



# Children Act 1989

## 1989 CHAPTER 41

### PART III

#### LOCAL AUTHORITY SUPPORT FOR CHILDREN AND FAMILIES

##### *Provision of services for children and their families*

#### **17 Provision of services for children in need, their families and others**

- (1) It shall be the general duty of every local authority (in addition to the other duties imposed on them by this Part)—
  - (a) to safeguard and promote the welfare of children within their area who are in need; and
  - (b) so far as is consistent with that duty, to promote the upbringing of such children by their families,by providing a range and level of services appropriate to those children's needs.
- (2) For the purpose principally of facilitating the discharge of their general duty under this section, every local authority shall have the specific duties and powers set out in Part 1 of Schedule 2.
- (3) Any service provided by an authority in the exercise of functions conferred on them by this section may be provided for the family of a particular child in need or for any member of his family, if it is provided with a view to safeguarding or promoting the child's welfare.
- (4) The Secretary of State may by order amend any provision of Part I of Schedule 2 or add any further duty or power to those for the time being mentioned there.
- (5) Every local authority—
  - (a) shall facilitate the provision by others (including in particular voluntary organisations) of services which the authority have power to provide by virtue of this section, or section 18, 20, 23 or 24; and

---

*Status: This is the original version (as it was originally enacted).*

---

- (b) may make such arrangements as they see fit for any person to act on their behalf in the provision of any such service.
- (6) The services provided by a local authority in the exercise of functions conferred on them by this section may include giving assistance in kind or, in exceptional circumstances, in cash.
- (7) Assistance may be unconditional or subject to conditions as to the repayment of the assistance or of its value (in whole or in part).
- (8) Before giving any assistance or imposing any conditions, a local authority shall have regard to the means of the child concerned and of each of his parents.
- (9) No person shall be liable to make any repayment of assistance or of its value at any time when he is in receipt of income support or family credit under the Social Security Act 1986.
- (10) For the purposes of this Part a child shall be taken to be in need if—
- (a) he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority under this Part;
  - (b) his health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services; or
  - (c) he is disabled,
- and “family”, in relation to such a child, includes any person who has parental responsibility for the child and any other person with whom he has been living.
- (11) For the purposes of this Part, a child is disabled if he is blind, deaf or dumb or suffers from mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity or such other disability as may be prescribed; and in this Part—
- “development” means physical, intellectual, emotional, social or behavioural development; and
  - “health” means physical or mental health.