



# Children and Families Act 2014

## CHAPTER 6

### CHILDREN AND FAMILIES ACT 2014

#### PART 1

##### ADOPTION AND CONTACT

###### *Adoption*

- 1 Contact between prescribed persons and adopted person's relatives
- 2 Placement of looked after children with prospective adopters
- 3 Repeal of requirement to give due consideration to ethnicity: England
- 4 Recruitment, assessment and approval of prospective adopters
- 5 Adoption support services: personal budgets
- 6 Adoption support services: duty to provide information
- 7 The Adoption and Children Act Register

###### *Contact*

- 8 Contact: children in care of local authorities
- 9 Contact: post-adoption

#### PART 2

##### FAMILY JUSTICE

- 10 Family mediation information and assessment meetings
- 11 Welfare of the child: parental involvement
- 12 Child arrangements orders
- 13 Control of expert evidence, and of assessments, in children proceedings
- 14 Care, supervision and other family proceedings: time limits and timetables
- 15 Care plans

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

- 16 Care proceedings and care plans: regulations: procedural requirements
- 17 Repeal of restrictions on divorce and dissolution etc where there are children
- 18 Repeal of uncommenced provisions of Part 2 of the Family Law Act 1996

### **PART 3**

#### CHILDREN AND YOUNG PEOPLE IN ENGLAND WITH SPECIAL EDUCATIONAL NEEDS OR DISABILITIES

##### *Local authority functions: general principles*

- 19 Local authority functions: supporting and involving children and young people

##### *Special educational needs etc*

- 20 When a child or young person has special educational needs
- 21 Special educational provision, health care provision and social care provision

##### *Identifying children and young people with special educational needs and disabilities*

- 22 Identifying children and young people with special educational needs and disabilities
- 23 Duty of health bodies to bring certain children to local authority's attention

##### *Children and young people for whom a local authority is responsible*

- 24 When a local authority is responsible for a child or young person

##### *Education, health and care provision: integration and joint commissioning*

- 25 Promoting integration
- 26 Joint commissioning arrangements

##### *Review of education and care provision*

- 27 Duty to keep education and care provision under review

##### *Co-operation and assistance*

- 28 Co-operating generally: local authority functions
- 29 Co-operating generally: governing body functions

##### *Information and advice*

- 30 Local offer
- 31 Co-operating in specific cases: local authority functions
- 32 Advice and information

##### *Mainstream education*

- 33 Children and young people with EHC plans
- 34 Children and young people with special educational needs but no EHC plan

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

35 Children with SEN in maintained nurseries and mainstream schools

*Assessment*

36 Assessment of education, health and care needs

*Education, health and care plans*

37 Education, health and care plans

38 Preparation of EHC plans: draft plan

39 Finalising EHC plans: request for particular school or other institution

40 Finalising EHC plans: no request for particular school or other institution

41 Independent special schools and special post-16 institutions: approval

42 Duty to secure special educational provision and health care provision in accordance with EHC Plan

43 Schools and other institutions named in EHC plan: duty to admit

44 Reviews and re-assessments

45 Ceasing to maintain an EHC plan

46 Maintaining an EHC plan after young person's 25th birthday

47 Transfer of EHC plans

48 Release of child or young person for whom EHC plan previously maintained

49 Personal budgets and direct payments

50 Continuation of services under section 17 of the Children Act 1989

*Appeals, mediation and dispute resolution*

51 Appeals

52 Right to mediation

53 Mediation: health care issues

54 Mediation: educational and social care issues etc

55 Mediation

56 Mediation: supplementary

57 Resolution of disagreements

58 Appeals and claims by children: pilot schemes

59 Appeals and claims by children: follow-up provision

60 Equality Act 2010: claims against schools by disabled young people

*Special educational provision: functions of local authorities*

61 Special educational provision otherwise than in schools, post-16 institutions etc

62 Special educational provision outside England and Wales

63 Fees for special educational provision at non-maintained schools and post-16 institutions

64 Supply of goods and services

65 Access to schools, post-16 institutions and other institutions

*Special educational provision: functions of governing bodies and others*

66 Using best endeavours to secure special educational provision

67 SEN co-ordinators

68 Informing parents and young people

69 SEN information report

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

### *Detained persons*

- 70 Application of Part to detained persons
- 71 Assessment of post-detention education, health and care needs of detained persons
- 72 Securing EHC plans for certain detained persons
- 73 EHC plans for certain detained persons: appeals and mediation
- 74 Duty to keep EHC plans for detained persons
- 75 Supply of goods and services: detained persons

