



# Children Act 2004

## 2004 CHAPTER 31

### PART 2

#### CHILDREN'S SERVICES IN ENGLAND

##### *General*

### **10 Co-operation to improve well-being**

- (1) Each [<sup>F1</sup>local authority] in England must make arrangements to promote co-operation between—
  - (a) the authority;
  - (b) each of the authority's relevant partners; and
  - (c) such other persons or bodies as the authority consider appropriate, being persons or bodies of any nature who exercise functions or are engaged in activities in relation to children in the authority's area.
- (2) The arrangements are to be made with a view to improving the well-being of children in the authority's area so far as relating to—
  - (a) physical and mental health and emotional well-being;
  - (b) protection from harm and neglect;
  - (c) education, training and recreation;
  - (d) the contribution made by them to society;
  - (e) social and economic well-being.
- (3) In making arrangements under this section a [<sup>F1</sup>local authority] in England must have regard to the importance of parents and other persons caring for children in improving the well-being of children.
- (4) For the purposes of this section each of the following is a relevant partner of a [<sup>F1</sup>local authority] in England—
  - (a) where the authority is a county council for an area for which there is also a district council, the district council;

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- (b) [<sup>F2</sup>the local policing body] and the chief officer of police for a police area any part of which falls within the area of the [<sup>F1</sup>local authority];
  - (c) a local probation board for an area any part of which falls within the area of the authority;
  - [<sup>F3</sup>(ca) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007, so far as they are exercisable in relation to England;
  - (cb) any provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act 2007 to act as a relevant partner of the authority;]
  - (d) a youth offending team for an area any part of which falls within the area of the authority;
  - [<sup>F4</sup>(da) the National Health Service Commissioning Board;]
  - [<sup>F5</sup>(db) any clinical commissioning group for an area any part of which falls within the area of the authority;]
  - <sup>F6</sup>(e) .....
  - (f) a person providing services [<sup>F7</sup>in pursuance of section 68 of the Education and Skills Act 2008] in any part of the area of the authority;
  - [<sup>F8</sup>(fa) the governing body of a maintained school that is maintained by the authority <sup>F9</sup> . . . . ;
  - (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.]
  - (g) <sup>F10</sup> .....
- (5) The relevant partners of a [<sup>F1</sup>local authority] in England must co-operate with the authority in the making of arrangements under this section.
- [<sup>F11</sup>(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.]
- (6) <sup>F12</sup> .....
- (7) <sup>F12</sup> .....
- (8) A [<sup>F1</sup>local authority] in England and each of their relevant partners must in exercising their functions under this section have regard to any guidance given to them for the purpose by the Secretary of State.
- (9) Arrangements under this section may include arrangements relating to—
- (a) persons aged 18 and 19;
  - (b) persons over the age of 19 who are receiving services under sections 23C to 24D of the Children Act 1989 (c. 41);

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- (c) persons over the age of 19 but under the age of 25 who have a learning difficulty, within the meaning of [F13]section 15ZA(6) and (7) of the Education Act 1996], and are receiving services under [F14]section 15ZA of the Education Act 1996 or section F15. . . 86 or 87 of the Apprenticeships, Skills, Children and Learning Act 2009].

[F16](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 [F1]local 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 [F1]local authority] in England;

(b) a relevant partner of a [F1]local authority] in England.]

#### Textual Amendments

- F1** Words in Pt. 2 substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010](#) (S.I. 2010/1158), arts. 1, 5(1), **Sch. 2 para. 55(2)**
- F2** Words in s. 10(4)(b) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011](#) (c. 13), ss. 99, 157(1), **Sch. 16 para. 331**; S.I. 2011/3019, **art. 3**, Sch. 1
- F3** S. 10(4)(ca)(cb) inserted (1.4.2008) by [Offender Management Act 2007](#) (c. 21), ss. 39, 41(1), **Sch. 3 para. 4(2)**; S.I. 2008/504, **art. 3**
- F4** S. 10(4)(da) inserted (1.4.2013) by [Health and Social Care Act 2012](#) (c. 7), s. 306(4), **Sch. 5 para. 128(a)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F5** S. 10(4)(db) inserted (1.4.2013) by [Health and Social Care Act 2012](#) (c. 7), s. 306(4), **Sch. 5 para. 128(b)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F6** S. 10(4)(e) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012](#) (c. 7), s. 306(4), **Sch. 5 para. 128(c)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F7** Words in s. 10(4)(f) substituted (26.1.2009) by [Education and Skills Act 2008](#) (c. 25), ss. 169(1), 173(4), **Sch. 1 para. 83**; S.I. 2008/3077, **art. 4**
- F8** S. 10(4)(fa)-(fe) inserted (12.1.2010) by [Apprenticeships, Skills, Children and Learning Act 2009](#) (c. 22), ss. 193(2)(a), 269; S.I. 2009/3317, **art. 2**, Sch.
- F9** Words in s. 10(4)(fa) repealed (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010](#) (S.I. 2010/1158), arts. 1, 5(1)(2), Sch. 2 para. 55(3), **Sch. 3 Pt. 2**
- F10** S. 10(4)(g) repealed (1.4.2010) by [Apprenticeships, Skills, Children and Learning Act 2009](#) (c. 22), ss. 193(2)(b), 266, 269, **Sch. 16 Pt. 5**; S.I. 2010/303, **art. 3**, Sch. 2

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- F11** S. 10(5A) inserted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 193(3), 269**; S.I. 2009/3317, **art. 2**, Sch.
- F12** S. 10(6)(7) repealed (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), ss. 193(4), 266, 269, **Sch. 16 Pt. 5**; S.I. 2009/3317, **art. 2**, Sch.
- F13** Words in s. 10(9)(c) substituted (1.4.2010) by The Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (England and Wales) Order 2010 (S.I. 2010/1080), art. 1(2), **Sch. 1 para. 52(a)** (with art. 2(3))
- F14** Words in s. 10(9)(c) substituted (1.4.2010) by The Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (England and Wales) Order 2010 (S.I. 2010/1080), art. 1(2), **Sch. 1 para. 52(b)** (with art. 2(3))
- F15** Words in s. 10(9)(c) omitted (1.4.2012) by virtue of the Education Act 2011 (c. 21), ss. 67(1), 82(3), **Sch. 16 para. 23**; S.I. 2012/924, art. 2
- F16** S. 10(10)(11) inserted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 193(5), 269**; S.I. 2009/3317, **art. 2**, Sch.

**Modifications etc. (not altering text)**

- C1** S. 10 applied (with modifications) (E.) (30.4.2010) by The Education (Pupil Referral Units) (Application of Enactments) (England) Regulations 2007 (S.I. 2007/2979), Sch. 1 para. 20A (as inserted by S.I. 2010/1074, **reg. 3**)
- C2** S. 10 applied (with modifications) by S.I. 2007/2979, Sch. 1 para. 20B (as inserted (1.9.2012) by The Education (Pupil Referral Units) (Application of Enactments) (England) (Amendment) Regulations 2012 (S.I. 2012/1201), regs. 1(3), **3**)

**Commencement Information**

- I1** S. 10 not in force at Royal Assent see s. 67(2); s. 10 in force for E. at 1.4.2005 by S.I. 2005/394, **art. 2(2)**

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