

Status: Point in time view as at 01/04/2013.

Changes to legislation: National Health Service Act 2006, Cross Heading: Weighing and measuring of children is up to date with all changes known to be in force on or before 14 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

FURTHER PROVISION ABOUT THE SECRETARY OF STATE AND SERVICES UNDER THIS ACT

[^{F1}Weighing and measuring of children

Textual Amendments

- F1** Sch. 1 paras. 7A, 7B and cross-heading inserted (21.7.2008 for specified purposes, 1.10.2008 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), **ss. 143(1)**, 170 (with s. 143(2)); S.I. 2008/2497, art. 6

- 7A (1) [^{F2}A local authority] may ^{F3} ... provide for the weighing and measuring of junior pupils in attendance at any school which is maintained by the authority.
- (2) [^{F2}A local authority] may, by arrangement with the proprietor of any school [^{F4}in its area] which is not maintained by [^{F5}the local authority], provide for the weighing and measuring of junior pupils in attendance at that school.
- (3) [^{F2}A local authority] may, by arrangement with any person who is registered under Chapter 2 of Part 3 of the Childcare Act 2006 in respect of early years provision, provide for the weighing and measuring of young children for whom childcare is provided by that person.
- (4) In sub-paragraphs (1) and (2) any expression to which a meaning is given for the purposes of the Education Act 1996 or the School Standards and Framework Act 1998 has the same meaning as in that Act; and in sub-paragraph (3) any expression to which a meaning is given for the purposes of Part 3 of the Childcare Act 2006 has the same meaning as in that Part.

Textual Amendments

- F2** Words in Sch. 1 para. 7A substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 17(7)(a)**, 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F3** Words in Sch. 1 para. 7A(1) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 17(7)(b)**, 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F4** Words in Sch. 1 para. 7A(2) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 17(7)(c)(i)**, 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F5** Words in Sch. 1 para. 7A(2) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 17(7)(c)(ii)**, 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

- 7B (1) The Secretary of State may by regulations—
- (a) authorise the disclosure by any person with whom arrangements under paragraph 7A are made, to any person carrying out the weighing or measuring, of prescribed information relating to the children concerned,

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- (b) require any weighing and measuring provided for [^{F6}by a local authority] under paragraph 7A to be carried out in a prescribed manner and after compliance with any prescribed requirements,
 - (c) make provision authorising any resulting information relating to a child, together with any advisory material authorised by or under the regulations, to be communicated in a prescribed manner to a person who is, or is treated by the regulations as being, a parent of the child, and
 - (d) make other provision regulating the processing of information resulting from any weighing or measuring provided for [^{F7}by a local authority] under paragraph 7A [^{F8}and of any other prescribed information relating to the children concerned].
- (2) Regulations made under sub-paragraph (1) may require any person exercising functions in relation to any weighing or measuring to which the regulations apply or in relation to information resulting from such weighing or measuring [^{F9}or in relation to information prescribed under sub-paragraph (1)] to have regard to any guidance given from time to time by the Secretary of State.
- (3) In sub-paragraph (1)(d), “ processing ”, in relation to information, has the same meaning as in the Data Protection Act 1998.
- (4) Regulations under this paragraph cannot include provision by virtue of section 272(8) (a) amending or repealing an Act.]

Textual Amendments

- F6** Words in Sch. 1 para. 7B(1)(b) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), ss. 17\(8\)\(a\)](#), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F7** Words in Sch. 1 para. 7B(1)(d) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), ss. 17\(8\)\(b\)\(i\)](#), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F8** Words in Sch. 1 para. 7B(1)(d) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), ss. 17\(8\)\(b\)\(ii\)](#), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F9** Words in Sch. 1 para. 7B(2) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), ss. 17\(8\)\(c\)](#), 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

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