### *Information to improve well-being of children and young people with SEN*

- 76 Provision and publication of special needs information

### *Code of practice*

- 77 Code of practice
- 78 Making and approval of code
- 79 Review of resolution of disagreements

### *Supplementary*

- 80 Parents and young people lacking capacity
- 81 Disapplication of Chapter 1 of Part 4 of EA 1996 in relation to children in England
- 82 Consequential amendments
- 83 Interpretation of Part 3

## **PART 4**

### CHILDCARE ETC

- 84 Childminder agencies
- 85 Inspections at request of providers of childcare to young children
- 86 Repeal of local authority's duty to assess sufficiency of childcare provision
- 87 Discharge of authority's duty to secure free early years provision
- 88 Governing bodies: provision of community facilities
- 89 Childcare costs scheme: preparatory expenditure

## **PART 5**

### WELFARE OF CHILDREN

#### *Child performances*

- 90 Extension of licensing of child performances to children under 14

#### *Tobacco, nicotine products and smoking*

- 91 Purchase of tobacco etc. on behalf of persons under 18
- 92 Prohibition of sale of nicotine products to persons under 18
- 93 Amendments consequential on section 92
- 94 Regulation of retail packaging etc of tobacco products
- 95 Smoking in a private vehicle

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

### *Young carers and parent carers*

- 96 Young carers
- 97 Parent carers

### *Staying put arrangements*

- 98 Arrangements for living with former foster parents after reaching adulthood

### *Educational achievement of looked after children*

- 99 Promotion of educational achievement of children looked after by local authorities

### *Pupils with medical conditions*

- 100 Duty to support pupils with medical conditions

### *Local authority functions: intervention*

- 101 Local authority functions relating to children etc: intervention

### *Regulation of children's homes etc*

- 102 Application of suspension etc powers to establishments and agencies in England
- 103 Objectives and standards for establishments and agencies in England
- 104 National minimum standards for establishments and agencies in England
- 105 Disqualification from carrying on, or being employed in, a children's home

### *Free school lunches*

- 106 Provision of free school lunches

## **PART 6**

### THE CHILDREN'S COMMISSIONER

- 107 Primary function of the Children's Commissioner
- 108 Provision by Commissioner of advice and assistance to certain children
- 109 Commissioner's powers to enter premises
- 110 Provision of information to Commissioner
- 111 Advisory board
- 112 Business plans
- 113 Annual reports
- 114 Children living away from home or receiving social care
- 115 Children's Commissioner: minor and consequential amendments
- 116 Repeal of requirement to appoint Children's Rights Director

## **PART 7**

### STATUTORY RIGHTS TO LEAVE AND PAY

### *Shared parental leave*

- 117 Shared parental leave

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

- 118 Exclusion or curtailment of other statutory rights to leave

*Statutory shared parental pay*

- 119 Statutory shared parental pay  
120 Exclusion or curtailment of other statutory rights to pay

*Other statutory rights*

- 121 Statutory rights to leave and pay of prospective adopters with whom  
looked after children are placed  
122 Statutory rights to leave and pay of applicants for parental orders  
123 Statutory paternity pay: notice requirement and period of payment  
124 Rate of statutory adoption pay  
125 Abolition of additional paternity leave and additional statutory paternity  
pay

*Further amendments*

- 126 Further amendments

**PART 8**

TIME OFF WORK: ANTE-NATAL CARE ETC

- 127 Time off work to accompany to ante-natal appointments  
128 Time off work to attend adoption appointments  
129 Right not to be subjected to detriment: agency workers  
130 Time off work for ante-natal care: increased amount of award

**PART 9**

RIGHT TO REQUEST FLEXIBLE WORKING

- 131 Removal of requirement to be a carer  
132 Dealing with applications  
133 Complaints to employment tribunals  
134 Review of sections 131 to 133

**PART 10**

GENERAL PROVISIONS

- 135 Orders and regulations  
136 Consequential amendments, repeals and revocations  
137 Transitional, transitory or saving provision  
138 Financial provision  
139 Commencement  
140 Short title and extent

---

**SCHEDULES**

SCHEDULE 1 — The Adoption and Children Act Register

- 1 The Adoption and Children Act 2002 is amended as follows....  
2 (1) Section 125 (Adoption and Children Act Register) is amended...  
3 (1) Section 126 (use of an organisation to establish the...

