



## 2002 CHAPTER 11

### **Further duties of authorities towards children whom they are looking after**

1. After Article 34 of the Children (Northern Ireland) Order 1995 (NI 2) (“the Children Order”) there shall be inserted the following Article—

#### **“Preparation for ceasing to be looked after**

**34A.**—(1) Where a child is being looked after by an authority, the authority shall advise, assist and befriend him with a view to promoting his welfare when the authority has ceased to look after him.

(2) Where a child who is being looked after by an authority is an eligible child, the authority shall have the following additional duties in relation to him.

(3) In paragraph (2) “eligible child” means, subject to paragraph (4), a child who—

- (a) is aged 16 or 17; and
- (b) has been looked after by an authority for a prescribed period, or periods amounting in all to a prescribed period, which began after he reached a prescribed age and ended after he reached the age of 16.

(4) The Department may prescribe—

- (a) additional categories of eligible children; and
- (b) categories of children who are not to be eligible children despite falling within paragraph (3).

(5) For each eligible child, the authority shall carry out an assessment of his needs with a view to determining what advice, assistance and support it would be appropriate for the authority to provide him under this Order—

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**Changes to legislation:** *There are currently no known outstanding effects for the Children (Leaving Care) Act (Northern Ireland) 2002, Section 1. (See end of Document for details)*

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- (a) while it is still looking after him; and
  - (b) after it ceases to look after him,
- and shall then prepare a pathway plan for him.
- (6) The authority shall keep the pathway plan under regular review.
  - (7) Any such review may be carried out at the same time as a review of the child's case carried out by virtue of Article 45.
  - (8) The Department may by regulations make provision as to assessments for the purposes of paragraph (5).
  - (9) The regulations may in particular make provision about—
    - (a) who is to be consulted in relation to an assessment;
    - (b) the way in which an assessment is to be carried out, by whom and when;
    - (c) the recording of the results of an assessment;
    - (d) the considerations to which the authority is to have regard in carrying out an assessment.
  - (10) The authority shall arrange for each eligible child whom it is looking after to have a personal adviser.”.

**Changes to legislation:**

There are currently no known outstanding effects for the Children (Leaving Care) Act (Northern Ireland) 2002, Section 1.