



# Apprenticeships, Skills, Children and Learning Act 2009

## 2009 CHAPTER 22

### PART 9

#### CHILDREN'S SERVICES

##### *Co-operation to improve well-being of children*

#### **193 Arrangements to promote co-operation**

- (1) Section 10 of the Children Act 2004 (c. 31) (co-operation to improve well-being) is amended as set out in subsections (2) to (5).
- (2) In subsection (4)—
  - (a) after paragraph (f) insert—
    - “(fa) the governing body of a maintained school that is maintained by the authority in their capacity as a [<sup>F1</sup>local authority];
    - (fb) the proprietor of a school approved by the Secretary of State under section 342 of the Education Act 1996 and situated in the authority's area;
    - (fc) the proprietor of a city technology college, city college for the technology of the arts or Academy situated in the authority's area;
    - (fd) the governing body of an institution within the further education sector the main site of which is situated in the authority's area;
    - (fe) the Secretary of State, in relation to the Secretary of State's functions under section 2 of the Employment and Training Act 1973.”;
  - (b) omit paragraph (g).
- (3) After subsection (5) insert—

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*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 193 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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“(5A) For the purposes of arrangements under this section a relevant person or body may—

- (a) provide staff, goods, services, accommodation or other resources to another relevant person or body;
- (b) make contributions to a fund out of which relevant payments may be made.”

(4) Omit subsections (6) and (7).

(5) After subsection (9) insert—

“(10) In deciding for the purposes of subsection (4)(fd) whether the main site of an institution within the further education sector is situated within the area of a children's services authority, the authority and the governing body of the institution must have regard to any guidance given to them by the Secretary of State.

(11) In this section—

“governing body”, in relation to an institution within the further education sector, has the meaning given by section 90 of the Further and Higher Education Act 1992;

“institution within the further education sector” has the meaning given by section 4(3) of the Education Act 1996;

“maintained school” has the meaning given by section 39(1) of the Education Act 2002;

“proprietor”, in relation to a city technology college, city college for the technology of the arts, Academy or other school, means the person or body of persons responsible for its management;

“relevant payment”, in relation to a fund, means a payment in respect of expenditure incurred, by a relevant person or body contributing to the fund, in the exercise of its functions;

“relevant person or body” means—

- (a) a children's services authority in England;
- (b) a relevant partner of a children's services authority in England.”

#### Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#) , **Sch. 2 para. 16(2)**

#### Commencement Information

- I1** S. 193(1) (2)(a) (3)-(5) in force at 12.1.2010 by [S.I. 2009/3317](#) , **art. 2**, **Sch.**
- I2** S. 193(2)(b) in force at 1.4.2010 by [S.I. 2010/303](#) , **art. 3**, **Sch. 2** (with **arts. 9-11**)

**Changes to legislation:**

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**Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences (2009 c. 22)
- [S.I. 2010/2413 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/829 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing SI 2010/303 art. 7 Sch. 6