



Children Act 2004

2004 CHAPTER 31

PART 2

CHILDREN'S SERVICES IN ENGLAND

[^{F1}Children's Trust Boards

Textual Amendments

- F1** Ss. 12A-12D and cross-heading inserted (26.2.2010 for certain purposes and 1.4.2010 otherwise) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), ss. **194(2)**, 269; S.I. 2010/303, arts. **2, 3**, Sch. 1, Sch. 2

12A Establishment of CTBs

- (1) Arrangements made by a [^{F2}local authority] in England under section 10 must include arrangements for the establishment of a Children's Trust Board for their area.
- (2) A Children's Trust Board must include a representative of each of the following—
 - (a) the establishing authority;
 - (b) each of the establishing authority's relevant partners (subject to subsection (4)).
- (3) A Children's Trust Board may also include any other persons or bodies that the establishing authority, after consulting each of their relevant partners, think appropriate.
- (4) A Children's Trust Board need not include any of the establishing authority's relevant partners who are of a description prescribed by regulations made by the Secretary of State.
- (5) Subsection (2) does not require a Children's Trust Board to include a separate representative for each of the persons or bodies mentioned in subsection (2)(a) and (b).

Changes to legislation: There are currently no known outstanding effects for the Children Act 2004, Cross Heading: Children's Trust Boards. (See end of Document for details)

- (6) Where two or more [^{F3}local authorities] jointly make arrangements under section 10 for the establishment of a Children's Trust Board, references in sections 12B and 17 to the area of the authority that established the Board are to be read as references to an area consisting of the combined areas of those authorities.
- (7) For the purposes of this section and sections 12B and 12C—
- (a) “the establishing authority”, in relation to a Children's Trust Board, is the [^{F2}local authority] that establishes the Board;
 - (b) a person or body is a “relevant partner” of a [^{F2}local authority] if it is a relevant partner of the authority for the purposes of section 10
- [^{F4}otherwise than by virtue of section 10(4)(da) or (db)]

Textual Amendments

- F2** Words in Pt. 2 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. 55(2)**
- F3** Words in Pt. 2 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. 55(2)**
- F4** Words in s. 12A inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 130**; [S.I. 2013/160](#), art. 2(2) (with arts. 7-9)

12B Functions and procedures of CTBs

- (1) The functions of a Children's Trust Board are—
- (a) those conferred by or under section 17 or 17A (children and young people's plans);
 - (b) any further functions conferred by regulations made by the Secretary of State.
- (2) Regulations under subsection (1)(b) may confer a function on a Children's Trust Board only if the function relates to improving the well-being of children or relevant young persons in the area of the establishing authority.
- (3) In subsection (2) “well-being” means well-being so far as relating to one or more of the matters specified in section 10(2)(a) to (e).
- (4) A Children's Trust Board must have regard to any guidance given to it by the Secretary of State in connection with—
- (a) the procedures to be followed by it;
 - (b) the exercise of its functions.
- (5) In this section “relevant young persons” means persons, other than children, in relation to whom arrangements under section 10 may be made.

12C Funding of CTBs

- (1) The establishing authority and any of their relevant partners represented on a Children's Trust Board may make payments towards expenditure incurred by, or for purposes connected with, the Board—
- (a) by making the payments directly; or
 - (b) by contributing to a fund out of which the payments may be made.

Changes to legislation: There are currently no known outstanding effects for the Children Act 2004, Cross Heading: Children's Trust Boards. (See end of Document for details)

- (2) The establishing authority and any of their relevant partners represented on a Children's Trust Board may provide staff, goods, services, accommodation or other resources for purposes connected with the functions of the Board.
- (3) Two or more Children's Trust Boards may establish and maintain a pooled fund for the purposes of any of their functions.
- (4) A pooled fund is a fund—
 - (a) which is made up of contributions by the Boards concerned, and
 - (b) out of which payments may be made towards expenditure incurred in the discharge of functions of any of the Boards.

12D Supply of information to CTBs

- (1) A person or body represented on a Children's Trust Board must supply to the Board any information requested by the Board for the purpose of enabling or assisting it to perform its functions.
- (2) Information supplied to a Children's Trust Board under this section may be used by the Board only for the purpose of enabling or assisting it to perform its functions.
- (3) Information requested under subsection (1) must be information that relates to—
 - (a) the person or body to whom the request is made;
 - (b) a function of that person or body, or
 - (c) a person in respect of whom a function is exercisable by that person or body.]

Changes to legislation:

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