



Children and Social Work Act 2017

2017 CHAPTER 16

PART 1

CHILDREN

CHAPTER 1

LOOKED AFTER CHILDREN

Educational achievement in England

5 Maintained schools: staff member for previously looked after pupils

After section 20 of the Children and Young Persons Act 2008 insert—

“20A Designated staff member for previously looked after pupils

- (1) The governing body of a maintained school in England must—
 - (a) designate a member of the staff at the school (the “designated person”) as having responsibility for promoting the educational achievement of registered pupils within subsection (2), and
 - (b) ensure that the designated person undertakes appropriate training and has regard to any guidance issued by the Secretary of State.
- (2) A registered pupil is within this subsection if the pupil—
 - (a) was looked after by a local authority but ceased to be looked after by them as a result of—
 - (i) a child arrangements order (within the meaning given by section 8(1) of the 1989 Act) which includes arrangements relating to with whom the child is to live, or when the child is to live with any person,

Changes to legislation: There are currently no known outstanding effects for the Children and Social Work Act 2017, Section 5. (See end of Document for details)

- (ii) a special guardianship order (within the meaning given by section 14A(1) of the 1989 Act), or
 - (iii) an adoption order (within the meaning given by section 72(1) of the Adoption Act 1976 or section 46(1) of the Adoption and Children Act 2002), or
- (b) appears to the governing body—
 - (i) to have been in state care in a place outside England and Wales because he or she would not otherwise have been cared for adequately, and
 - (ii) to have ceased to be in that state care as a result of being adopted.
- (3) The Secretary of State may by regulations require the governing body of a maintained school in England to ensure that the designated person has qualifications or experience (or both) prescribed by the regulations.
- (4) In exercising its functions under this section the governing body of a maintained school in England must have regard to any guidance issued by the Secretary of State.
- (5) For the purposes of this section a person is “looked after by a local authority” if the person is looked after by a local authority for the purposes of the 1989 Act or Part 6 of the 2014 Act.
- (6) For the purposes of this section a person is in “state care” if he or she is in the care of, or accommodated by—
 - (a) a public authority,
 - (b) a religious organisation, or
 - (c) any other organisation the sole or main purpose of which is to benefit society.
- (7) In this section—
 - “maintained school” has the meaning given by section 39(1) of the Education Act 2002;
 - “registered pupil” has the meaning given by section 434(5) of the Education Act 1996.”

Commencement Information

II S. 5 in force at 1.9.2018 by [S.I. 2018/497](#), [reg. 4\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Children and Social Work Act 2017, Section 5.