



Children Act 2004

2004 CHAPTER 31

PART 2

CHILDREN'S SERVICES IN ENGLAND

Inspections of children's services

20 Joint area reviews

- (1) Any two or more of the persons and bodies to which this section applies must, at the request of the Secretary of State—
 - (a) conduct, in accordance with a timetable drawn up by them and approved by the Secretary of State, a review of children's services provided in—
 - (i) the area of every children's services authority in England;
 - (ii) the areas of such children's services authorities in England as may be specified in the request;
 - (b) conduct a review of such children's services provided in the area of such children's services authority in England as may be specified in the request.
- (2) Any two or more of the persons and bodies to which this section applies may conduct a review of any children's services provided in the area of a particular children's services authority in England.
- (3) The purpose of a review under this section is to evaluate the extent to which, taken together, the children's services being reviewed improve the well-being of children and relevant young persons (and in particular to evaluate how those services work together to improve their well-being).
- (4) The persons and bodies to which this section applies are—
 - (a) the Chief Inspector of Schools;
 - (b) the Adult Learning Inspectorate;
 - (c) the Commission for Social Care Inspection;
 - (d) the Commission for Healthcare Audit and Inspection;

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- (e) the Audit Commission for Local Authorities and the National Health Service in England and Wales;
 - (f) the chief inspector of constabulary;
 - (g) Her Majesty's Chief Inspector of the National Probation Service for England and Wales;
 - (h) Her Majesty's Chief Inspector of Court Administration; and
 - (i) the Chief Inspector of Prisons.
- (5) Reviews under this section are to be conducted in accordance with arrangements made by the Chief Inspector of Schools.
- (6) Before making arrangements for the purposes of reviews under this section the Chief Inspector of Schools must consult such of the other persons and bodies to which this section applies as he considers appropriate.
- (7) The annual report of the Chief Inspector of Schools required by subsection (7)(a) of section 2 of the School Inspections Act 1996 (c. 57) to be made to the Secretary of State must include an account of reviews under this section; and the power conferred by subsection (7)(b) of that section to make other reports to the Secretary of State includes a power to make reports about such reviews.
- (8) The Secretary of State may by regulations make provision for the purposes of reviews under this section and in particular provision—
- (a) requiring or facilitating the sharing or production of information for the purposes of a review under this section (including provision for the creation of criminal offences);
 - (b) authorising any person or body conducting a review under this section to enter any premises for the purposes of the review (including provision for the creation of criminal offences);
 - (c) imposing requirements as to the making of a report on each review under this section;
 - (d) for the making by such persons as may be specified in or under the regulations of written statements of proposed action in the light of the report and the period within which any such action must or may be taken;
 - (e) for the provision to members of the public of copies of reports and statements made under paragraphs (c) and (d), and for charging in respect of any such provision;
 - (f) for the disapplication, in consequence of a requirement under this section, of any requirement under any other enactment to conduct an assessment or to do anything in connection with an assessment.
- (9) Regulations under subsection (8) may in particular make provision by applying enactments falling within subsection (10), with or without modification, for the purposes of reviews under this section.
- (10) The enactments falling within this subsection are enactments relating to the powers of persons and bodies to which this section applies for the purposes of assessments other than reviews under this section.
- (11) Regulations under subsection (8) may make provision authorising or requiring the doing of anything by reference to the determination of a person of a description specified in the regulations.

21 Framework

- (1) The Chief Inspector of Schools must devise a Framework for Inspection of Children’s Services (“the Framework”).
- (2) The Framework must, for the purpose specified in subsection (3), set out principles to be applied by any person or body conducting a relevant assessment.
- (3) The purpose referred to in subsection (2) is to ensure that relevant assessments properly evaluate and report on the extent to which children’s services improve the well-being of children and relevant young persons.
- (4) The principles in the Framework may—
 - (a) include principles relating to the organisation of the results of any relevant assessment;
 - (b) make different provision for different cases.
- (5) For the purposes of subsections (2) to (4) a relevant assessment is an assessment conducted under any enactment in relation to any children’s services.
- (6) When devising the Framework, the Chief Inspector of Schools must consult the other persons and bodies to which section 20 applies.
- (7) The Chief Inspector of Schools must publish the Framework, but before doing so must—
 - (a) consult such persons and bodies, other than those referred to in subsection (6), as he thinks fit; and
 - (b) obtain the consent of the Secretary of State.
- (8) The Chief Inspector of Schools may at any time revise the Framework (and subsections (6) and (7) apply in relation to revisions to the Framework as to the original Framework).

22 Co-operation and delegation

- (1) Each person or body with functions under any enactment of conducting assessments of children’s services must for the purposes of those assessments co-operate with other persons or bodies with such functions.
- (2) A person or body with functions under any enactment of conducting assessments of children’s services may delegate any of those functions to any other person or body with such functions.

23 Sections 20 to 22: interpretation

- (1) This section applies for the purposes of sections 20 to 22.
- (2) “Assessment” includes an inspection, review, investigation or study.
- (3) “Children’s services” means—
 - (a) anything done for or in relation to children and relevant young persons (alone or with other persons)—
 - (i) in respect of which, apart from section 20, a person or body to which that section applies conducts any kind of assessment, or secures that any kind of assessment is conducted; and

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- (ii) which is specified in, or is of a description prescribed by, regulations made by the Secretary of State;
 - (b) any function under sections 10 and 13 to 19; and
 - (c) any function conferred on a children’s services authority under section 12.
- (4) “Relevant young persons” means persons, other than children, in relation to whom arrangements under section 10 may be made.
- (5) “The Chief Inspector of Schools” means Her Majesty’s Chief Inspector of Schools in England.

24 Performance rating of social services

- (1) In section 79(2) of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) (duty of Commission for Social Care Inspection to award a performance rating to a local authority), for the words from “a performance rating” to the end substitute—
- “(a) a performance rating to that authority in respect of all the English local authority social services provided by, or pursuant to arrangements made by, that authority—
 - (i) to or so far as relating to persons under the age of eighteen; or
 - (ii) under sections 23C to 24D of the Children Act 1989; and
 - (b) a performance rating to that authority in respect of all other English local authority social services provided by, or pursuant to arrangements made by, that authority.”
- (2) In section 81(2) of that Act (duty of the Commission to inform the Secretary of State where it awards the lowest performance rating under section 79), for “section 79” substitute “section 79(2)(a) or (b)”.