



# Children Act 2004

## 2004 CHAPTER 31

### PART 2

#### CHILDREN'S SERVICES IN ENGLAND

##### *General*

## 11 Arrangements to safeguard and promote welfare

(1) This section applies to each of the following—

- (a) a [<sup>F1</sup>local authority] in England;
- (b) a district council which is not such an authority;
- [<sup>F2</sup>(ba) [<sup>F3</sup>NHS England];]
- [<sup>F4</sup>(bb) an integrated care board;]
- <sup>F5</sup>(c) .....
- (d) a Special Health Authority, so far as exercising functions in relation to England, designated by order made by the Secretary of State for the purposes of this section;
- <sup>F6</sup>(e) .....
- (f) an NHS trust all or most of whose hospitals, establishments and facilities are situated in England;
- (g) an NHS foundation trust;
- (h) the [<sup>F7</sup>local policing body] and chief officer of police for a police area in England;
- (i) the British Transport Police Authority, so far as exercising functions in relation to England;
- [<sup>F8</sup>(ia) the National Crime Agency;]
- (j) a local probation board for an area in England;
- [<sup>F9</sup>(ja) 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;]

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*Changes to legislation: Children Act 2004, Section 11 is up to date with all changes known to be in force on or before 28 February 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) View outstanding changes*

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- (k) a youth offending team for an area in England;
  - (l) the governor of a prison or secure training centre in England (or, in the case of a contracted out prison or secure training centre, its director);
  - [<sup>F10</sup>(la) the principal of a secure college in England;]
  - (m) any person to the extent that he is providing services [<sup>F11</sup>in pursuance of section 74 of the Education and Skills Act 2008].
- (2) Each person and body to whom this section applies must make arrangements for ensuring that—
- (a) their functions are discharged having regard to the need to safeguard and promote the welfare of children; and
  - (b) any services provided by another person pursuant to arrangements made by the person or body in the discharge of their functions are provided having regard to that need.
- (3) In the case of a [<sup>F1</sup>local authority] in England, the reference in subsection (2) to functions of the authority does not include functions to which section 175 of the Education Act 2002 (c. 32) applies.
- (4) Each person and body to whom this section applies must in discharging their duty under this section have regard to any guidance given to them for the purpose by the Secretary of State.

#### 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** S. 11(1)(ba) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 129(a)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F3** Words in s. 11 substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), Sch. 1 para. 1(1)(2); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F4** S. 11(1)(bb) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 4 para. 75**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F5** S. 11(1)(c) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 129(c)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F6** S. 11(1)(e) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 129(d)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F7** Words in s. 11(1)(h) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), ss. 99, 157(1), **Sch. 16 para. 332**; S.I. 2011/3019, art. 3, Sch. 1
- F8** S. 11(1)(ia) inserted (7.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), ss. 8(1), 61(2); S.I. 2013/1682, art. 3(j)
- F9** S. 11(1)(ja) inserted (1.4.2008) by [Offender Management Act 2007 \(c. 21\)](#), ss. 39, 41(1), **Sch. 3 para. 4(3)**; S.I. 2008/504, art. 3
- F10** S. 11(1)(la) inserted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), **Sch. 9 para. 14**; S.I. 2015/778, art. 2(1)(c)
- F11** Words in s. 11(1)(m) substituted (26.1.2009) by [Education and Skills Act 2008 \(c. 25\)](#), ss. 169(1), 173(4), **Sch. 1 para. 84**; S.I. 2008/3077, art. 4

#### Commencement Information

- I1** S. 11 not in force at Royal Assent see s. 67(2); s. 11 in force at 1.3.2005 for certain purposes for E. and at 1.10.2005 otherwise for E. by S.I. 2005/394, art. 2(1)(4)

**Changes to legislation:**

Children Act 2004, Section 11 is up to date with all changes known to be in force on or before 28 February 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.

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**Changes and effects yet to be applied to :**

- s. 11(1)(f) omitted by [2012 c. 7 Sch. 14 para. 97](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 26(1AA) inserted by [2014 anaw 4 s. 14\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 26 already repealed (1.4.2016) by [2015 anaw 2, s. 56\(2\), Sch. 4 para. 13](#); [S.I. 2016/86, art. 3](#))