



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.
- (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 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)).
- (6) A person falls within this subsection if the person—

Status: This is the original version (as it was originally enacted).

- (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
- (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).