



Children Act 2004

2004 CHAPTER 31

PART 5

MISCELLANEOUS

Local authority services

50 Intervention [^{F1} – England]

^{F2}(1) Section 497A of the Education Act 1996 (power to secure proper performance of a local authority's education functions) applies in relation to the functions of a local authority [^{F3}in England] which are specified in subsection (2) as it applies in relation to a local authority's education functions.

(1A) In subsection (1) “ education functions ” has the meaning given by section 579(1) of the Education Act 1996.]

(2) [^{F4}The functions of a local authority are—]

- (a) functions conferred on or exercisable by the authority which are social services functions, so far as those functions relate to children;
- (b) the functions conferred on the authority under sections 23C to 24D of the Children Act 1989 (so far as not falling within paragraph (a)); and
- (c) the functions conferred on the authority under sections 10, 12 [^{F5}, 12C, 12D and 17A] above (in the case of a [^{F6}local authority] in England) ^{F7}...

(3) In subsection (2)(a) “social services functions” has the same meaning as in the the Local Authority Social Services Act 1970 (c. 42).

(4) Sections 497AA and 497B of the Education Act 1996 apply accordingly where powers under section 497A of that Act are exercised in relation to any of the [^{F8}functions of a local authority which are specified in subsection (2)].

(5) ^{F9}

Changes to legislation: There are currently no known outstanding effects for the Children Act 2004, Section 50. (See end of Document for details)

- (6) In subsection (5) of section 497A of that Act, the reference to functions to which that section applies includes (for all purposes) [^{F10}the functions of a local authority which are specified in subsection (2)].
- [^{F11}(7) If any functions of a local authority in England which are specified in subsection (2) are exercisable by a combined authority by virtue of section 105 of the Local Democracy, Economic Development and Construction Act 2009—
- (a) a reference in this section to a local authority includes a reference to the combined authority, and
 - (b) a reference in this section to functions specified in subsection (2) is, in relation to the combined authority, to be read as a reference to those functions so far as exercisable by the combined authority.]
- [^{F12}(8) If any functions of a local authority in England which are specified in subsection (2) are exercisable by a combined county authority by virtue of section 18 of the Levelling-up and Regeneration Act 2023—
- (a) a reference in this section to a local authority includes a reference to the combined county authority, and
 - (b) a reference in this section to functions specified in subsection (2) is, in relation to the combined county authority, to be read as a reference to those functions so far as exercisable by the combined county authority.]

Textual Amendments

- F1** Word in s. 50 heading inserted (20.2.2014) by [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\), s. 100\(4\), Sch. 5 para. 7\(2\)\(c\)](#); S.I. 2014/178, art. 2(f) (with art. 3)
- F2** S. 50(1)(1A) substituted (5.5.2010) for s. 50(1) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\), arts. 1, 5\(1\), Sch. 2 para. 55\(8\)\(a\)](#)
- F3** Words in s. 50(1) inserted (20.2.2014) by [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\), s. 100\(4\), Sch. 5 para. 7\(2\)\(a\)](#); S.I. 2014/178, art. 2(f) (with art. 3)
- F4** Words in s. 50(2) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\), arts. 1, 5\(1\), Sch. 2 para. 55\(8\)\(b\)\(i\)](#)
- F5** Words in s. 50(2) substituted (1.4.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\), ss. 194\(6\), 269; S.I. 2010/303, art. 3, Sch. 2](#)
- F6** Words in s. 50(2)(c) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\), arts. 1, 5\(1\), Sch. 2 para. 55\(8\)\(b\)\(ii\)](#)
- F7** Words in s. 50(2)(c) omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\), s. 100\(4\), Sch. 5 para. 7\(2\)\(b\)](#); S.I. 2014/178, art. 2(f) (with art. 3)
- F8** Words in s. 50(4) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\), arts. 1, 5\(1\), Sch. 2 para. 55\(8\)\(c\)](#)
- F9** S. 50(5) repealed (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\), arts. 1, 5\(1\)\(2\), Sch. 2 para. 55\(8\)\(d\), Sch. 3 Pt. 2](#)
- F10** Words in s. 50(6) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\), arts. 1, 5\(1\), Sch. 2 para. 55\(8\)\(e\)](#)
- F11** S. 50(7) inserted (31.10.2017) by [Children and Social Work Act 2017 \(c. 16\), ss. 33\(1\), 70\(2\); S.I. 2017/918, reg. 2\(c\)](#)
- F12** S. 50(8) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\), s. 255\(2\)\(c\), Sch. 4 para. 158 \(with s. 247\)](#)

Changes to legislation: There are currently no known outstanding effects for the Children Act 2004, Section 50. (See end of Document for details)

Commencement Information

- II** S. 50 wholly in force at 1.10.2006; s. 50 not in force at Royal Assent see s. 67(7); s. 50 in force for E. at 1.3.2005 by [S.I. 2005/394](#), [art. 2\(1\)](#); s. 50 in force for W. at 1.10.2006 by [S.I. 2006/885](#), [art. 2\(4\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Children Act 2004, Section 50.