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**Changes to legislation:** Children Act 1989, Cross Heading: Avoidance of disruption in education is up to date with all changes known to be in force on or before 28 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) View outstanding changes

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## SCHEDULES

### SCHEDULE 2

#### [<sup>F1</sup>SUPPORT FOR CHILDREN AND FAMILIES PROVIDED BY LOCAL AUTHORITIES IN ENGLAND]

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##### Textual Amendments

- F1** Sch. 2 heading substituted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **121**

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##### Modifications etc. (not altering text)

- C1** Sch. 2 modified (temp.) (12.2.2009 for E. and 31.3.2010 for W.) by [Children and Young Persons Act 2008 \(c. 23\)](#), ss. 8(3), 44, **Sch. 2 para. 2**; S.I. 2009/268, **art. 3(1)(b)**; S.I. 2010/749, **art. 2(a)**

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##### Commencement Information

- II** Sch. 2 wholly in force at 14.10.1991 see s. 108(2)(3) and [S.I. 1991/828](#), **art. 3(2)**

### PART II

#### CHILDREN LOOKED AFTER BY LOCAL AUTHORITIES [<sup>F1</sup>IN ENGLAND]

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##### Textual Amendments

- F1** Words in Sch. 2 Pt. 2 inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **112**

#### *[<sup>F1</sup>Avoidance of disruption in education*

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##### Textual Amendments

- F1** Sch. 2 paras. 12A-12G substituted for Sch. 2 paras. 12-14 (1.9.2009 for E., 26.4.2010 for W.) by [Children and Young Persons Act 2008 \(c. 23\)](#), ss. 8(2), 44, **Sch. 1 para. 4**; S.I. 2009/2273, art. 2(2)(b), [S.I. 2010/1329](#), art. 2(b)

- 12D (1) Regulations under section 22C may, in particular, impose requirements which a local authority must comply with before making any decision concerning a child's placement if he is in the fourth key stage [<sup>F2</sup>or within sub-paragraph (3)].
- (2) A child is “in the fourth key stage” if he is a pupil in the fourth key stage for the purposes of Part 6 [<sup>F3</sup>or 7] of the Education 2002 (see section 82 [<sup>F4</sup>and 103] of that Act).

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- [ A child is within this sub-paragraph if the child—
- <sup>F5</sup>(3) (a) is a pupil at a maintained school maintained by a local authority in Wales,  
 (b) has completed the school year in which the majority of pupils in the child’s class attained the age of 14, and  
 (c) is still of compulsory school age.
- (4) In sub-paragraph (3)—
- (a) “pupil”, “school year” and “compulsory school age” have the meaning given by the Education Act 1996;  
 (b) “maintained school” has the meaning given by section 20(7) of the School Standards and Framework Act 1998;  
 (c) “the child’s class” means—
- (i) the teaching group in which the child is regularly taught at school, or  
 (ii) where there are two or more such groups, the group designated by the head teacher of the child’s school.]]

#### Textual Amendments

- F2** Words in [Sch. 2 para. 12D\(1\)](#) inserted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(3), [Sch. 2 para. 1\(3\)\(a\)](#)
- F3** Words in [Sch. 2 para. 12D\(2\)](#) omitted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by virtue of [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(3), [Sch. 2 para. 1\(3\)\(b\)\(i\)](#)
- F4** Words in [Sch. 2 para. 12D\(2\)](#) omitted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by virtue of [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(3), [Sch. 2 para. 1\(3\)\(b\)\(ii\)](#)
- F5** [Sch. 2 para. 12D\(3\)\(4\)](#) inserted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(3), [Sch. 2 para. 1\(3\)\(c\)](#)

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**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. 4(1A)(aa) inserted by 2009 c. 24 Sch. 6 para. 21(3)
- s. 4(1C) inserted by 2009 c. 24 Sch. 6 para. 21(4)
- s. 4ZA(2)(aa) inserted by 2009 c. 24 Sch. 6 para. 22(3)
- s. 4ZA(3A) inserted by 2009 c. 24 Sch. 6 para. 22(4)
- s. 8(4)(k) inserted by 2021 c. 17 s. 52(1)
- s. 31A(4A) inserted by 2014 c. 6 s. 15(2)(b)