



# Children and Social Work Act 2017

## 2017 CHAPTER 16

### PART 1

#### CHILDREN

### CHAPTER 1

#### LOOKED AFTER CHILDREN

#### *Care leavers in England*

### 3 Advice and support

- (1) The Children Act 1989 is amended as follows.
- (2) After section 23CZA insert—

#### **“23CZB England: further advice and support**

- (1) This section applies to a former relevant child if—
  - (a) he or she has reached the age of 21 but not the age of 25, and
  - (b) a local authority in England had duties towards him or her under section 23C (whether or not some of those duties continue to subsist by virtue of subsection (7) of that section).
- (2) If the former relevant child informs the local authority that he or she wishes to receive advice and support under this section, the local authority has the duties provided for in subsections (3) to (6).
- (3) The local authority must provide the former relevant child with a personal adviser until the former relevant child—
  - (a) reaches the age of 25, or

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*Status: This is the original version (as it was originally enacted).*

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- (b) if earlier, informs the local authority that he or she no longer wants a personal adviser.
- (4) The local authority must—
  - (a) carry out an assessment in relation to the former relevant child under subsection (5), and
  - (b) prepare a pathway plan for the former relevant child.
- (5) An assessment under this subsection is an assessment of the needs of the former relevant child with a view to determining—
  - (a) whether any services offered by the local authority (under this Act or otherwise) may assist in meeting his or her needs, and
  - (b) if so, what advice and support it would be appropriate for the local authority to provide for the purpose of helping the former relevant child to obtain those services.
- (6) The local authority must provide the former relevant child with advice and support that it would be appropriate to provide as mentioned in subsection (5) (b).
- (7) Where a former relevant child to whom this section applies is not receiving advice and support under this section, the local authority must offer such advice and support—
  - (a) as soon as possible after he or she reaches the age of 21, and
  - (b) at least once in every 12 months.
- (8) In this section “former relevant child” has the meaning given by section 23C(1).”
- (3) In section 23CA (further assistance to pursue education or training) for subsection (2) substitute—
  - “(2) It is the duty of the responsible local authority to provide a personal adviser for a person to whom this section applies.”
- (4) In section 23D (personal advisers) after subsection (2) insert—
  - “(3) Where a local authority in England ceases to be under a duty to provide a personal adviser for a person under any provision of this Part, that does not affect any other duty under this Part to provide a personal adviser for the person.
  - (4) Where a local authority in England has more than one duty under this Part to provide a personal adviser for a person, each duty is discharged by the provision of the same personal adviser (the local authority are not required to provide more than one personal adviser for the person).”
- (5) Section 23E (pathway plans) is amended as follows.
- (6) In subsection (1) (contents of pathway plan), after paragraph (a) (but before the “and” at the end) insert—
  - “(aa) in the case of a plan prepared under section 23CZB, the advice and support that the local authority intend to provide;”.
- (7) After subsection (1) insert—

“(1ZA) A local authority may carry out an assessment under section 23CZB(5) of a person’s needs at the same time as any assessment of the person’s needs is made under section 23CA(3).”

- (8) In subsection (1A) (statutory assessments that may be carried out at the same time as assessment relating to a pathway plan) after “23B(3)” insert “, 23CZB(5)”.
- (9) In subsection (1B) (regulations about assessments) after “23B(3)” insert “, 23CZB(5)”.
- (10) In subsection (1D) (pathway plans to be kept under review) after “23B” insert “, 23CZB”.