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

- 4 (1) Section 127 (use of an organisation as agency for...
- 5 (1) Section 128 (supply of information for the register) is...
- 6 (1) Section 129 (disclosure of information) is amended as follows....
- 7 Section 130 (territorial application) is repealed.
- 8 (1) Section 131 (supplementary) is amended as follows.
- 9 In section 142 (supplementary and consequential provision), in subsection (4)...
- 10 In section 144 (general interpretation etc), in subsection (2)—
- 11 (1) Sections 125 to 131 cease to have effect in...

## SCHEDULE 2 — Child arrangements orders: amendments

### PART 1 — AMENDMENTS OF THE CHILDREN ACT 1989

- 1 The Children Act 1989 is amended as follows.
- 2 (1) Section 5 (appointment of guardians) is amended as follows....
- 3 In the title of section 8 for “Residence, contact” substitute...
- 4 (1) Section 9 (restrictions on making section 8 orders) is...
- 5 (1) Section 10 (power of court to make section 8...
- 6 (1) Section 11 (section 8 orders: general principles and supplementary...
- 7 (1) Section 11A (contact activity directions) is amended as follows....
- 8 (1) Section 11B (further provision about contact activity directions) is...
- 9 (1) Section 11C (contact activity conditions) is amended as follows....
- 10 (1) Section 11D (further provision about contact activity conditions) is...
- 11 (1) Section 11E (making of contact activity directions and conditions)...
- 12 (1) Section 11F (contact activity: financial assistance) is amended as...
- 13 (1) Section 11G (contact activity: monitoring) is amended as follows....
- 14 (1) Section 11H (monitoring contact) is amended as follows.
- 15 In section 11I (warning notices to be attached to contact...
- 16 (1) Section 11J (enforcement orders where contact order not complied...
- 17 (1) Section 11K (enforcement orders: further provisions) is amended as...
- 18 (1) Section 11L (making of enforcement orders) is amended as...
- 19 (1) Section 11O (compensation for financial loss arising from breach...
- 20 (1) Section 11P (compensation orders under section 11O(2): further provision)...
- 21 (1) Section 12 (residence orders and parental responsibility) is amended...
- 22 (1) Section 13 (effect of residence order on change of...
- 23 Omit section 14 (enforcement of residence orders in magistrates' courts)....
- 24 In section 14A(5) (persons eligible to apply for special guardianship...
- 25 (1) Section 14B (making of special guardianship orders) is amended...
- 26 In section 14D(1) (persons eligible to apply for variation or...
- 27 (1) Section 16 (family assistance orders) is amended as follows....
- 28 For section 20(9)(a) (if accommodation under section 20 provided for...
- 29 In section 22C(3)(c) (where residence order in favour of a...
- 30 In section 23(4) (persons not referred to as local authority...
- 31 In section 34(1)(c) (child in care to be allowed reasonable...
- 32 (1) Section 38 (interim care or supervision orders) is amended...
- 33 (1) Section 41 (representation of child: meaning of “specified proceedings”)...
- 34 In section 43(11) (persons to be given notice of application...
- 35 In section 44(13) (persons to be allowed reasonable contact with...
- 36 In section 46(10) (persons to be allowed reasonable contact with...

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

- 37 (1) Section 91 (effect and duration of orders etc.) is...
- 38 (1) Section 105 (interpretation) is amended as follows.
- 39 (1) Schedule A1 (enforcement orders) is amended as follows.
- 40 (1) Schedule 1 (financial provision for children) is amended as...
- 41 In Schedule 14, omit paragraph 10 (certain orders made under...  
PART 2 — AMENDMENTS IN OTHER LEGISLATION
- Marriage Act 1949 (c. 76)*
- 42 (1) Section 3 of the Marriage Act 1949 (marriage of...  
*Children and Young Persons Act 1969 (c. 54)*
- 43 (1) Section 70 of the Children and Young Persons Act...  
*Local Authority Social Services Act 1970 (c. 42)*
- 44 In Schedule 1 to the Local Authority Social Services Act...  
*Domicile and Matrimonial Proceedings Act 1973 (c. 45)*
- 45 (1) Paragraph 11 of Schedule 1 to the Domicile and...  
*Mental Health Act 1983 (c. 20)*
- 46 In section 28(1) of the Mental Health Act 1983 (“nearest...  
*Child Abduction Act 1984 (c. 37)*
- 47 (1) Section 1 of the Child Abduction Act 1984 (offence...  
*Child Abduction and Custody Act 1985 (c. 60)*
- 48 For paragraph 1(b) of Schedule 3 to the Child Abduction...  
*Family Law Act 1986 (c. 55)*
- 49 The Family Law Act 1986 is amended as follows.
- 50 (1) Section 5 (which contains references to contact activity directions)...
- 51 (1) Section 6 (which includes provision for a family assistance...  
*Child Support Act 1991 (c. 48)*
- 52 For section 3(4)(c) of the Child Support Act 1991 (persons...  
*Armed Forces Act 1991 (c. 62)*
- 53 The Armed Forces Act 1991 is amended as follows.
- 54 In section 17(4) (persons who may apply for assessment order)...
- 55 In section 18(7) (persons who may apply to vary or...)
- 56 In section 20(8) (persons who are to be allowed reasonable...)
- 57 In section 22A(7) (persons who are to be allowed reasonable...)
- 58 (1) Section 23(1) (interpretation of Part 3) is amended as...  
*Adoption and Children Act 2002 (c. 38)*
- 59 The Adoption and Children Act 2002 is amended as follows....
- 60 (1) Section 26 (placement of children by adoption agency for...



