



Children Act 2004

2004 CHAPTER 31

PART 2 **E+W**

CHILDREN'S SERVICES IN ENGLAND

Local Safeguarding Children Boards

13 **Establishment of LSCBs** **E+W**

- (1) Each children's services authority in England must establish a Local Safeguarding Children Board for their area.
- (2) A Board established under this section must include such representative or representatives of—
 - (a) the authority by which it is established, and
 - (b) each Board partner of that authority,as the Secretary of State may by regulations prescribe.
- (3) For the purposes of this section each of the following is a Board partner of a children's services authority in England—
 - (a) where the authority is a county council for an area for which there is also a district council, the district council;
 - (b) the chief officer of police for a police area any part of which falls within the area of the authority;
 - (c) a local probation board for an area any part of which falls within the area of the authority;
 - [^{F1}(ca) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007, so far as they are exercisable in relation to England;
 - (cb) any provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act 2007 to act as a Board partner of the authority;]

Status: Point in time view as at 01/04/2010. This version of this cross heading contains provisions that are not valid for this point in time.

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- (d) a youth offending team for an area any part of which falls within the area of the authority;
 - (e) a Strategic Health Authority and a Primary Care Trust for an area any part of which falls within the area of the authority;
 - (f) an NHS trust and an NHS foundation trust all or most of whose hospitals, establishments and facilities are situated in the area of the authority;
 - (g) a person providing services [^{F2}in pursuance of section 68 of the Education and Skills Act 2008] in any part of the area of the authority;
 - (h) the Children and Family Court Advisory and Support Service;
 - (i) the governor of any secure training centre in the area of the authority (or, in the case of a contracted out secure training centre, its director);
 - (j) the governor of any prison in the area of the authority which ordinarily detains children (or, in the case of a contracted out prison, its director).
- (4) A children’s services authority in England must take reasonable steps to ensure that the Local Safeguarding Children Board established by them includes representatives of relevant persons and bodies of such descriptions as may be prescribed by the Secretary of State in regulations.
- (5) A Local Safeguarding Children Board established under this section may also include representatives of such other relevant persons or bodies as the authority by which it is established consider, after consulting their Board partners, should be represented on it.
- [^{F3}(5A) A children's services authority in England must take reasonable steps to ensure that the Local Safeguarding Children Board established by them also includes two persons who appear to the authority to be representative of persons living in the authority's area.
- (5B) An authority may pay remuneration, allowances and expenses to persons who are included by virtue of subsection (5A) in a Local Safeguarding Children Board established by them.]
- (6) For the purposes of subsections (4) and (5), relevant persons and bodies are persons and bodies of any nature exercising functions or engaged in activities relating to children in the area of the authority in question.
- (7) In the establishment and operation of a Local Safeguarding Children Board under this section—
- (a) the authority establishing it must co-operate with each of their Board partners; and
 - (b) each Board partner must co-operate with the authority.
- (8) Two or more children’s services authorities in England may discharge their respective duties under subsection (1) by establishing a Local Safeguarding Children Board for their combined area (and where they do so, any reference in this section or sections 14 to 16 to the authority establishing the Board shall be read as a reference to the authorities establishing it).

Textual Amendments

F1 S. 13(3)(ca)(cb) inserted (1.4.2008) by [Offender Management Act 2007 \(c. 21\)](#), ss. 39, 41(1), [Sch. 3 para. 4\(4\)](#); S.I. 2008/504, [art. 3](#)

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- F2** Words in s. 13(3)(g) substituted (26.1.2009) by [Education and Skills Act 2008 \(c. 25\), ss. 169\(1\), 173\(4\), Sch. 1 para. 85; S.I. 2008/3077, art. 4](#)
- F3** S. 13(5A)(5B) inserted (1.4.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\), ss. 196\(2\), 269; S.I. 2010/303, art. 3, Sch. 2](#)

Commencement Information

- I1** S. 13 not in force at Royal Assent see s. 67(2); s. 13 in force for E. for certain purposes at 1.3.2005 by [S.I. 2005/394, art. 2\(1\)](#); s. 13 otherwise in force at 1.4.2006 by [S.I. 2006/927, art. 2\(a\)](#)

14 Functions and procedure of LSCBs **E+W**

- (1) The objective of a Local Safeguarding Children Board established under section 13 is—
- to co-ordinate what is done by each person or body represented on the Board [^{F4}by virtue of section 13(2), (4) or (5)] for the purposes of safeguarding and promoting the welfare of children in the area of the authority by which it is established; and
 - to ensure the effectiveness of what is done by each such person or body for those purposes.
- (2) A Local Safeguarding Children Board established under section 13 is to have such functions in relation to its objective as the Secretary of State may by regulations prescribe (which may in particular include functions of review or investigation).
- (3) The Secretary of State may by regulations make provision as to the procedures to be followed by a Local Safeguarding Children Board established under section 13.

