

*Status: This is the original version (as it was originally enacted).*

SCHEDULE 2

(introduced by section 143)

SOCIAL SERVICES FUNCTIONS

TABLE 1

Enactment	Nature of functions
<b>Children and Young Persons Act 1933</b> Sections 34 and 34A	Protection of the young in relation to criminal and summary proceedings.
<b>Health Services and Public Health Act 1968</b> Section 65	Financial and other assistance by local authorities to certain voluntary organisations.
<b>Children and Young Persons Act 1969</b> The whole Act	Care and other treatment of children and young persons through court proceedings.
<b>Adoption Act 1976</b>	Functions continuing to be exercisable by virtue of any transitional or saving provision made by or under the Adoption and Children Act 2002.
<b>Mental Health Act 1983</b> Parts 2, 3 and 4; Sections 66, 67, 69(1), 114, 115, 116, 117 and 130	Welfare of the mentally disordered; guardianship of persons suffering from mental disorder including such persons removed to England and Wales from Scotland or Northern Ireland; exercise of functions of nearest relative of person so suffering; exercise of functions of nearest relative in relation to applications and references to the First-tier Tribunal or the Mental Health Review Tribunal for Wales; appointment of approved mental health professionals; entry and inspection; welfare of certain hospitals; after-care of detained patients; prosecutions.
<b>Public Health (Control of Disease) Act 1984</b> Section 46(2) and (5)	Burial or cremation of person dying in accommodation provided under Part 2 of this Act and recovery of expenses from the person's estate.
<b>Mental Health (Scotland) Act 1984</b> Section 10	Welfare of certain persons while in hospital in Scotland.
<b>Disabled Persons (Services, Consultation and Representation) Act 1986</b> Sections 1 to 3 and 5(5)	Representation and assessment of disabled persons.
<b>Housing (Scotland) Act 1987</b> Section 38(b)	Co-operation in relation to homeless persons and persons threatened with homelessness.
<b>Children Act 1989</b> The whole Act, except section 36 and paragraphs 12 to 19(1) of Schedule 3 (education supervision orders), in so far as it	Welfare reports; consent to application for residence order in respect of child in care; functions relating to special guardianship orders; family assistance orders; care and supervision; protection of children;

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confers functions on a local authority within the meaning of that Act.	functions in relation to community homes, voluntary homes and voluntary organisations, registered children's homes, and private arrangements for fostering children; inspection of children's homes on behalf of Secretary of State; research and returns of information; functions in relation to children accommodated by Local Health Boards, Primary Care Trusts, National Health Service trusts or local authorities in the exercise of education functions or in care homes, independent hospitals or schools.
<b>Housing Act 1996</b> Section 213(1)(b)	Co-operation in relation to homeless persons and persons threatened with homelessness.
<b>Education Act 1996</b> Section 322	Help for another local authority in exercising functions under Part 4 of the Act.
<b>Adoption (Intercountry Aspects) Act 1999</b> Sections 1 and 2(4)	Functions under regulations made under section 1 giving effect to the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, concluded at the Hague on 29th May 1993, and functions under Article 9(a) to (c) of the Convention.
<b>Adoption and Children Act 2002</b>	Maintenance of Adoption Service; functions of local authority as adoption agency.
<b>Community Care (Delayed Discharges etc) Act 2003</b> Part 1	Functions relating to hospital patients likely to need community care services to be made available in order to be discharged safely.
<b>Mental Capacity Act 2005</b> Sections 39, 39A, 39C, 39D, 49 and Schedule A1	Instructing independent mental capacity advocate before providing accommodation for person lacking capacity; instructing independent mental capacity advocate when giving an urgent authorisation, or making a request for a standard authorisation, under Schedule A1 to the Act; instructing independent mental capacity advocate when no representative for relevant person under Part 10 of Schedule A1 to the Act; instructing independent mental capacity advocate when representative for relevant person under Part 10 of Schedule A1 to the Act is not being paid; reports in proceedings; functions relating to hospital and care home residents.
<b>Children and Families (Wales) Measure 2010</b> Section 66	Family social work standards officers.

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<b>Enactment</b>	<b>Nature of functions</b>
<b>Mental Health (Wales) Measure 2010</b> Parts 1 to 3	Local primary mental health support services, coordination of and care planning for secondary mental health service users, assessments of former users of secondary mental health services.
<b>Legal Aid, Sentencing and Punishment of Offenders Act 2012</b> Section 92	Functions in relation to a child remanded to local authority accommodation.
<b>Care Act 2014</b> Sections 50 and 52	Temporary duty to meet needs for care and support (or needs for support) where establishment or agency unable to do so because of business failure.
<b>This Act</b> The whole Act, except the functions under sections 15(4) (in so far as it relates to other functions that are not social services functions), 120(2), 128(1) and (2), 130(1) and (2), 162 and section 164.	Preventative services; care and support; support for carers; looked after and accommodated children; safeguarding adults and children.

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