

*These notes refer to the Children and Families Act 2014  
(c.6) which received Royal Assent on 13 March 2014*

# **CHILDREN AND FAMILIES ACT 2014**

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## **EXPLANATORY NOTES**

**ANNEX B: TERRITORIAL EXTENT AND APPLICATION TABLE:**

<b>Section Number</b>	<b>Title</b>	<b>Application of Section</b>
<b><i>PART 1</i></b>		
<b><i>ADOPTION AND CONTACT</i></b>		
<b><i>Adoption</i></b>		
1	Contact between prescribed persons and adopted person's relatives	England and Wales only
2	Placement of looked after children with prospective adopters	England only
3	Repeal of requirement to give due consideration to ethnicity: England	England only
4	Recruitment, assessment and approval of prospective adopters	England only
5	Adoption support services: personal budgets	England only
6	Adoption support services: duty to provide information	England only
7	The Adoption and Children Act Register	England, Wales and Scotland
<b><i>Contact</i></b>		
8	Contact: children in care of local authorities	England and Wales only
9	Contact: post-adoption	England and Wales only
<b>PART 2</b>		
<b>FAMILY JUSTICE</b>		
10	Family mediation information and assessment meetings	England and Wales only
11	Welfare of the child: parental involvement	England and Wales only
12	Child arrangements orders	England and Wales only
13	Control of expert evidence, and of assessments, in children proceedings	England and Wales only
14	Care, supervision and other family proceedings: time limits and timetables	England and Wales only
15	Care plans	England and Wales only
16	Care proceedings and care plans: regulations: procedural requirements	England and Wales only
17	Repeal of restrictions on divorce and dissolution etc where there are children	England and Wales only
18	Repeal of uncommenced provisions of Part 2 of the Family Law Act 1996	England and Wales only
<b>PART 3</b>		
<b>CHILDREN AND YOUNG PEOPLE IN ENGLAND WITH SPECIAL EDUCATIONAL NEEDS OR DISABILITIES</b>		

<b>Section Number</b>	<b>Title</b>	<b>Application of Section</b>
<b>Local authority functions: general principles</b>		
19	Local authority functions: supporting and involving children and young people	England only
<b>Special educational needs etc</b>		
20	When a child or young person has special educational needs	England only
21	Special educational provision, health care provision and social care provision	England only
<b>Identifying children and young people with special educational needs and disabilities</b>		
22	Identifying children and young people with special educational needs and disabilities	England only
23	Duty of health bodies to bring certain children to local authority's attention	England only
<b>Children and young people for whom a local authority is responsible</b>		
24	When a local authority is responsible for a child or young person	England only
<b>Education, health and care provision: integration and joint commissioning</b>		
25	Promoting integration	England only
26	Joint commissioning arrangements	England only
<b>Review of education and care provision</b>		
27	Duty to keep education and care provision under review	England only
<b>Co-operation and assistance</b>		
28	Co-operating generally: local authority functions	England only
29	Co-operating generally: governing body functions	England only
<b>Information and advice</b>		
30	Local offer	England only
31	Co-operating in specific cases: local authority functions	England only
32	Advice and information	England only
<b>Mainstream education</b>		
33	Children and young people with EHC plans	England only
34	Children and young people with special educational needs but no EHC plan	England only
35	Children with SEN in maintained nurseries and mainstream schools	England only
<b>Assessment</b>		
36	Assessment of education, health and care needs	England only