*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

- 61 (1) Section 28 (further consequences of placement) is amended as...
- 62 (1) Section 29 (further consequences of placement orders) is amended...
- 63 (1) Section 32 (recovery of child from placement) is amended...
- 64 (1) Section 35 (return of placed child in certain cases)...
- 65 (1) Schedule 6 (glossary) is amended as follows.

*Civil Partnership Act 2004 (c. 33)*

- 66 (1) Schedule 2 to the Civil Partnership Act 2004 (civil...

*Income Tax (Trading and Other Income) Act 2005 (c. 5)*

- 67 The Income Tax (Trading and Other Income) Act 2005 is...
- 68 (1) Section 744 (payments to adopters, etc: England and Wales)...
- 69 In section 806(5) (persons who are not foster carers for...

*Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)*

- 70 In paragraph 13(1)(c) of Schedule 1 to the Legal Aid,...

SCHEDULE 3 — Special educational needs: consequential amendments

PART 1 — AMENDMENTS TO THE EDUCATION ACT 1996

- 1 The Education Act 1996 is amended as follows.
- 2 (1) Section 6 (nursery schools and special schools) is amended...
- 3 (1) Section 13 (general responsibility for education) is amended as...
- 4 In section 13A (duty to promote high standards and fulfilment...
- 5 (1) Section 15ZA (duty in respect of education and training...
- 6 In section 15A (powers in respect of education and training...
- 7 In section 15B (functions in respect of education for persons...
- 8 In section 18A (provision of education for persons subject to...
- 9 In the title of Chapter 1 of Part 4 (children...
- 10 Before section 312 (meaning of special educational needs etc) insert—...
- 11 (1) Section 312 (meaning of “special educational needs” and “special...
- 12 (1) Section 313 (code of practice) is amended as follows....
- 13 (1) Section 314 (making and approval of code) is amended...
- 14 (1) Section 316A (education otherwise than in mainstream schools) is...
- 15 In section 317 (duties of governing body or local authority...
- 16 (1) Section 318 (provision of goods and services in connection...
- 17 In section 326 (appeal against contents of statement), in subsection...
- 18 (1) Section 326A (unopposed appeals) is amended as follows.
- 19 (1) Section 328A (appeal against determination of local authority in...
- 20 (1) Section 329A (review or assessment of educational needs at...
- 21 (1) Section 332ZA (right of a child to appeal to...
- 22 In section 332ZB (notice and service of documents on a...
- 23 (1) Section 332ZC (case friends—Wales) is amended as follows.
- 24 (1) Section 332A (advice and information for parents—England) is repealed....
- 25 (1) Section 332AA (advice and information— Wales) is amended as...
- 26 (1) Section 332B (resolution of disputes—England) is repealed.
- 27 (1) Section 332BA (resolution of disputes—Wales) is amended as follows....
- 28 (1) Section 332BB (independent advocacy services—Wales) is amended as follows....
- 29 (1) Sections 332C to 332E (information about children in England...

