



# Child Poverty Act 2010

## 2010 CHAPTER 9

### [<sup>F1</sup>PART 2

#### DUTIES OF LOCAL AUTHORITIES AND OTHER BODIES IN ENGLAND

##### Textual Amendments

- F1** Words in s. 18(1) inserted (8.5.2012) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(2)(j), [Sch. 13 para. 11\(3\)](#)

#### 19 Responsible local authorities

For the purposes of this Part, each of the following is a responsible local authority—

- (a) a county council in England;
- (b) a district council in England, other than a council for a district in a county for which there is a county council;
- (c) a London borough council;
- (d) the Council of the Isles of Scilly;
- (e) the Common Council of the City of London in its capacity as a local authority.

#### 20 Partner authorities

(1) For the purposes of this Part, each of the following is a partner authority in relation to a responsible local authority—

- (a) any person mentioned in subsection (2) who acts or is established for an area which, or any part of which, coincides with or falls within the responsible local authority's area;
- (b) the person mentioned in subsection (3).

(2) The persons referred to in subsection (1)(a) are—

- (a) any district council which is not a responsible local authority;
- (b) a [<sup>F2</sup>local policing body];

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- (c) a chief officer of police;
  - (d) an Integrated Transport Authority for an integrated transport area in England;
  - (e) Transport for London;
  - (f) a Strategic Health Authority;
  - (g) a Primary Care Trust;
  - (h) a youth offending team established under section 39 of the Crime and Disorder Act 1998.
- (3) The person referred to in subsection (1)(b) is the Secretary of State, but only in relation to—
- (a) the Secretary of State's functions under section 2 of the Employment and Training Act 1973 (arrangements with respect to obtaining etc. employment or employees);
  - (b) the Secretary of State's functions under sections 2 and 3 of the Offender Management Act 2007 (responsibility for ensuring provision of probation services throughout England and Wales).
- (4) The Secretary of State's functions under this Part as a partner authority of a local authority in relation to the functions referred to in subsection (3)(b) are functions to which section 2(1)(c) of the Offender Management Act 2007 (functions to be performed through arrangements under section 3 of that Act) applies.
- (5) In subsection (1)(a), references to the area for which a person acts or is established are references—
- (a) in the case of the Commissioner of Police of the Metropolis, to the metropolitan police district (within the meaning of the Police Act 1996);
  - (b) in the case of the Commissioner of the City of London Police, to the City of London police area (within the meaning of that Act);
  - (c) in the case of any other chief officer of police, to the police area listed in Schedule 1 to that Act for which the chief officer's police force is maintained;
  - (d) in the case of Transport for London, to Greater London.
- (6) The Secretary of State may by order—
- (a) amend subsection (2) or (3) by—
    - (i) adding to it any person who has functions of a public nature;
    - (ii) removing from it any person for the time being mentioned in it; or
    - (iii) adding to subsection (3) any function of the Secretary of State or removing from it any function for the time being mentioned in it; and
  - (b) make such other amendments of this section as appear to the Secretary of State to be necessary or expedient in consequence of provision made under paragraph (a).
- (7) Before making an order under subsection (6) the Secretary of State must consult such representatives of local government and such other persons (if any) as the Secretary of State thinks fit.

#### **Textual Amendments**

**F2** Words in s. 20(2)(b) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011](#) (c. 13), s. 157(1), [Sch. 16 para. 379](#); S.I. 2011/3019, Sch. 1

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## **21 Co-operation to reduce child poverty in local area**

- (1) Each responsible local authority must make arrangements to promote co-operation between—
  - (a) the authority;
  - (b) each of its partner authorities; and
  - (c) such other persons or bodies as the authority thinks fit.
- (2) The arrangements are to be made with a view to reducing, and mitigating the effects of, child poverty in the responsible local authority's area.
- (3) Each partner authority must co-operate with the responsible local authority in the making of arrangements under this section.
- (4) The responsible local authority and each partner authority must, in exercising their functions under this section, have regard to any guidance given to them for the purpose by the Secretary of State.
- (5) A responsible local authority and any partner authority may for the purposes of arrangements under this section—
  - (a) provide staff, goods, services, accommodation or other resources;
  - (b) establish and maintain a pooled fund.
- (6) A pooled fund is a fund—
  - (a) which is made up of contributions by the responsible local authority and the partner authority or authorities concerned, and
  - (b) out of which payments may be made towards expenditure incurred in the discharge of functions of the responsible local authority and functions of the partner authority or authorities.

