



# Health and Social Care Act 2008

## 2008 CHAPTER 14

### PART 5

#### MISCELLANEOUS

##### *Weighing and measuring of children*

#### **143 Weighing and measuring of children: England**

- (1) In Schedule 1 to the National Health Service Act 2006 (c. 41) (further provision about the Secretary of State and services under that Act) after paragraph 7 insert—

##### **“Weighing and measuring of children**

- 7A (1) The Secretary of State may, by arrangement with any local education authority, provide for the weighing and measuring of junior pupils in attendance at any school which is maintained by the authority.
- (2) The Secretary of State may, by arrangement with the proprietor of any school which is not maintained by a local education authority, provide for the weighing and measuring of junior pupils in attendance at that school.
- (3) The Secretary of State may, by arrangement with any person who is registered under Chapter 2 of Part 3 of the Childcare Act 2006 in respect of early years provision, provide for the weighing and measuring of young children for whom childcare is provided by that person.
- (4) In sub-paragraphs (1) and (2) any expression to which a meaning is given for the purposes of the Education Act 1996 or the School Standards and Framework Act 1998 has the same meaning as in that Act; and in sub-paragraph (3) any expression to which a meaning is given for the purposes of Part 3 of the Childcare Act 2006 has the same meaning as in that Part.
- 7B (1) The Secretary of State may by regulations—

---

*Changes to legislation:* There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 143. (See end of Document for details)

---

- (a) authorise the disclosure by any person with whom arrangements under paragraph 7A are made, to any person carrying out the weighing or measuring, of prescribed information relating to the children concerned,
  - (b) require any weighing and measuring provided for by the Secretary of State under paragraph 7A to be carried out in a prescribed manner and after compliance with any prescribed requirements,
  - (c) make provision authorising any resulting information relating to a child, together with any advisory material authorised by or under the regulations, to be communicated in a prescribed manner to a person who is, or is treated by the regulations as being, a parent of the child, and
  - (d) make other provision regulating the processing of information resulting from any weighing or measuring provided for by the Secretary of State under paragraph 7A.
- (2) Regulations made under sub-paragraph (1) may require any person exercising functions in relation to any weighing or measuring to which the regulations apply or in relation to information resulting from such weighing or measuring to have regard to any guidance given from time to time by the Secretary of State.
- (3) In sub-paragraph (1)(d), “processing”, in relation to information, has the same meaning as in the Data Protection Act 1998.
- (4) Regulations under this paragraph cannot include provision by virtue of section 272(8)(a) amending or repealing an Act.”
- (2) Until the commencement of Chapter 2 of Part 3 of the Childcare Act 2006 (c. 21), the reference in paragraph 7A(3) of Schedule 1 to the National Health Service Act 2006 (c. 41) (as inserted by subsection (1) of this section) to a person registered under Chapter 2 of Part 3 of the Childcare Act 2006 in respect of early years provision is to be read as a reference to a person registered under Part 10A of the Children Act 1989 (c. 41) in respect of child minding or the provision of day care (within the meaning of that Part).

---

**Commencement Information**

- I1** S. 143 partly in force; s. 143 in force for specified purposes at Royal Assent, see s. 170
- I2** S. 143 in force at 1.10.2008 in so far as not already in force by S.I. 2008/2497, art. 6

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 143.