



Children and Young Persons Act 2008

2008 CHAPTER 23

PART 2

FUNCTIONS IN RELATION TO CHILDREN AND YOUNG PERSONS

Education and training

20 Designated member of staff at school for pupils looked after by a local authority

- (1) The governing body of a maintained school must designate a member of the staff at the school (“the designated person”) as having responsibility for promoting the educational achievement of registered pupils at the school who—
 - (a) are being looked after by a local authority; or
 - (b) fall within subsection (6).

- (2) The governing body must ensure that the designated person undertakes appropriate training.

[^{F1}(2A) If the school is in England, the governing body must ensure that the designated person has regard to any guidance issued by the Secretary of State.]

- (3) The appropriate national authority may by regulations make provision requiring the governing body of a maintained school to ensure that the designated person has qualifications or experience (or both) prescribed by the regulations.

- (4) In exercising its functions under this section a governing body of a maintained school must have regard to any guidance issued by the appropriate national authority.

- (5) For the purposes of subsection (1)(a) a person is “looked after by a local authority” if the person is—

- (a) looked after by a local authority for the purposes of the 1989 Act [^{F2}, Part 6 of the 2014 Act] or the Children (Scotland) Act 1995 (c. 36); or
- (b) looked after by an authority for the purposes of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)).

*Changes to legislation: There are currently no known outstanding effects for the
 Children and Young Persons Act 2008, Section 20. (See end of Document for details)*

- (6) A person falls within this subsection if the person—
- (a) is a relevant child within the meaning of section 23A of the 1989 Act or article 34B of the Children (Northern Ireland) Order 1995;
 - (b) is a former relevant child within the meaning of section 23C of the 1989 Act or article 34D of the Children (Northern Ireland) Order 1995; or
 - [^{F3}(ba) is a category 2 or 3 young person within the meaning of section 104 of the 2014 Act,]
 - (c) has been looked after by a local authority for the purposes of the Children (Scotland) Act 1995 at any time after attaining the age of 16.
- (7) In this section—
- “appropriate national authority” means—
 - (a) in relation to a governing body of a maintained school in England, the Secretary of State;
 - (b) in relation to a governing body of a maintained school in Wales, the Welsh Ministers;
 - “maintained school” has the same meaning as in Chapter 1 of Part 3 of the Education Act 2002 (c. 32) (see section 39(1) of that Act);
 - “registered pupil” has the same meaning as in the Education Act 1996 (c. 56) (see section 434(5) of that Act).

Textual Amendments

- F1** S. 20(2A) inserted (1.9.2018) by [Children and Social Work Act 2017 \(c. 16\)](#), **ss. 7, 70(2)**; S.I. 2018/497, reg. 4(a)
- F2** Words in s. 20(5)(a) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\)](#), regs. 2(1), **262(a)**
- F3** S. 20(6)(ba) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\)](#), regs. 2(1), **262(b)**

Commencement Information

- I1** S. 20(1)(2)(4)-(7) in force at 1.9.2009 for E. by S.I. 2009/2273, **art. 2(2)(f)**
- I2** S. 20(1)(2) in force at 1.9.2011 for W. by S.I. 2011/949, **art. 3(2)**
- I3** S. 20(3) in force at 12.2.2009 for E. by S.I. 2009/268, **art. 3(1)(c)**
- I4** S. 20(3) in force at 26.4.2010 for W. by S.I. 2010/1329, **art. 2(f)**
- I5** S. 20(4)(7) in force at 1.9.2011 for W. by S.I. 2011/949, **art. 3(2)**

Changes to legislation:

There are currently no known outstanding effects for the Children and Young Persons Act 2008, Section 20.