

2010 No. 622

CHILDREN AND YOUNG PERSONS, ENGLAND

**The Local Safeguarding Children Boards (Amendment)
Regulations 2010**

<i>Made</i>	- - - -	<i>5th March 2010</i>
<i>Laid before Parliament</i>		<i>10th March 2010</i>
<i>Coming into force</i>	- -	<i>1st April 2010</i>

The Secretary of State for Children, Schools and Families makes the following Regulations in exercise of the power conferred by section 13(4) of the Children Act 2004(a):

Citation, commencement and interpretation

1. These Regulations may be cited as the Local Safeguarding Children Boards (Amendment) Regulations 2010 and come into force on 1st April 2010.

Amendment of the Local Safeguarding Children Boards Regulations 2006

2. After regulation 3 of the Local Safeguarding Children Boards Regulations 2006(b), insert—

“Prescribed persons and bodies

3A.—(1) The following persons and bodies are prescribed for the purposes of section 13(4) of the Act—

- (a) the governing body of a maintained school that is maintained by the authority in their capacity as a local education authority;
- (b) the proprietor of a school approved by the Secretary of State under section 342 of the Education Act 1996(c) and situated in the authority’s area;
- (c) the proprietor of a city technology college, city college for the technology of the arts or Academy situated in the authority’s area;
- (d) the governing body of an institution within the further education sector the main site of which is situated in the authority’s area.

(a) 2004 c.31.

(b) S.I. 2006/90.

(c) 1996 c.56. Section 342 was substituted by section 140(1) of, and paragraph 82 of Schedule 30 to, the School Standards and Framework Act 1998 (c. 31). Section 342 is also amended by sections 142, 143 and 169(2) of, and Schedule 2 to, the Education and Skills Act 2008 (c. 25); those amendments were not in force on the date these Regulations were made.

(2) In this regulation, “governing body”, “institution within the further education sector” and “maintained school” have the meanings given by section 10 of the Act(a).”.

5th March 2010

Delyth Morgan
Parliamentary Under Secretary of State
Department for Children, Schools and Families

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under section 13(4) of the Children Act 2004 (“the Act”), amend the Local Safeguarding Children Boards Regulations 2006.

A children’s services authority in England must take reasonable steps to ensure that the Local Safeguarding Children Board established by them in accordance with section 13 of the Act includes representatives of relevant persons and bodies of such descriptions as may be prescribed. The following persons and bodies are prescribed by the amendment to the Local Safeguarding Children Boards Regulations 2006 made by regulation 2: the governing body of a maintained school; the proprietor of a non-maintained special school; the proprietor of a city technology college, a city college for the technology of the arts or an Academy; and the governing body of a further education institution the main site of which is situated in the authority’s area. Section 10(10) of the Act provides that, in deciding whether the main site of an institution within the further education sector is situated within the area of a children’s services authority, the authority and the governing body of the institution must have regard to any guidance given to them by the Secretary of State.

An assessment of the impact of these Regulations is set out at section 10 of the Explanatory Memorandum which is available alongside these Regulations at www.opsi.gov.uk.

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(a) Section 10 of the Children Act 2004 provides that “governing body”, in relation to an institution within the further education sector, has the meaning given by section 90 of the Further and Higher Education Act 1992 (c.13); “institution within the further education sector” has the meaning given by section 4(3) of the Education Act 1996 (c.56); and “maintained school” has the meaning given by section 39(1) of the Education Act 2002 (c.32).

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