



# Children and Young Persons Act 2008

## 2008 CHAPTER 23

### PART 2

#### FUNCTIONS IN RELATION TO CHILDREN AND YOUNG PERSONS

##### *Information and research*

#### **31 Supply of information concerning the death of children to Local Safeguarding Children Boards [<sup>F1</sup>in England and Safeguarding Children Boards in Wales]**

- (1) Subsection (2) applies if, under the 1953 Act, a registrar of births and deaths registers the death of a person and the registrar believes that the deceased was or may have been under the age of 18 at the time of death.
- (2) The registrar must, before the end of the required period, secure that the [<sup>F2</sup>appropriate authority] is notified of the particulars of the death entered in the register.
- (3) Subsection (4) applies if, under the 1953 Act, an entry in a register kept for a sub-district concerning a death is corrected and the person making the correction believes that the entry relates to a person who was or may have been under the age of 18 at the time of death.
- (4) The person who makes the correction must, before the end of the required period, secure that the [<sup>F3</sup>appropriate authority] is notified of the particulars of the death as corrected.
- (5) [<sup>F4</sup>Subsections (5A) and (6) apply] if, under the 1953 Act, a registrar of births and deaths issues a certificate to the effect that a death is not required by law to be registered in England or Wales but the registrar believes that the deceased was or may have been under the age of 18 at the time of death.

[<sup>F5</sup>(5A) Where the registrar's sub-district is in England, the registrar must, before the end of the required period, secure that the appropriate authority is notified—

- (a) of the issuing of the certificate; and
- (b) of the registrar's belief and the grounds for it.]

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- (6) [<sup>F6</sup>Where the registrar's sub-district is in Wales,] the registrar must, before the end of the required period, secure that the <sup>F7</sup>... [<sup>F8</sup> Safeguarding Children Board in Wales] established by the [<sup>F9</sup>local authority] within whose area the registrar's sub-district is situated is notified—
- (a) of the issuing of the certificate; and
  - (b) of the registrar's belief and the grounds for it.
- (7) The required period is the period of seven days beginning with the day after—
- (a) for the purposes of subsection (2), the day on which the death was registered;
  - (b) for the purposes of subsection (4), the day on which the correction was made; and
  - (c) for the purposes of [<sup>F10</sup>subsections (5A) and] (6), the day on which the certificate was issued.
- (8) The requirements of this section do not apply if the death occurred before 1 April 2008.
- [<sup>F11</sup>(8A) The child death review partners for each local authority area in England must—
- (a) make arrangements for the receipt by them of notifications under this section; and
  - (b) publish those arrangements.]
- (9) <sup>F12</sup>... [<sup>F13</sup>each Safeguarding Children Board in Wales] must—
- (a) make arrangements for the receipt by it of notifications under this section; and
  - (b) publish those arrangements.
- (10) In this section—
- “the 1953 Act” means the Births and Deaths Registration Act 1953 (c. 20);
- [<sup>F14</sup>“the appropriate [<sup>F15</sup>authority] ” means—
- (a) [<sup>F16</sup>in relation to a register kept for a sub-district in England, the child death review partners for the local authority area within which] is situated the sub-district for which the register is kept; or
  - (b) [<sup>F17</sup>in relation to a register kept for a sub-district in Wales, ] the Safeguarding Children Board in Wales for the Safeguarding Board area within which is situated the sub-district for which the register is kept,
- and “Safeguarding Board area” has the meaning given by section 142 of the 2014 Act.;
- [<sup>F18</sup>“child death review partners” has the meaning given by section 16Q(2) of the Children Act 2004;]
- [<sup>F19</sup>“local authority” has] the same meaning as in the Children Act 2004 (c. 31).
- <sup>F20</sup>...
- [<sup>F21</sup>“Safeguarding Children Board in Wales” means a Board established under section 134(4) of the 2014 Act.]