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

- 30 In the cross-heading which precedes section 333 (Special Educational Needs...
- 31 (1) Section 333 (constitution of Welsh Tribunal) is amended as...
- 32 In section 335 (remuneration and expenses), in subsection (1) and...
- 33 (1) Section 336 (Tribunal procedure) is amended as follows.
- 34 (1) Section 336ZB (appeals from the Welsh Tribunal to the...
- 35 In section 336A (compliance with orders), in subsection (2)—
- 36 For section 337 (special schools) substitute— Special schools A school is a special school if it is specially...
- 37 In section 342 (approval of non-maintained special schools), in subsection...
- 38 (1) Section 348 (provision of special education at non-maintained schools)...
- 39 (1) Section 438 (choice of school: child without statement of...
- 40 (1) Section 440 (amendment of order at request of parent:...
- 41 (1) Section 441 (choice of school: child with statement of...
- 42 In section 442 (revocation of order at request of parent),...
- 43 In section 463 (meaning of “independent school”)—
- 44 (1) Section 483A (city colleges and academies: special educational needs)...
- 45 In section 507B (local authorities in England: functions in respect...
- 46 In section 508F (local authorities in England: provision of transport...
- 47 In the title of section 508I (complaints about transport arrangements...
- 48 (1) Section 509AB (local authorities in England: further provision about...
- 49 In section 509AC (interpretation of sections 509AA and 509AB), in...
- 50 (1) Section 514A (provision of boarding accommodation for persons subject...
- 51 In section 517 (payment of fees at schools not maintained...
- 52 (1) Section 532A (direct payments: persons with special educational needs...
- 53 In section 532B (direct payments: pilot schemes), in subsection (9)...
- 54 In section 560A (work experience for persons over compulsory school...
- 55 (1) Section 562C (detained persons with special educational needs) is...
- 56 In section 562D (appropriate special educational provision: arrangements between local...
- 57 (1) Section 562G (information to be provided where statement of...
- 58 (1) Section 562H (release of detained person appearing to host...
- 59 In section 579 (general interpretation)— (a) in subsection (1), after...
- 60 In section 580 (index)— (a) after the entry for “education...
- 61 In Schedule 35B (meaning of “eligible child” for purposes of...
- 62 (1) In Schedule 36A (education functions), the table in paragraph...  
PART 2 — AMENDMENTS TO OTHER ACTS

*Local Government Act 1974 (c. 7)*

- 63 In Schedule 5 to the Local Government Act 1974 (matters...

*Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)*

- 64 (1) In the Disabled Persons (Services, Consultation and Representation) Act...

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

*Children Act 1989 (c. 41)*

65 (1) The Children Act 1989 is amended as follows.

*Value Added Tax Act 1994 (c. 23)*

66 (1) In Schedule 9 to the Value Added Tax Act...

*School Standards and Framework Act 1998 (c. 31)*

67 The School Standards and Framework Act 1998 is amended as...

68 (1) Section 98 (admission for nursery education or to nursery...

69 (1) Section 123 (nursery education: children with special educational needs)...

70 In Part A1 of Schedule 22 (disposals of land in...

*Learning and Skills Act 2000 (c. 21)*

71 The Learning and Skills Act 2000 is amended as follows....

72 In section 35 (conditions imposed by Welsh Ministers on financial...

73 In section 41 (discharge by the Welsh Ministers of certain...

74 Sections 139A, 139B and 139C (assessments relating to learning difficulties:...

75 In consequence of the repeals made by paragraphs 72, 73...

*Education Act 2002 (c. 32)*

76 The Education Act 2002 is amended as follows.

77 In section 92 (pupils with statements of special educational needs:...

78 (1) Section 94 (information concerning directions under section 93) is...

*Nationality, Immigration and Asylum Act 2002 (c. 41)*

79 (1) Section 36 of the Nationality, Immigration and Asylum Act...

*Children Act 2004 (c. 31)*

80 In section 10(9) of the Children Act 2004 (co-operation arrangements...

*Education and Inspections Act 2006 (c. 40)*

81 In section 16 of the Education and Inspections Act 2006...

*Education and Skills Act 2008 (c. 25)*

82 The Education and Skills Act 2008 is amended as follows....

83 In section 4 (meaning of appropriate full-time education or training)—...

84 In section 17 (sharing and use of information held for...

85 In section 47 (attendance notice: description of education or training)

—...

86 In section 78(1) (Part 2: supplementary), in the definition of...

87 In section 132 (providers of independent education or training for...

*Apprenticeships, Skills, Children and Learning Act 2009 (c. 22)*

88 The Apprenticeships, Skills, Children and Learning Act 2009 is amended...

89 In section 83 (power to secure provision of apprenticeship training)—...

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

- 90 In section 86 (education and training for persons aged 19...
- 91 In section 87 (learning aims for persons aged 19 or...
- 92 In section 101 (financial resources: conditions), in subsection (5)(f)—
- 93 In section 115 (persons with learning difficulties)—
- 94 In section 129 (general duties of Ofqual)—

*Academies Act 2010 (c. 32)*

- 95 In section 1 of the Academies Act 2010 (Academy arrangements),...

*Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)*

- 96 In paragraph 2 of Schedule 1 to the Legal Aid,...

SCHEDULE 4 — Childminder agencies: amendments

PART 1 — THE CHILDCARE REGISTERS

- 1 The Childcare Act 2006 is amended as follows.
- 2 (1) Section 32 (childcare registration in England: maintenance of the...

PART 2 — EARLY YEARS CHILDMINDER AGENCIES

- 3 The Childcare Act 2006 is amended as follows.
- 4 In section 33 (requirement to register: early years childminders), in...
- 5 (1) Section 34 (requirement to register: other early years providers)...
- 6 (1) Section 35 (applications for registration: early years childminders) is...
- 7 (1) Section 36 (applications for registration: other early years providers)...
- 8 (1) Section 37 (entry on the register and certificates) is...
- 9 After section 37 insert— Early years childminder agencies: registers and...
- 10 In section 38 (conditions on registration), in subsections (1) and...
- 11 (1) Section 44 (instruments specifying learning and development or welfare...
- 12 In section 49 (inspections), in subsection (1) for “under this...
- 13 After Chapter 2 (regulation of early years provision) insert—

CHAPTER...

PART 3 — LATER YEARS CHILDMINDER AGENCIES

- 14 The Childcare Act 2006 is amended as follows.
- 15 In section 52 (requirement to register: later years childminders for...
- 16 (1) Section 53 (requirement to register: other later years providers)...
- 17 (1) Section 54 (applications for registration: later years childminders) is...
- 18 (1) Section 55 (applications for registration: other later years providers)...
- 19 (1) Section 56 (entry on the register and certificates) is...
- 20 After section 56 insert— Later years childminder agencies: registers and...
- 21 In section 57 (special procedure for registered early years providers),...
- 22 After section 57 insert— Special procedure for providers registered with...
- 23 In section 58 (conditions on registration), in subsections (1) and...
- 24 (1) Section 59 (regulations governing activities) is amended as follows....
- 25 In section 60 (inspections), in subsection (1) for “under this...
- 26 After Chapter 3 (regulation of later years provision for children...

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

PART 4 — VOLUNTARY REGISTRATION WITH CHILDMINDER AGENCY

- 27 The Childcare Act 2006 is amended as follows.
- 28 In section 65 (special procedure for persons already registered), in...
- 29 After section 65 insert— Voluntary registration of persons registered with...
- 30 In section 66 (conditions on registration), in subsections (1) and...
- 31 (1) Section 67 (regulations governing activities) is amended as follows....

PART 5 — PROVISIONS APPLYING IN RELATION TO ALL CHILDMINDER AGENCIES

- 32 The Childcare Act 2006 is amended as follows.
- 33 (1) Section 68 (cancellation of registration) is amended as follows....
- 34 (1) Section 69 (suspension of registration) is amended as follows....
- 35 After section 69 insert— Cancellation, termination and suspension of registration...
- 36 After section 69A (as inserted by paragraph 35) insert— Cancellation...
- 37 (1) Section 70 (voluntary removal from register) is amended as...
- 38 After section 70 insert— Voluntary removal from a childcare register:...
- 39 In section 71 (termination of voluntary registration on expiry of...
- 40 In section 72 (protection of children in an emergency), in...
- 41 (1) Section 73 (procedure for taking certain steps) is amended...
- 42 (1) Section 74 (appeals) is amended as follows.
- 43 In the italic heading before section 75 (disqualification from registration),...
- 44 In the title of section 75, at the end insert...
- 45 (1) Section 76 (consequences of disqualification) is amended as follows....
- 46 After section 76 insert— Disqualification from registration: childminder agencies Disqualification...
- 47 (1) Section 77 (powers of entry) is amended as follows....
- 48 For the title of section 78 substitute “ Powers of...
- 49 After section 78 insert— Chief Inspector's powers of entry: childminder...
- 50 In section 79 (power of constable to assist in exercise...
- 51 (1) Section 82 (supply of information to the Chief Inspector),...
- 52 (1) Section 83 (supply of information to HMRC and local...
- 53 After section 83 insert— Supply of information to the Secretary...
- 54 In the title of section 84 (disclosure of information for...
- 55 After section 84 insert— Disclosure of information for certain purposes:...
- 56 In section 85 (offence of making false or misleading statement),...
- 57 (1) Section 87 (offences by bodies corporate) is amended as...
- 58 In section 89 (fees), in subsection (1) after “to 4”...
- 59 (1) Section 90 (cases where consent to disclosure is withheld)...
- 60 (1) Section 93 (notices) is amended as follows.
- 61 In section 94 (power to amend Part 3: applications in...
- 62 (1) Section 98 (interpretation of Part 3) is amended as...