## **22 Local child poverty needs assessment**

- (1) The arrangements made by a responsible local authority under section 21 must include arrangements to prepare and publish an assessment of the needs of children living in poverty in its area (“a local child poverty needs assessment”).
- (2) The Secretary of State may by regulations make provision about local child poverty needs assessments.
- (3) Those regulations may in particular include provision as to—
  - (a) matters that must be considered in a local child poverty needs assessment;
  - (b) when and how an assessment must be published;
  - (c) keeping an assessment under review;
  - (d) when and how an assessment must be revised;
  - (e) consultation to be carried out during the preparation or revision of an assessment;
  - (f) other steps required or permitted to be taken in connection with the preparation or revision of an assessment.
- (4) The responsible local authority and each partner authority must, in exercising their functions under this section, have regard to any guidance given to them for the purpose by the Secretary of State.

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## **23 Joint child poverty strategy for local area**

- (1) The arrangements made by a responsible local authority under section 21 must include arrangements to prepare a joint child poverty strategy in relation to its area and to modify it in accordance with this section.
- (2) The joint child poverty strategy must set out the measures that the responsible local authority and each partner authority propose to take for the purpose of reducing, and mitigating the effects of, child poverty in the responsible local authority's area.
- (3) Those measures—
  - (a) must include measures relating to matters identified in a local child poverty needs assessment;
  - (b) may include measures relating to other matters identified by the responsible local authority or a partner authority in connection with child poverty in the responsible local authority's area.
- (4) The responsible local authority may at any time modify the joint child poverty strategy.
- (5) When a responsible local authority revises a local child poverty needs assessment it must consider whether any modification of the joint child poverty strategy is required.
- (6) In preparing or modifying the joint child poverty strategy, the responsible local authority—
  - (a) must consult such children, and organisations working with or representing children, as the authority thinks fit,
  - (b) must consult such parents, and organisations working with or representing parents, as the authority thinks fit, and
  - (c) may consult such other persons or bodies as the authority thinks fit.
- (7) The responsible local authority and each partner authority must, in exercising their functions under this section, have regard to any guidance given to them for the purpose by the Secretary of State.
- (8) The responsible local authority and each partner authority must have regard to the joint child poverty strategy in exercising their functions.
- (9) References in this section to a local child poverty needs assessment are to a local child poverty needs assessment prepared by the responsible local authority under section 22.

## **24 Sustainable community strategy**

In section 4 of the Local Government Act 2000 (strategies for promoting well-being), in subsection (3)—

- (a) omit the word “and” immediately after sub-paragraph (ii) of paragraph (a), and
- (b) after paragraph (a) insert—
  - “(aa) must, if it is a local authority in England, have regard to the following, so far as they relate to the authority's area—
    - (i) any arrangements made under section 21 of the Child Poverty Act 2010 (co-operation to reduce child poverty in local area);

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- (ii) any local child poverty needs assessment prepared under section 22 of that Act (local child poverty needs assessment);
- (iii) any joint child poverty strategy prepared under section 23 of that Act (joint child poverty strategy for local area), and”.

## **25 Meaning of “child poverty” in Part 2**

- (1) This section has effect for the interpretation of this Part.
- (2) A child is to be taken to be living in poverty if the child experiences socio-economic disadvantage, and references to “child poverty” have a corresponding meaning.
- (3) Without limiting subsection (2), a child is to be taken to experience socio-economic disadvantage during any period in which—
  - (a) the child lives in a household that falls within the relevant income group for the purposes of section 3 (the relative low income target) or section 5 (the absolute low income target), or
  - (b) the child lives in a household that falls within the relevant income group for the purposes of subsection (1)(a) of section 4 (combined low income and material deprivation target) and is regarded for the purposes of subsection (1)(b) of that section as experiencing material deprivation.
- (4) Expressions used in subsection (3) and in Part 1 of this Act have the same meaning in that subsection as in that Part.]

**Status:**

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**Changes to legislation:**

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