

Status:  Law In Force

## **Children Act 2004 c. 31**

### **Part 2 CHILDREN'S SERVICES IN ENGLAND**

#### **General**

This version in force from: **September 1, 2014** to **present**

(version 10 of 10)

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

(1) Each [local authority] <sup>1</sup>

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 [local authority] <sup>1</sup>

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 [local authority] <sup>1</sup>

in England—

(a) where the authority is a county council for an area for which there is also a district council, the district council;

(b) [the local policing body] <sup>2</sup>

and the chief officer of police for a police area any part of which falls within the area of the [local authority] <sup>1</sup>

;

(c) a local probation board for an area any part of which falls within the area of the authority;

[

(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;

] <sup>3</sup>

(d) a youth offending team for an area any part of which falls within the area of the authority;

[

(da) the National Health Service Commissioning Board;

] <sup>4</sup>

[

(db) any clinical commissioning group for an area any part of which falls within the area of the authority;

] <sup>5</sup>

[...] <sup>6</sup>

(f) a person providing services [in pursuance of [section 68](#) of the [Education and Skills Act 2008](#)] <sup>7</sup>

in any part of the area of the authority;

[

(fa) the governing body of a maintained school that is maintained by the authority [...] <sup>9</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](#).

] <sup>8</sup>

[...] <sup>10</sup>

(5) The relevant partners of a [local authority] <sup>1</sup>

in England must co-operate with the authority in the making of arrangements under this section.

[(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.

] <sup>11</sup>

[...] <sup>12</sup>

(8) A [local authority] <sup>1</sup>

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 \(c. 41\)](#);

(c) persons over the age of 19 but under the age of 25 [—] <sup>13</sup>

[(i) for whom an EHC plan is maintained, or

(ii) who have a learning difficulty or disability, within the meaning of [section 15ZA\(6\) and \(7\)](#) of the [Education Act 1996](#), and are receiving services under [section 15ZA](#) of the [Education Act 1996](#) or [section 86 or 87](#) of the [Apprenticeships, Skills, Children and Learning Act 2009](#).

] <sup>13</sup>

[(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 [local authority] <sup>1</sup>

, 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 [local authority] <sup>1</sup>

in England;

(b) a relevant partner of a [local authority] <sup>1</sup>

in England.

] <sup>14</sup>

## Notes

1. Words substituted by Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010/1158 [Sch.2\(2\) para.55\(2\)](#) (May 5, 2010)
2. Words substituted by Police Reform and Social Responsibility Act 2011 c. 13 [Sch.16\(3\) para.331](#) (January 16, 2012)
3. Added by Offender Management Act 2007 c. 21 [Sch.3\(1\) para.4\(2\)](#) (April 1, 2008)
4. Added by Health and Social Care Act 2012 c. 7 [Sch.5 para.128\(a\)](#) (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)
5. Added by Health and Social Care Act 2012 c. 7 [Sch.5 para.128\(b\)](#) (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)
6. Repealed by Health and Social Care Act 2012 c. 7 [Sch.5 para.128\(c\)](#) (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)
7. Words substituted by Education and Skills Act 2008 c. 25 [Sch.1\(2\) para.83](#) (January 26, 2009)
8. Added by Apprenticeships, Skills, Children and Learning Act 2009 c. 22 [Pt 9 s.193\(2\)\(a\)](#) (January 12, 2010)
9. Words repealed by Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010/1158 [Sch.3\(2\) para.1](#) (May 5, 2010)
10. Repealed by Apprenticeships, Skills, Children and Learning Act 2009 c. 22 [Sch.16\(5\) para.1](#) (April 1, 2010 as SI 2010/303)
11. Added by Apprenticeships, Skills, Children and Learning Act 2009 c. 22 [Pt 9 s.193\(3\)](#) (January 12, 2010)
12. Repealed by Apprenticeships, Skills, Children and Learning Act 2009 c. 22 [Sch.16\(5\) para.1](#) (January 12, 2010 as SI 2009/3317)
13. Existing text renumbered as s.10(9)(c)(ii), words and s.10(9)(c)(i) inserted by Children and Families Act 2014 c. 6 [Sch.3\(2\) para.80](#) (September 1, 2014)
14. Added by Apprenticeships, Skills, Children and Learning Act 2009 c. 22 [Pt 9 s.193\(5\)](#) (January 12, 2010)

## Modifications

Pt 2 s. 10(4)(fa)	Modified by <a href="#">Education (Pupil Referral Units) (Application of Enactments) (England) Regulations 2007/2979, Sch. 1(1) para. 20A(2)</a>
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## Children Act 2004 c. 31

### Part 2 CHILDREN'S SERVICES IN ENGLAND

#### General

This version in force from: **March 20, 2015** to **present**

(version 8 of 8)

### 11 Arrangements to safeguard and promote welfare

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

(a) a [local authority] <sup>1</sup>

in England;

(b) a district council which is not such an authority;

[

(ba) the National Health Service Commissioning Board;

] <sup>2</sup>

[

(bb) a clinical commissioning group;

] <sup>3</sup>

[...] <sup>4</sup>

(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>5</sup>

(f) an NHS trust all or most of whose hospitals, establishments and facilities are situated in England;

(g) an NHS foundation trust;

(h) the [local policing body] <sup>6</sup>  
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;

[(ia) the National Crime Agency;

] <sup>7</sup>

(j) a local probation board for an area in England;

[

(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;

] <sup>8</sup>

(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);

[

(la) the principal of a secure college in England;



] <sup>9</sup>

(m) any person to the extent that he is providing services [in pursuance of [section 74](#) of the [Education and Skills Act 2008](#)] <sup>10</sup>

(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 [local authority] <sup>1</sup>

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.

## Notes

1. Words substituted by Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010/1158 [Sch.2\(2\) para.55\(2\)](#) (May 5, 2010)
2. Added by Health and Social Care Act 2012 c. 7 [Sch.5 para.129\(a\)](#) (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)
3. Added by Health and Social Care Act 2012 c. 7 [Sch.5 para.129\(b\)](#) (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)
4. Repealed by Health and Social Care Act 2012 c. 7 [Sch.5 para.129\(c\)](#) (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)
5. Repealed by Health and Social Care Act 2012 c. 7 [Sch.5 para.129\(d\)](#) (April 1, 2013 subject to savings and transitional provisions specified in SI 2013/160 arts 5-9)
6. Words substituted by Police Reform and Social Responsibility Act 2011 c. 13 [Sch.16\(3\) para.332](#) (January 16, 2012)
7. Added by Crime and Courts Act 2013 c. 22 [Pt 1 s.8\(1\)](#) (October 7, 2013: insertion has effect as SI 2013/1682 subject to savings and transitional provisions specified in 2013 c.22 s.15 and Sch.8)
8. Added by Offender Management Act 2007 c. 21 [Sch.3\(1\) para.4\(3\)](#) (April 1, 2008)

[9](#) . Added by Criminal Justice and Courts Act 2015 c. 2 [Sch.9 para.14](#) (March 20, 2015)

[10](#) . Words substituted by Education and Skills Act 2008 c. 25 [Sch.1\(2\) para.84](#) (January 26, 2009)

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