PART 6 — OTHER AMENDMENTS

- 63 In section 99 of the Childcare Act 2006 (provision of...
- 64 In the Employment Agencies Act 1973, in section 13(7) (exemptions)...

SCHEDULE 5 — Children's Commissioner: minor and consequential amendments

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

### *Inquiries*

- 1 (1) Section 3 of the Children Act 2004 (inquiries initiated...
- 2 (1) Section 4 of the Children Act 2004 (inquiries held...

### *Functions of Commissioner: children in Wales, Scotland and Northern Ireland*

- 3 (1) Section 5 of the Children Act 2004 (functions of...
- 4 (1) Section 6 of the Children Act 2004 (functions of...
- 5 (1) Section 7 of the Children Act 2004 (functions of...

### *Young persons*

- 6 (1) For section 9 of the Children Act 2004 (care...

### *Appointment and tenure of Children's Commissioner*

- 7 In Schedule 1 to the Children Act 2004, in paragraph...
- 8 In Schedule 1 to the Children Act 2004, after paragraph...

### *Deputy Children's Commissioner*

- 9 (1) In Schedule 1 to the Children Act 2004, in...

SCHEDULE 6 — Repeal of requirement to appoint Children's Rights Director:  
transfer schemes

### *Staff transfer schemes*

- 1 (1) The Secretary of State may make a scheme (a...

### *Property transfer schemes*

- 2 (1) The Secretary of State may make a scheme (a...

### *The Chief Inspector*

- 3 In the following provisions of this Schedule, a reference to...

### *Continuity*

- 4 A transfer by virtue of a staff transfer scheme or...

### *Supplementary provisions*

- 5 A staff transfer scheme or a property transfer scheme may...

### *Interpretation*

- 6 In this Schedule— “the Chief Inspector” means Her Majesty's Chief...

SCHEDULE 7 — Statutory rights to leave and pay: further amendments

### *Social Security Act 1989 (c. 24)*

- 1 Schedule 5 to the Social Security Act 1989 (employment-related schemes...
- 2 (1) Paragraph 5A (schemes that contain unfair paternity leave provisions)...

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

- 3 (1) Paragraph 5B (schemes that contain unfair adoption leave provisions)...
- 4 After paragraph 5B there is inserted— Unfair shared parental leave...

*Finance Act 1989 (c. 26)*

- 5 (1) Section 182 of the Finance Act 1989 (offences relating...

*Social Security Contributions and Benefits Act 1992 (c. 4)*

- 6 The Social Security Contributions and Benefits Act 1992 is amended...
- 7 In section 1 (outline of contributory system), in subsection (5)...
- 8 In section 4 (payments treated as remuneration and earnings), in...
- 9 In section 4C (power to make provision in consequence of...
- 10 In the title of Part 12ZA, the words “Ordinary and...
- 11 The italic cross-heading preceding section 171ZA is repealed.
- 12 (1) Section 171ZA (entitlement to ordinary statutory paternity pay: birth)...
- 13 (1) Section 171ZB (entitlement to ordinary statutory paternity pay: adoption)...
- 14 (1) Section 171ZC (entitlement to ordinary statutory paternity pay: general)...
- 15 (1) Section 171ZD (liability to pay ordinary statutory paternity pay)...
- 16 (1) Section 171ZE (rate and period of pay) is amended...
- 17 The italic cross-heading preceding section 171ZEA is repealed.
- 18 The italic cross-heading preceding section 171ZF is repealed.
- 19 In section 171ZF (restrictions on contracting out), in subsection (2)...
- 20 In section 171ZG (relationship with contractual remuneration), subsection (4) is...
- 21 (1) Section 171ZJ (provision supplementary to Part 12ZA) is amended...
- 22 In section 176 (Parliamentary control of subordinate legislation), in subsection...

*Social Security Administration Act 1992 (c. 5)*

- 23 The Social Security Administration Act 1992 is amended as follows....
- 24 In section 5 (regulations about claims for and payments of...
- 25 In section 122AA (disclosure of contributions information etc by HMRC),...
- 26 In section 150 (annual up-rating of benefits), in subsection (1)...
- 27 In section 163 (general financial arrangements), in subsection (1) (payments...
- 28 (1) Section 165 (adjustments between the National Insurance Fund and...