#### Textual Amendments

- F1** Words in s. 31 heading inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\)](#), regs. 2(1), **263(f)**
- F2** Words in s. 31(2) substituted (29.6.2018) by [Children and Social Work Act 2017 \(c. 16\)](#), s. 70(2), [Sch. 2 para. 9\(2\)](#); S.I. 2018/497, reg. 3(s) (with reg. 11)

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- F3** Words in s. 31(4) substituted (29.6.2018) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(2)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F4** Words in s. 31(5) substituted (29.6.2018) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(3)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F5** S. 31(5A) inserted (29.6.2018) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(4)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F6** Words in s. 31(6) inserted (29.6.2018) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(5)(a)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F7** Words in s. 31(6) omitted (29.6.2018) by virtue of Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(5)(b)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F8** Words in s. 31(6) inserted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (No. 413), regs. 2(1), **263(c)**
- F9** Words in s. 31(6) substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 65(2)**
- F10** Words in s. 31(7)(c) substituted (29.6.2018) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(6)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F11** S. 31(8A) inserted (29.6.2018) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(7)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F12** Words in s. 31(9) omitted (29.6.2018) by virtue of Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(8)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F13** Words in s. 31(9) substituted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (No. 413), regs. 2(1), **263(d)**
- F14** Words in s. 31(10) substituted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (No. 413), regs. 2(1), **263(e)(i)**
- F15** Word in s. 31(10) substituted (29.6.2018) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(10)(a)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F16** Words in s. 31(10) substituted (29.6.2018) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(10)(b)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F17** Words in s. 31(10) inserted (29.6.2018) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(10)(c)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F18** Words in s. 31(10) inserted (29.6.2018) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(11)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F19** Words in s. 31(10) substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 65(3)(b)**
- F20** Words in s. 31(10) omitted (29.6.2018) by virtue of Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 2 para. 9(12)**; S.I. 2018/497, reg. 3(s) (with reg. 11)
- F21** Words in s. 31(10) inserted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (No. 413), regs. 2(1), **263(e)(ii)**

#### Commencement Information

- I1** S. 31 in force at 1.4.2009 by S.I. 2009/268, art. 2

## 32 Power of Registrar General to supply information to national authorities

- (1) The Registrar General may supply information to which this section applies—
- to the Secretary of State, or
  - to the Welsh Ministers,
- for research purposes.

- [<sup>F22</sup>(2) Information supplied under subsection (1) to the Secretary of State may be disclosed by the Secretary of State—
- to any other person if the disclosure is for research purposes; and

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- (b) to a Local Safeguarding Children Board in England or Safeguarding Children Board in Wales for the purposes of its functions.
- (2A) Information supplied under subsection (1) to the Welsh Ministers may be disclosed by them—
  - (a) to any other person if the disclosure is for research purposes; and
  - (b) to a Local Safeguarding Children Board in England or a Safeguarding Children Board in Wales for the purposes of its functions.]
- (3) This section applies to any information that—
  - (a) is kept by the Registrar General under any provision made by or under an enactment; and
  - (b) relates to a deceased person who was or may have been under the age of 18 at the time of death.
- (4) “For research purposes” means for the purposes of any research that is being or may be conducted or assisted under section 83(1) [<sup>F23</sup>or section 83A(1)] of the 1989 Act [<sup>F24</sup>or under section 184(1) of the 2014 Act.]
- [<sup>F25</sup>(5) “Local Safeguarding Children Board in England” and “Safeguarding Children Board in Wales” have the same meanings as in section 31.]

#### Textual Amendments

- F22** S. 32(2)(2A) substituted for s. 32(2) (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\), regs. 2\(1\), 264\(a\)](#)
- F23** Words in s. 32(4) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\), regs. 2\(1\), 264\(b\)\(i\)](#)
- F24** Words in s. 32(4) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\), regs. 2\(1\), 264\(b\)\(ii\)](#)
- F25** S. 32(5) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\), regs. 2\(1\), 264\(c\)](#)

#### Commencement Information

- I2** S. 32 in force at 1.4.2009 by [S.I. 2009/268, art. 2](#)

### 33 Research etc. into matters connected with certain statutory functions

- (1) Section 83 of the 1989 Act (research and returns of information) is amended as follows.
- (2) In subsection (1) after paragraph (a) insert—
  - “(aa) the functions of Local Safeguarding Children Boards;”.
- (3) In subsection (2) after paragraph (a) insert—
  - “(aa) the functions of Local Safeguarding Children Boards;”.
- (4) In subsection (3) after paragraph (b) insert “; and
  - (c) the performance by the Local Safeguarding Children Board established by them under the Children Act 2004 of all or any of its functions.”
- (5) In subsection (9) after paragraph (c) insert—

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- “(ca) Part 1 of the Adoption and Children Act 2002;
- (cb) the Children Act 2004;
- (cc) the Children and Young Persons Act 2008.”

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**Commencement Information**

- I3** S. 33 in force at 12.2.2009 for E. by S.I. 2009/268, **art. 3(1)(e)**
- I4** S. 33 in force at 26.4.2010 for W. by S.I. 2010/1329, **art. 2(n)**

**Changes to legislation:**

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