



# Children and Young Persons Act 2008

## 2008 CHAPTER 23

### PART 2

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

##### *Education and training*

#### **20 Designated member of staff at school for pupils looked after by a local authority**

- (1) The governing body of a maintained school must designate a member of the staff at the school (“the designated person”) as having responsibility for promoting the educational achievement of registered pupils at the school who—
  - (a) are being looked after by a local authority; or
  - (b) fall within subsection (6).
- (2) The governing body must ensure that the designated person undertakes appropriate training.
- (3) The appropriate national authority may by regulations make provision requiring the governing body of a maintained school to ensure that the designated person has qualifications or experience (or both) prescribed by the regulations.
- (4) In exercising its functions under this section a governing body of a maintained school must have regard to any guidance issued by the appropriate national authority.
- (5) For the purposes of subsection (1)(a) a person is “looked after by a local authority” if the person is—
  - (a) looked after by a local authority for the purposes of the 1989 Act<sup>[F1]</sup>, Part 6 of the 2014 Act] or the Children (Scotland) Act 1995 (c. 36); or
  - (b) looked after by an authority for the purposes of the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2)).
- (6) A person falls within this subsection if the person—

*Status: Point in time view as at 01/12/2017. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons Act 2008, Section 20. (See end of Document for details)*

- (a) is a relevant child within the meaning of section 23A of the 1989 Act or article 34B of the Children (Northern Ireland) Order 1995;
- (b) is a former relevant child within the meaning of section 23C of the 1989 Act or article 34D of the Children (Northern Ireland) Order 1995; or
- [<sup>F2</sup>(ba) is a category 2 or 3 young person within the meaning of section 104 of the 2014 Act,]
- (c) has been looked after by a local authority for the purposes of the Children (Scotland) Act 1995 at any time after attaining the age of 16.

(7) In this section—

“appropriate national authority” means—

- (a) in relation to a governing body of a maintained school in England, the Secretary of State;
- (b) in relation to a governing body of a maintained school in Wales, the Welsh Ministers;

“maintained school” has the same meaning as in Chapter 1 of Part 3 of the Education Act 2002 (c. 32) (see section 39(1) of that Act);

“registered pupil” has the same meaning as in the Education Act 1996 (c. 56) (see section 434(5) of that Act).

#### **Textual Amendments**

- F1** Words in s. 20(5)(a) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\)](#), regs. 2(1), **262(a)**
- F2** S. 20(6)(ba) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\)](#), regs. 2(1), **262(b)**

#### **Commencement Information**

- I1** S. 20(1)(2)(4)-(7) in force at 1.9.2009 for E. by [S.I. 2009/2273](#), **art. 2(2)(f)**
- I2** S. 20(1)(2) in force at 1.9.2011 for W. by [S.I. 2011/949](#), **art. 3(2)**
- I3** S. 20(3) in force at 12.2.2009 for E. by [S.I. 2009/268](#), **art. 3(1)(c)**
- I4** S. 20(3) in force at 26.4.2010 for W. by [S.I. 2010/1329](#), **art. 2(f)**
- I5** S. 20(4)(7) in force at 1.9.2011 for W. by [S.I. 2011/949](#), **art. 3(2)**

**Status:**

Point in time view as at 01/12/2017. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Children and Young Persons Act 2008, Section 20.