*Employment Rights Act 1996 (c. 18)*

- 29 The Employment Rights Act 1996 is amended as follows.
- 30 In section 27 (meaning of “wages”), in subsection (1) (sums...
- 31 In section 47C (right not to be subjected to detriment...
- 32 In section 80A (entitlement to ordinary paternity leave: birth), in...
- 33 In section 80B (entitlement to ordinary paternity leave: adoption), in...
- 34 (1) Section 80C (rights during and after ordinary and additional...
- 35 In section 80D (provision as to redundancy or dismissal), in...
- 36 (1) Section 80E (supplemental to Chapter 3 of Part 8)...

*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

- 37 (1) Section 88 (liability of employer to pay employee during...
- 38 (1) Section 89 (effect of notice of termination: employments without...
- 39 In section 99 (dismissal to be regarded as unfair where...
- 40 In section 106 (dismissal of employee engaged as replacement for...
- 41 In section 230 (meaning of “employee”, etc), after subsection (6)...
- 42 In section 235 (other definitions), in subsection (1)—
- 43 In section 236 (orders and regulations), in subsection (3) (affirmative...

*Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2)*

- 44 The Social Security Contributions (Transfer of Functions, etc.) Act 1999...
- 45 (1) Section 8 (decisions by officers of Revenue and Customs)...
- 46 In section 11 (appeals against decisions of officers of Revenue...
- 47 (1) Section 14 (matters arising as respects decisions) is amended...

*Finance Act 1999 (c. 16)*

- 48 (1) Sections 132 and 133 of the Finance Act 1999...

*Finance Act 2000 (c. 17)*

- 49 In Schedule 15 to the Finance Act 2000 (the corporate...

*Employment Act 2002 (c. 22)*

- 50 The Employment Act 2002 is amended as follows.
- 51 (1) Section 7 (funding of employers' liabilities as regards certain...
- 52 (1) Section 8 (regulations about payment) is amended as follows....
- 53 (1) Section 10 (powers to require information) is amended as...
- 54 In section 11 (penalties for failure to comply), in subsection...
- 55 (1) Section 12 (penalties for fraud or negligence) is amended...
- 56 In section 13 (supply of information held by Her Majesty's...
- 57 (1) Section 14 (supply of information held by the Secretary...
- 58 In section 15 (use of information by Her Majesty's Revenue...
- 59 In section 55 (short title etc), in subsection (8) (references...

*Proceeds of Crime Act 2002 (c. 29)*

- 60 (1) Section 323 of the Proceeds of Crime Act 2002...

*Income Tax (Earnings and Pensions) Act 2003 (c. 1)*

- 61 The Income Tax (Earnings and Pensions) Act 2003 is amended...
- 62 (1) Section 660 (taxable benefits: UK benefits - Table A)...
- 63 (1) Schedule 5 (enterprise management incentives) is amended as follows....

*Commissioners for Revenue and Customs Act 2005 (c. 11)*

- 64 (1) Schedule 1 to the Commissioners for Revenue and Customs...

*Work and Families Act 2006 (c. 18)*

- 65 The Work and Families Act 2006 is amended as follows....
- 66 Sections 3 to 10 (additional paternity leave and additional statutory...
- 67 Section 11(2) (treatment of references to statutory paternity pay) is...



*Status: Point in time view as at 01/05/2014.*

*Changes to legislation: Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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)*

---

68 In Schedule 1 (leave and pay related to birth or...

*Income Tax Act 2007 (c. 3)*

69 The Income Tax Act 2007 is amended as follows.

70 In section 186A (enterprise investment schemes: the number of employees...

71 In section 257DJ (seed enterprise investment schemes: the number of...

72 In section 297A (venture capital trusts: the number of employees...

*Welfare Reform Act 2007 (c. 5)*

73 (1) Section 20 of the Welfare Reform Act 2007 (relationship...

*Pensions Act 2008 (c. 30)*

74 In section 13 of the Pensions Act 2008 (qualifying earnings),...

*Welfare Reform Act 2012 (c. 5)*

75 In the Welfare Reform Act 2012, in section 63 (entitlement...

**Status:**

Point in time view as at 01/05/2014.

**Changes to legislation:**

Children and Families Act 2014 is up to date with all changes known to be in force on or before 22 May 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.