



Children Act 1989

1989 CHAPTER 41

PART III

[^{F1}SUPPORT FOR CHILDREN AND FAMILIES PROVIDED BY LOCAL AUTHORITIES IN ENGLAND]

[^{F1} Personal advisers and pathway plans]

[^{F1}24 Persons qualifying for advice and assistance.

[In this Part “a person qualifying for advice and assistance” means a person to whom ^{F2}(1) subsection (1A) or (1B) applies.

(1A) This subsection applies to a person—

- (a) who has reached the age of sixteen but not the age of twenty-one;
- (b) with respect to whom a special guardianship order is in force (or, if he has reached the age of eighteen, was in force when he reached that age); and
- (c) who was, immediately before the making of that order, looked after by a local authority.

(1B) This subsection applies to a person to whom subsection (1A) does not apply, and who—

- (a) is under twenty-one; and
- (b) at any time after reaching the age of sixteen but while still a child was, but is no longer, looked after, accommodated or fostered.]

(2) In [^{F3} subsection (1B)(b)], “looked after, accommodated or fostered” means—

- (a) looked after by a local authority [^{F4}(without subsequently being looked after by a local authority in Wales)];
- (b) accommodated by or on behalf of a voluntary organisation;
- (c) accommodated in a private children’s home;
- (d) accommodated for a consecutive period of at least three months—

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- (i) by any [^{F5} Local Health Board], Special Health Authority ^{F6} ... [^{F7} or by a local authority in the exercise of education functions], or
 - (ii) in any care home or independent hospital or in any accommodation provided [^{F8} pursuant to arrangements made by the Secretary of State, [^{F9} NHS England] or [^{F10} an integrated care board] under the National Health Service Act 2006 or] by a National Health Service trust [^{F11} or an NHS foundation trust][^{F12}, or by a local authority in Wales in the exercise of education functions]; or
 - (e) privately fostered.
- (3) Subsection (2)(d) applies even if the period of three months mentioned there began before the child reached the age of sixteen.
- (4) In the case of a person qualifying for advice and assistance by virtue of subsection (2) (a), it is the duty of the local authority which last looked after him to take such steps as they think appropriate to contact him at such times as they think appropriate with a view to discharging their functions under sections 24A and 24B.
- (5) In each of sections 24A and 24B, the local authority under the duty or having the power mentioned there (“ the relevant authority ”) is—
- [^{F13}(za) in the case of a person to whom subsection (1A) applies, a local authority determined in accordance with regulations made by the [^{F14} Secretary of State];]
 - (a) in the case of a person qualifying for advice and assistance by virtue of subsection (2)(a), the local authority which last looked after him; or
 - (b) in the case of any other person qualifying for advice and assistance, the local authority within whose area the person is (if he has asked for help of a kind which can be given under section 24A or 24B).]

Textual Amendments

- F1** Ss. 24, 24A, 24B, 24C substituted for s. 24 (1.10.2001) by 2000 c. 35, s. 4(1); S.I. 2001/2191, art. 2; S.I. 2001/2878, art. 2
- F2** S. 24(1)-(1B) substituted (30.12.2005) for s. 24(1) by 2002 c. 38, ss. 139, 148, Sch. 3 para. 60(a) (with Sch. 4 paras. 6-8); S.I. 2005/2213, art. 2(o)
- F3** Words in s. 24(2) substituted (30.12.2005) by 2002 c. 38, ss. 139, 148, Sch. 3 para. 60(b) (with Sch. 4 paras. 6-8); S.I. 2005/2213, art. 2(o)
- F4** Words in s. 24(2)(a) 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), 81(a)
- F5** Words in s. 24(2)(d)(i) substituted (1.4.2007) by The References to Health Authorities Order 2007 (S.I. 2007/961), arts. 2, 3, Sch. para. 20(2)(b)
- F6** Words in s. 24(2)(d)(i) omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 5 para. 49(a); S.I. 2013/160, art. 2(2) (with arts. 7-10 Sch. para. 14)
- F7** Words in s. 24(2)(d)(i) substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), arts. 1, 5(1), Sch. 2 para. 37(2)
- F8** Words in s. 24(2)(d)(ii) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 5 para. 49(b); S.I. 2013/160, art. 2(2) (with arts. 7-10 Sch. para. 14)
- F9** Words in s. 24 substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), Sch. 1 para. 1(1)(2); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F10** Words in s. 24(2)(d)(ii) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), Sch. 4 para. 29; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

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- F11** Words in s. 24(2)(d)(ii) inserted (1.4.2004) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 34, **Sch. 4 para. 76**; S.I. 2004/759, **art. 2**
- F12** Words in s. 24(2)(d)(ii) 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), **81(b)**
- F13** S. 24(5)(za) inserted (30.12.2005) by 2002 c. 38, ss. 139, 148, Sch. 3 para. 60(c) (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**
- F14** Words in s. 24(5)(za) 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), **81(c)**

Modifications etc. (not altering text)

- C1** S. 24(2)(c)(d)(ii) amended (*temp.* from 1.10.2001) by 2000 c. 35, **s. 4(2)(a)(b)**; S.I. 2001/2191, **art. 2**; S.I. 2001/2878, **art. 2**

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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)