



Education and Inspections Act 2006

2006 CHAPTER 40

PART 8

INSPECTIONS

CHAPTER 4

INSPECTION AND REVIEW OF LOCAL AUTHORITIES IN ENGLAND

Functions to which this Chapter applies

135 Functions to which this Chapter applies and related activities

- (1) This Chapter applies to the following functions of a local authority in England—
- (a) the functions conferred on the authority under Part 1 of the Childcare Act 2006 (c. 21),
 - (b) the functions conferred on or exercisable by the authority in their capacity as a local education authority,
 - (c) the functions conferred on the authority under sections 10, 12 and 17 to 19 of the Children Act 2004 (c. 31),
 - (d) the social services functions (within the meaning of the Local Authority Social Services Act 1970 (c. 42)) of the authority, so far as relating to persons aged under 18,
 - (e) (whether or not within paragraph (d)) functions conferred on or exercisable by the authority under the Children Act 1989 (c. 41), the Adoption (Intercountry Aspects) Act 1999 (c. 18) or the Adoption and Children Act 2002 (c. 38) and functions continuing to be exercisable by the authority under the Adoption Act 1976 (c. 36), and
 - (f) such other functions of the authority as may be prescribed by regulations made by the Secretary of State.

Status: Point in time view as at 08/11/2006. This version of this provision has been superseded.

Changes to legislation: Education and Inspections Act 2006, Section 135 is up to date with all changes known to be in force on or before 03 April 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)

- (2) In this Chapter “related activity”, in relation to a function to which this Chapter applies, means (subject to subsections (3) and (4)) anything done in any place by, or pursuant to arrangements made by, the authority under section 2(1)(a) or (b) of the Local Government Act 2000 (c. 22) (promotion of economic and social well-being) which is similar in nature to anything which could be done by the authority in the performance of the function in question.
- (3) In relation to a function within subsection (1)(c), (d) or (e), anything done as mentioned in subsection (2) is a “related activity” only if it is done in relation to or for the benefit of—
- (a) persons aged under 18,
 - (b) persons aged 18 or over in relation to whom the authority have functions under any of sections 23C to 24D of the Children Act 1989, or
 - (c) persons not within paragraph (a) or (b) in connection with adoption or special guardianship.

In paragraph (c) “special guardianship” means special guardianship under sections 14A to 14G of the Children Act 1989.

- (4) In relation to a function prescribed by regulations under subsection (1)(f), anything done as mentioned in subsection (2) is a “related activity” only if it is prescribed as such by the regulations.
- (5) On the coming into force of this Chapter the Commission for Social Care Inspection is to cease to have functions under Chapter 5 of Part 2 of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) in relation to anything which may be inspected by the Chief Inspector under this Chapter.

Commencement Information

- II** S. 135 partly in force; s. 135 in force at 8.11.2006 in so far as it confers power to make subordinate legislation see s. 188(1)

Status:

Point in time view as at 08/11/2006. This version of this provision has been superseded.

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