<b>Section Number</b>	<b>Title</b>	<b>Application of Section</b>
<b>Education, health and care plans</b>		
37	Education, health and care plans	England only
38	Preparation of EHC plans: draft plan	England only
39	Finalising EHC plans: request for particular school or other institution	England only
40	Finalising EHC plans: no request for particular school or other institution	England only
41	Independent special schools and special post-16 institutions: approval	England only
42	Duty to secure special educational provision and health care provision in accordance with EHC Plan	England only
43	Schools and other institutions named in EHC plan: duty to admit	England only
44	Reviews and re-assessments	England only
45	Ceasing to maintain an EHC plan	England only
46	Maintaining an EHC plan after young person's 25th birthday	England only
47	Transfer of EHC plans	England only
48	Release of child or young person for whom EHC plan previously maintained	England only
49	Personal budgets and direct payments	England only
50	Continuation of services under section 17 of the Children Act 1989	England only
<b>Appeals, mediation and dispute resolution</b>		
51	Appeals	England only
52	Right to mediation	England only
53	Mediation: health care issues	England only
54	Mediation: educational and social care issues etc	England only
55	Mediation	England only
56	Mediation: supplementary	England only
57	Resolution of disagreements	England only
58	Appeals and claims by children: pilot schemes	England only
59	Appeals and claims by children: follow-up provision	England only
60	Equality Act 2010: claims against schools by disabled young people	England and Wales only
<b>Special educational provision: functions of local authorities</b>		
61	Special educational provision otherwise than in schools, post-16 institutions etc	England only

<b>Section Number</b>	<b>Title</b>	<b>Application of Section</b>
62	Special educational provision outside England and Wales	England only
53	Fees for special educational provision at non-maintained schools and post-16 institutions	England only
64	Supply of goods and services	England only
65	Access to schools, post-16 institutions and other institutions	England only
<b>Special educational provision: functions of governing bodies and others</b>		
66	Using best endeavours to secure special educational provision	England only
67	SEN co-ordinators	England only
68	Informing parents and young people	England only
69	SEN information report	England only
<b>Detained persons</b>		
70	Application of Part to detained persons	England and Wales only
71	Assessment of post-detention education, health and care needs of detained persons	England only
72	Securing EHC plans for certain detained persons	England only
73	EHC plans for certain detained persons: appeals and mediation	England only
74	Duty to keep EHC plans for detained persons	England only
75	Supply of goods and services: detained persons	England only
<b>Information to improve well-being of children and young people with SEN</b>		
76	Provision and publication of special needs information	England only
<b>Code of practice</b>		
77	Code of practice	England only
78	Making and approval of code	England only
79	Review of resolution of disagreements	England only
<b>Supplementary</b>		
80	Parents and young people lacking capacity	England only
81	Disapplication of Chapter 1 of Part 4 of EA 1996 in relation to children in England	England only
82	Consequential amendments	England only
83	Interpretation of Part 3	England only
<b>PART 4</b>		
<b>CHILDCARE ETC</b>		
84	Childminder agencies	England only

<b>Section Number</b>	<b>Title</b>	<b>Application of Section</b>
85	Inspections at request of providers of childcare to young children	England only
86	Repeal of local authority's duty to assess sufficiency of childcare provision	England only
87	Discharge of authority's duty to secure free early years provision	England only
88	Governing bodies: provision of community facilities	England only
89	Childcare costs scheme: preparatory expenditure	England only
<b>PART 5</b>		
<b>WELFARE OF CHILDREN</b>		
90	Extension of licensing of child performances to children under 14	England and Wales only
91	Purchase of tobacco etc. on behalf of persons under 18	England and Wales only
92	Prohibition of sale of nicotine products to persons under 18	England and Wales only
93	Amendments consequential on section 92	England and Wales only
94	Regulation of retail packaging etc of tobacco products	UK-wide
95	Protection of children's health: offence of smoking in a private vehicle	England and Wales only
96	Young carers	England only
97	Parent carers	England only
98	Arrangement for living with former foster parents after reaching adulthood	England only
99	Promotion of educational achievement of children looked after by local authorities	England only
100	Duty to support pupils with medical conditions	England only
101	Local authority functions relating to children etc: intervention	England and Wales only
102	Application of suspension etc powers to establishments and agencies in England	England only
103	Objectives and standards for establishments and agencies in England	England only
104	National minimum standards for establishments and agencies in England	England only
105	Disqualification from carrying on, or being employed in, a children's home	England only
106	Provision of free school lunches	England only
<b>PART 6</b>		

