



Children and Young Persons Act 2008

2008 CHAPTER 23

PART 2

FUNCTIONS IN RELATION TO CHILDREN AND YOUNG PERSONS

Visiting

17 Children in long-term care: notification to appropriate officer etc

- (1) Section 85 of the 1989 Act (children accommodated by health bodies or local education authorities) is amended in accordance with subsections (2) to (5).
- (2) In each of subsections (1) and (2), after “notify” insert “the appropriate officer of”.
- (3) After subsection (3) insert—
 - “(3A) In this section and sections 86 and 86A “the appropriate officer” means—
 - (a) in relation to a local authority in England, their director of children’s services; and
 - (b) in relation to a local authority in Wales, their lead director for children and young people’s services.”
- (4) In subsection (4)—
 - (a) for “a local authority have” substitute “the appropriate officer of a local authority has”; and
 - (b) for “they”, where it first occurs, substitute “the local authority”.
- (5) After that subsection add—
 - “(5) For the purposes of subsection (4)(b), if the child is not in the area of the local authority, they must treat him as if he were in that area.”
- (6) Section 86 of the 1989 Act (children accommodated in care homes or independent hospitals) is amended in accordance with subsections (7) to (10).
- (7) In subsection (1)—

Status: This is the original version (as it was originally enacted).

- (a) for the words “the home”, in the first place where they occur, substitute “the establishment in question”;
 - (b) after “notify” insert “the appropriate officer of”; and
 - (c) for the words “the home”, in the second place where they occur, substitute “the establishment”.
- (8) In subsection (2)—
- (a) for “the home”, in both places, substitute “the establishment”; and
 - (b) after “notify” insert “the appropriate officer of”.
- (9) In subsection (3)—
- (a) for “a local authority have” substitute “the appropriate officer of a local authority has”;
 - (b) for “they”, where it first occurs, substitute “the local authority”; and
 - (c) in paragraph (a), for “the home” substitute “the establishment in question”.
- (10) In subsection (4) for “home” substitute “care home or independent hospital”.