



# Childcare Act 2006

## 2006 CHAPTER 21

### PART 1

#### GENERAL FUNCTIONS OF LOCAL AUTHORITY: ENGLAND

##### *Improvement of young children's well-being*

### **1 General duties of local authority in relation to well-being of young children**

- (1) An English local authority must—
  - (a) improve the well-being of young children in their area, and
  - (b) reduce inequalities between young children in their area in relation to the matters mentioned in subsection (2).
- (2) In this Act “well-being”, in relation to children, means their well-being so far as relating to—
  - (a) physical and mental health and emotional well-being;
  - (b) protection from harm and neglect;
  - (c) education, training and recreation;
  - (d) the contribution made by them to society;
  - (e) social and economic well-being.
- (3) The Secretary of State may, in accordance with regulations, set targets for—
  - (a) the improvement of the well-being of young children in the area of an English local authority;
  - (b) the reduction of inequalities between young children in the area of an English local authority in relation to the matters mentioned in subsection (2).
- (4) In exercising their functions, an English local authority must act in the manner that is best calculated to secure that any targets set under subsection (3) (so far as relating to the area of the local authority) are met.

*Status: Point in time view as at 01/07/2022. This version of this cross heading contains provisions that are prospective.*

*Changes to legislation: Childcare Act 2006, Cross Heading: Improvement of young children's well-being is up to date with all changes known to be in force on or before 02 May 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)*

- (5) In performing their duties under this section, an English local authority must have regard to any guidance given from time to time by the Secretary of State.

**Commencement Information**

- I1** S. 1 in force at 20.12.2006 for specified purposes by [S.I. 2006/3360](#), **art. 2(a)**  
**I2** S. 1 in force at 1.4.2008 in so far as not already in force by [S.I. 2008/785](#), **art. 2(a)**

**2 Meaning of “early childhood services” for purposes of section 3**

- (1) In section 3 “early childhood services”, in relation to an English local authority, means—

- (a) early years provision;
- (b) the social services functions of the local authority, so far as relating to young children, parents or prospective parents;
- (c) health services relating to young children, parents or prospective parents;
- (d) the provision, under arrangements made under section 2 of the Employment and Training Act 1973 (c. 50), of assistance to parents or prospective parents;
- (e) the service provided by the local authority under section 12 (duty to provide information and assistance) so far as relating to parents or prospective parents.

- (2) In this section—

“parent” means a parent of a young child, and includes any individual who—

- (a) has parental responsibility for a young child, or
- (b) has care of a young child;

“prospective parent” means a pregnant woman or any other person who is likely to become, or is planning to become, a parent;

“social services functions”, in relation to a local authority, has the same meaning as in the Local Authority Social Services Act 1970 (c. 42).

**Commencement Information**

- I3** S. 2 in force at 1.4.2008 by [S.I. 2008/785](#), **art. 2(b)**

**3 Specific duties of local authority in relation to early childhood services**

- (1) For the purpose of their general duty under section 1(1), an English local authority have the further duties imposed by subsections (2) and (3).

- (2) The authority must make arrangements to secure that early childhood services in their area are provided in an integrated manner which is calculated to—

- (a) facilitate access to those services, and
- (b) maximise the benefit of those services to parents, prospective parents and young children.

- (3) The authority must take steps—

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- (a) to identify parents or prospective parents in the authority's area who would otherwise be unlikely to take advantage of early childhood services that may be of benefit to them and their young children, and
  - (b) to encourage those parents or prospective parents to take advantage of those services.
- (4) An English local authority must take all reasonable steps to encourage and facilitate the involvement in the making and implementation of arrangements under this section of—
- (a) parents and prospective parents in their area,
  - (b) early years providers in their area, including those in the private and voluntary sectors, and
  - (c) other persons engaged in activities which may improve the well-being of young children in their area.

[<sup>F1</sup>(4A) In deciding what arrangements to make under this section, an English local authority must in particular have regard to—

- (a) the quantity and quality of early childhood services that are provided, or that the authority expect to be provided, in their area, and
- (b) where in that area those services are provided or are expected to be provided.]

(5) In discharging their duties under this section, an English local authority must have regard to such information about the views of young children as is available to the local authority and appears to them to be relevant to the discharge of those duties.

(6) In discharging their duties under this section, an English local authority must have regard to any guidance given from time to time by the Secretary of State.

(7) In this section—

“early years provider” has the same meaning as in Part 3;

“parent” and “prospective parent” have the same meaning as in section 2.

#### Textual Amendments

**F1** S. 3(4A) inserted (12.1.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), ss. [201](#), [269\(2\)](#)

#### Commencement Information

**I4** S. 3 in force at 1.4.2008 by [S.I. 2008/785](#), [art. 2\(b\)](#)

## 4 Duty of local authority and relevant partners to work together

(1) For the purposes of this section each of the following is a relevant partner of an English local authority—

[<sup>F2</sup>(za) [<sup>F3</sup>NHS England];]

- (a) [<sup>F4</sup>an integrated care board]<sup>F5</sup>...<sup>F6</sup>...for an area any part of which falls within the area of the local authority;<sup>3</sup>
- (b) the Secretary of State, in relation to his functions under section 2 of the Employment and Training Act 1973 (c. 50).

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- (2) An English local authority must make arrangements to work with each of the authority's relevant partners in the performance by the authority of their duties under sections 1 and 3.
- (3) Each of the relevant partners of an English local authority must work with the authority and with the other relevant partners in the making of the arrangements.
- (4) An English local authority and each of their relevant partners may for the purposes of arrangements under this section—
  - (a) provide staff, goods, services, accommodation or other resources;
  - (b) establish and maintain a pooled fund.
- (5) For the purposes of subsection (4) a pooled fund is a fund—
  - (a) which is made up of contributions by the authority and the relevant partner or partners concerned, and
  - (b) out of which payments may be made towards expenditure incurred in the discharge of functions of the authority and functions of the relevant partner or partners.
- (6) An English local authority and each of their relevant partners falling within subsection (1)(a) must, in exercising their functions under this section, have regard to any guidance given from time to time by the Secretary of State.

#### Textual Amendments

- F2** S. 4(1)(za) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 5 para. 137\(a\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F3** Words in s. 4 substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), [Sch. 1 para. 1\(1\)\(2\)](#); S.I. 2022/734, reg. 2(a), [Sch.](#) (with regs. 13, 29, 30)
- F4** Words in s. 4(1)(a) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), [Sch. 4 para. 84](#); S.I. 2022/734, reg. 2(a), [Sch.](#) (with regs. 13, 29, 30)
- F5** Words in s. 4(1)(a) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 5 para. 137\(b\)\(ii\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F6** Words in s. 4(1)(a) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 5 para. 137\(b\)\(iii\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

#### Commencement Information

- I5** S. 4 in force at 1.4.2008 by [S.I. 2008/785](#), [art. 2\(b\)](#)

PROSPECTIVE

## 5 Power to amend sections 2 and 4

The Secretary of State may by order—

- (a) amend the definition of “early childhood services” in section 2(1), and
- (b) in connection with any amendment of that definition, make such other amendments of section 2 or 4 as appear to him to be necessary or expedient.

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