

Status: Point in time view as at 08/05/2012.

Changes to legislation: Children Act 2004, SCHEDULE 2 is up to date with all changes known to be in force on or before 20 June 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)

SCHEDULES

SCHEDULE 2

Section 18

DIRECTOR OF CHILDREN’S SERVICES: CONSEQUENTIAL AMENDMENTS

Children and Young Persons Act 1933 (c. 12)

- 1 In section 96 of the Children and Young Persons Act 1933 (provisions as to local authorities), in subsection (8), for “or the chief education officer of the authority” substitute “ of the authority, the director of children’s services (in the case of an authority in England) or the chief education officer (in the case of an authority in Wales) ”.

Local Authority Social Services Act 1970 (c. 42)

- 2 (1) The Local Authority Social Services Act 1970 is amended as follows.
- (2) In section 6 (director of social services)—
- (a) before subsection (1) insert—
- “(A1) A local authority in England shall appoint an officer, to be known as the director of adult social services, for the purposes of their social services functions, other than those for which the authority’s director of children’s services is responsible under section 18 of the Children Act 2004.”;
- (b) in subsection (1), after “local authority” insert “ in Wales ”;
- (c) in subsection (2), after “director of”, in both places, insert “ adult social services or (as the case may be) ”;
- (d) in subsection (6), for “a director of social services” substitute “ a person under this section ”.
- (3) In Schedule 1, in the entry for “Sections 6 and 7B of this Act”, after the words “Appointment of” insert “ director of adult social services or ”.

Local Government and Housing Act 1989 (c. 42)

- 3 In section 2 of the Local Government and Housing Act 1989 (politically restricted posts), in subsection (6)—
- (a) after “means—” insert—
- “(za) the director of children’s services appointed under section 18 of the Children Act 2004 and the director of adult social services appointed under section 6(A1) of the Local Authority Social Services Act 1970 (in the case of a local authority in England);”;
- (b) in paragraph (a), at the end insert “ (in the case of a local authority in Wales) ”.

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- (c) in paragraph (c) after “director of social services” insert “ (in the case of a local authority in Wales) ”.

Education Act 1996 (c. 56)

- 4 (1) The Education Act 1996 is amended as follows.
- (2) In section 532 (appointment of chief education officer), for “A local authority’s duties” substitute “ The duties of a local education authority in Wales ”.
- (3) In section 566 (evidence: documents), in subsection (1)(a), for “chief education officer of that authority” substitute “ director of children’s services (in the case of an authority in England) or the chief education officer (in the case of an authority in Wales) ”.

Crime and Disorder Act 1998 (c. 37)

- 5 (1) The Crime and Disorder Act 1998 is amended as follows.
- (2) In section 8 (responsible officers in relation to parenting orders), in subsection (8) (bb), after “nominated by” insert “ a person appointed as director of children’s services under section 18 of the Children Act 2004 or by ”.
- (3) In section 39 (youth offending teams), in subsection (5)—
- (a) after paragraph (a) insert—
- “(aa) where the local authority is in England, a person with experience of social work in relation to children nominated by the director of children’s services appointed by the local authority under section 18 of the Children Act 2004;”;
- (b) in paragraph (b) for “a social worker of a” substitute “ where the local authority is in Wales, a social worker of the ”;
- (c) after paragraph (d) insert—
- “(da) where the local authority is in England, a person with experience in education nominated by the director of children’s services appointed by the local authority under section 18 of the Children Act 2004;”;
- (d) in paragraph (e) insert at the beginning “ where the local authority is in Wales, ”.

Protection of Children Act 1999 (c. 14)

- 6 In section 4C of the Protection of Children Act 1999 (restoration to the list) in subsection (1), for “director of social services of a local authority” substitute “ director of children’s services of a local authority in England or a director of social services of a local authority in Wales ”.

Criminal Justice and Court Services Act 2000 (c. 43)

- 7 (1) The Criminal Justice and Court Services Act 2000 is amended as follows.
- (2) In section 34 (restoration of disqualification order), in subsection (1), for “a director of social services of a local authority” substitute “ a director of children’s services

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of a local authority in England or a director of social services of a local authority in Wales”.

(3) In section 36 (meaning of “regulated position”), in subsection (6)—

(a) after paragraph (b) insert—

“(ba) director of children’s services and director of adult social services of a local authority in England,”;

(b) in paragraph (c) at the end insert “ in Wales ”;

(c) in paragraph (d) at the end insert “ in Wales ”.

Criminal Justice Act 2003 (c. 44)

8 In section 322 of the Criminal Justice Act 2003 (individual support orders), in the new section 1AA to be inserted in the Crime and Disorder Act 1998 (c. 37), in subsection (10)(b), after “nominated by” insert “ a person appointed as director of children’s services under section 18 of the Children Act 2004 or by ”.

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