213, art. 2(o)

Modifications etc. (not altering text)

- C1** S. 24(2)(c)(d)(ii) amended (*temp.* from 1.10.2001) by 2000 c. 35, s. 4(2)(a)(b); S.I. 2001/2191, art. 2; S.I. 2001/2878, art. 2

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