



Children Act 2004

2004 CHAPTER 31

PART 2

CHILDREN'S SERVICES IN ENGLAND

Local authority administration

17 Children and young people's plans

- (1) The Secretary of State may by regulations require a children's services authority in England from time to time to prepare and publish a plan setting out the authority's strategy for discharging their functions in relation to children and relevant young persons.
- (2) Regulations under this section may in particular make provision as to—
 - (a) the matters to be dealt with in a plan under this section;
 - (b) the period to which a plan under this section is to relate;
 - (c) when and how a plan under this section must be published;
 - (d) keeping a plan under this section under review;
 - (e) consultation to be carried out during preparation of a plan under this section.
- (3) The matters for which provision may be made under subsection (2)(a) include in particular—
 - (a) the arrangements made or to be made under section 10 by a children's services authority in England;
 - (b) the strategy or proposals in relation to children and relevant young persons of any person or body with whom a children's services authority in England makes or proposes to make such arrangements.
- (4) The power to make regulations conferred by this section shall, for the purposes of subsection (1) of section 100 of the Local Government Act 2003 (c. 26), be regarded as included among the powers mentioned in subsection (2) of that section.

Status: This is the original version (as it was originally enacted).

- (5) In this section “relevant young persons” means persons, other than children, in relation to whom arrangements under section 10 may be made.

18 Director of children’s services

- (1) A children’s services authority in England may, and with effect from the appointed day must, appoint an officer for the purposes of—
- (a) the functions conferred on or exercisable by the authority which are specified in subsection (2); and
 - (b) such other functions conferred on or exercisable by the authority as may be prescribed by the Secretary of State by regulations.
- (2) The functions referred to in subsection (1)(a) are—
- (a) functions conferred on or exercisable by the authority in their capacity as a local education authority;
 - (b) functions conferred on or exercisable by the authority which are social services functions (within the meaning of the Local Authority Social Services Act 1970 (c. 42)), so far as those functions relate to children;
 - (c) the functions conferred on the authority under sections 23C to 24D of the Children Act 1989 (c. 41) (so far as not falling within paragraph (b));
 - (d) the functions conferred on the authority under sections 10 to 12 and 17 of this Act; and
 - (e) any functions exercisable by the authority under section 31 of the Health Act 1999 (c. 8) on behalf of an NHS body (within the meaning of that section), so far as those functions relate to children.
- (3) Subsection (2)(a) does not include—
- (a) functions under section 120(3) of the Education Reform Act 1988 (c. 40) (functions of LEAs with respect to higher and further education);
 - (b) functions under section 85(2) and (3) of the Further and Higher Education Act 1992 (c. 13) (finance and government of locally funded further and higher education);
 - (c) functions under section 15B of the Education Act 1996 (c. 56) or section 23 of the Learning and Skills Act 2000 (c. 21) (education for persons who have attained the age of 19);
 - (d) functions under section 22 of the Teaching and Higher Education Act 1998 (c. 30) (financial support to students);
 - (e) such other functions conferred on or exercisable by a children’s services authority in England in their capacity as a local education authority as the Secretary of State may by regulations prescribe.
- (4) An officer appointed by a children’s services authority in England under this section is to be known as their “director of children’s services”.
- (5) The director of children’s services appointed by a children’s services authority in England may also have responsibilities relating to such functions conferred on or exercisable by the authority, in addition to those specified in subsection (1), as the authority consider appropriate.
- (6) The functions in relation to which a director of children’s services may have responsibilities by virtue of subsection (5) include those referred to in subsection (3) (a) to (e).

- (7) A children’s services authority in England must have regard to any guidance given to them by the Secretary of State for the purposes of this section.
- (8) Two or more children’s services authorities in England may for the purposes of this section, if they consider that the same person can efficiently discharge, for both or all of them, the responsibilities of director of children’s services, concur in the appointment of a person as director of children’s services for both or all of them.
- (9) The amendments in Schedule 2—
 - (a) have effect, in relation to any authority which appoint a director of children’s services before the appointed day, from the day of his appointment; and
 - (b) on and after the appointed day have effect for all purposes.
- (10) In this section, “the appointed day” means such day as the Secretary of State may by order appoint.

19 Lead member for children’s services

- (1) A children’s services authority in England must, in making arrangements for the discharge of—
 - (a) the functions conferred on or exercisable by the authority specified in section 18(1)(a) and (b), and
 - (b) such other functions conferred on or exercisable by the authority as the authority consider appropriate,designate one of their members as their “lead member for children’s services”.
- (2) A children’s services authority in England must have regard to any guidance given to them by the Secretary of State for the purposes of subsection (1).