Textual Amendments

- F4** Words in s. 14(1)(a) inserted (1.4.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\), ss. 196\(3\), 269; S.I. 2010/303, art. 3, Sch. 2](#)

Commencement Information

- I2** S. 14 not in force at Royal Assent see s. 67(2); s. 14 in force for E. for certain purposes at 1.3.2005 by [S.I. 2005/394, art. 2\(1\)](#); s. 14 otherwise in force at 1.4.2006 by [S.I. 2006/927, art. 2\(a\)](#)

[^{F5}14A LSCBs: annual reports **E+W**

- (1) At least once in every 12 month period, a Local Safeguarding Children Board established under section 13 must prepare and publish a report about safeguarding and promoting the welfare of children in its local area.
- (2) The Board must submit a copy of the report to the local Children's Trust Board.
- (3) For the purposes of this section—
- the local area of a Local Safeguarding Children Board is the area of the children's services authority that established the Board;
 - the local Children's Trust Board, in relation to a Local Safeguarding Children Board, is the Children's Trust Board established for the Board's local area.]

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Textual Amendments

F5 S. 14A inserted (1.4.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), **ss. 197, 269**; [S.I. 2010/303](#), **art. 3**, [Sch. 2](#)

VALID FROM 15/04/2013

[^{F6}14B Supply of information requested by LSCBs **E+W**

- (1) If a Local Safeguarding Children Board established under section 13 requests a person or body to supply information specified in the request to—
 - (a) the Board, or
 - (b) another person or body specified in the request,
 the request must be complied with if the first and second conditions are met and either the third or the fourth condition is met.
- (2) The first condition is that the request is made for the purpose of enabling or assisting the Board to perform its functions.
- (3) The second condition is that the request is made to a person or body whose functions or activities are considered by the Board to be such that the person or body is likely to have information relevant to the exercise of a function by the Board.
- (4) The third condition is that the information relates to—
 - (a) the person or body to whom the request is made,
 - (b) a function or activity of that person or body, or
 - (c) a person in respect of whom a function is exercisable, or an activity is engaged in, by that person or body.
- (5) The fourth condition is that the information—
 - (a) is information requested by the Board from a person or body to whom information was supplied in compliance with another request under this section, and
 - (b) is the same as, or is derived from, information so supplied.
- (6) The information may be used by the Board, or other person or body to whom it is supplied under subsection (1), only for the purpose of enabling or assisting the Board to perform its functions.
- (7) A Local Safeguarding Children Board must have regard to any guidance given to it by the Secretary of State in connection with the exercise of its functions under this section.]

Textual Amendments

F6 S. 14B inserted (prosp.) by [Children, Schools and Families Act 2010 \(c. 26\)](#), **ss. 8, 29** (with s. 27)

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15 Funding of LSCBs **E+W**

- (1) Any person or body specified in subsection (3) may make payments towards expenditure incurred by, or for purposes connected with, a Local Safeguarding Children Board established under section 13—
 - (a) by making the payments directly; or
 - (b) by contributing to a fund out of which the payments may be made.
- (2) Any person or body specified in subsection (3) may provide staff, goods, services, accommodation or other resources for purposes connected with a Local Safeguarding Children Board established under section 13.
- (3) The persons and bodies referred to in subsections (1) and (2) are—
 - (a) the children’s services authority in England by which the Board is established;
 - (b) any person who is a Board partner of the authority under section 13(3)(a) to (h);
 - (c) in a case where the governor of a secure training centre or prison is a Board partner of the authority, the Secretary of State; and
 - (d) in a case where the director of a contracted out secure training centre or prison is a Board partner of the authority, the contractor.

VALID FROM 03/07/2013

[^{F7}15A Review of LSCBs' performance of functions **E+W**

- (1) The Secretary of State may by regulations make provision for the Chief Inspector to conduct a review of the performance of specified functions by a Local Safeguarding Children Board established under section 13.
- (2) The regulations may allow or require the Chief Inspector to conduct a review, or may require the Chief Inspector to do so in specified circumstances.
- (3) They may in particular make provision—
 - (a) about reports to be made on completion of a review;
 - (b) requiring or facilitating the sharing or production of information for the purposes of a review.
- (4) In this section—

“the Chief Inspector” means Her Majesty's Chief Inspector of Education, Children's Services and Skills;

“specified” means specified in regulations under this section.]

Textual Amendments

F7 S. 15A inserted (prosp.) by [Children, Schools and Families Act 2010 \(c. 26\)](#), **ss. 10, 29** (with s. 27)

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16 LSCBs: supplementary **E+W**

- (1) The Secretary of State may by regulations make provision as to the functions of children’s services authorities in England relating to Local Safeguarding Children Boards established by them.
- (2) A children’s services authority in England and each of their Board partners must, in exercising their functions relating to a Local Safeguarding Children Board, have regard to any guidance given to them for the purpose by the Secretary of State.

Commencement Information

- I3** S. 16 not in force at Royal Assent see s. 67(2); s. 16 in force for E. for certain purposes at 1.3.2005 by [S.I. 2005/394](#), [art. 2\(1\)](#); s. 16 otherwise in force at 1.4.2006 by [S.I. 2006/927](#), [art. 2\(a\)](#)

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