Section Number	Title	Application of Section
<b>THE CHILDREN'S COMMISSIONER</b>		
107	Primary function of the Children's Commissioner	England primarily. Applies to Scotland, Wales and Northern Ireland where the Children's Commissioner's role in promoting and protecting the rights of children is in relation to non-devolved matters.
108	Provision by Commissioner of advice and assistance to certain children	England primarily. Applies to Scotland, Wales and Northern Ireland where the Children's Commissioner's role in promoting and protecting the rights of children is in relation to non-devolved matters.
109	Commissioner's powers to enter premises	England primarily. Applies to Scotland, Wales and Northern Ireland where the Children's Commissioner's role in promoting and protecting the rights of children is in relation to non-devolved matters.
110	Provision of information to Commissioner	England primarily. Applies to Scotland, Wales and Northern Ireland where the Children's Commissioner's role in promoting and protecting the rights of children is in relation to non-devolved matters.
111	Advisory board	England primarily. Applies to Scotland, Wales and Northern Ireland where the Children's Commissioner's role in promoting and protecting the rights of children is in relation to non-devolved matters.
112	Business plans	England primarily. Applies to Scotland, Wales and Northern Ireland where the Children's Commissioner's role in promoting and protecting the rights of children is in relation to non-devolved matters.
113	Annual reports	England primarily. Applies to Scotland, Wales and

<b>Section Number</b>	<b>Title</b>	<b>Application of Section</b>
		Northern Ireland where the Children's Commissioner's role in promoting and protecting the rights of children is in relation to non-devolved matters.
114	Children living away from home or receiving social care	England primarily. Applies to Scotland, Wales and Northern Ireland where the Children's Commissioner's role in promoting and protecting the rights of children is in relation to non-devolved matters.
115	Children's Commissioner: minor and consequential amendments	England primarily. Applies to Scotland, Wales and Northern Ireland where the Children's Commissioner's role in promoting and protecting the rights of children is in relation to non-devolved matters.
116	Repeal of requirement to appoint Children's Rights Director	England primarily. Applies to Scotland, Wales and Northern Ireland where the Children's Commissioner's role in promoting and protecting the rights of children is in relation to non-devolved matters.
<b>PART 7</b>		
<b>STATUTORY RIGHTS TO LEAVE AND PAY</b>		
<b>Shared parental leave</b>		
117	Shared parental leave	England, Wales and Scotland only
118	Exclusion or curtailment of other statutory rights to leave	England, Wales and Scotland only
<b>Statutory shared parental pay</b>		
119	Statutory shared parental pay	England, Wales and Scotland only
120	Exclusion or curtailment of other statutory rights to pay	England, Wales and Scotland only
<b>Other statutory rights</b>		
121	Statutory rights to leave and pay of prospective adopters with whom looked after children are placed	England, Wales and Scotland only



<b>Section Number</b>	<b>Title</b>	<b>Application of Section</b>
122	Statutory rights to leave and pay of applicants for parental orders	England, Wales and Scotland only
123	Statutory paternity pay: notice requirement and period of payment	England, Wales and Scotland only
124	Rate of statutory adoption pay	England, Wales and Scotland only
125	Abolition of additional paternity leave and additional statutory paternity pay	England, Wales and Scotland only
<b>Further amendments</b>		
126	Further amendments	In part England, Wales and Scotland; in part Northern Ireland
<b>PART 8</b>		
<b>TIME OFF WORK: ANTE-NATAL CARE ETC</b>		
127	Time off work to accompany to ante-natal appointments	England, Wales and Scotland only
128	Time off work to attend adoption appointments	England, Wales and Scotland only
129	Right not to be subjected to detriment: agency workers	England, Wales and Scotland only
130	Time off work for ante-natal care: increased amount of award	England, Wales and Scotland only
<b>PART 9</b>		
<b>RIGHT TO REQUEST FLEXIBLE WORKING</b>		
131	Removal of requirement to be a carer	England, Wales and Scotland only
132	Dealing with applications	England, Wales and Scotland only
133	Complaints to employment tribunals	England, Wales and Scotland only
134	Review of sections 131 to 133	England, Wales and Scotland only
<b>PART 10</b>		
<b>GENERAL PROVISIONS</b>		
135	Orders and regulations	UK-Wide
136	Consequential amendments, repeals and revocations	UK-Wide
137	Transitional, transitory or saving provision	UK-Wide
138	Financial provision	UK-Wide
139	Commencement	UK-Wide
140	Short title and extent	UK-Wide