



# Social Services and Well-being (Wales) Act 2014

2014 anaw 4

## PART 9 **E+W**

### CO-OPERATION AND PARTNERSHIP

#### *Partnership arrangements*

#### 166 Partnership arrangements **E+W**

- (1) Regulations may require specified partnership arrangements to be made by—
  - (a) two or more local authorities, or
  - (b) one or more local authorities and one or more Local Health Boards.
- (2) Partnership arrangements are arrangements for carrying out—
  - (a) functions of a local authority specified in regulations which—
    - (i) are social services functions, or
    - (ii) in the opinion of the Welsh Ministers, have an effect on, or are affected by, a local authority's social services functions, or
  - (b) functions specified in regulations of—
    - (i) a Local Health Board, or
    - (ii) an <sup>[F1]</sup>NHS Trust].
- (3) Regulations under subsection (1) must make provision—
  - (a) specifying the local authorities and Local Health Boards that are to take part in partnership arrangements;
  - (b) about the form that partnership arrangements are to take;
  - (c) about the responsibility for, and the operation and management of, partnership arrangements;
  - (d) for sharing information between the following—
    - (i) local authorities;

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- (ii) Local Health Boards;
  - (iii) any teams or persons carrying out partnership arrangements in accordance with regulations made by virtue of subsection (4)(b);
  - (iv) any partnership boards established under regulations under section 168.
- (4) Regulations under subsection (1) may make provision—
- (a) for a local authority or a Local Health Board to carry out any of the functions specified for the purposes of subsection (2) for the purposes of partnership arrangements;
  - (b) for the establishment of teams or for the appointment of persons to carry out partnership arrangements and for assigning to those teams or persons any of the functions specified for the purposes of subsection (2);
  - (c) specifying the persons or categories of persons for whose benefit partnership arrangements are to be carried out;
  - (d) for the referral of persons to services provided in accordance with partnership arrangements.
- (5) The provision that may be made under subsection (3)(c) includes, for example, provision—
- (a) requiring partnership arrangements to be carried out under the direction of a partnership board established under regulations under section 168;
  - (b) about the review of cases referred in accordance with partnership arrangements;
  - (c) about complaints and disputes about the exercise of functions in accordance with partnership arrangements;
  - (d) about the provision of information about partnership arrangements;
  - (e) about accounts and audit in respect of functions carried out in accordance with partnership arrangements.
- (6) Partnership arrangements made under regulations under this section do not affect—
- (a) the liability of a Local Health Board for the exercise of any of its functions,
  - (b) the liability of a local authority for the exercise of any of its functions, or
  - (c) any power or duty to recover charges in respect of services provided in the exercise of any local authority functions.

#### Textual Amendments

**F1** Words in s. 166(2)(b)(ii) substituted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), 313

#### Commencement Information

**II** S. 166 in force at 6.4.2016 by [S.I. 2016/412](#), art. 2 (with art. 4, Schs. 1, 2)

## 167 Resources for partnership arrangements E+W

- (1) A local authority and a Local Health Board may pay towards the expenditure incurred for the purpose of, or in connection with, partnership arrangements made under regulations under section 166—
- (a) by making payments directly, or

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- (b) by contributing to a pooled fund.
- (2) A local authority and a Local Health Board may provide staff, goods, services, accommodation or other resources for the purpose of, or in connection with, partnership arrangements.
- (3) Regulations may make further provision about the funding of partnership arrangements, including (among other things) provision—
- (a) requiring a local authority or a Local Health Board to establish and maintain a pooled fund;
  - (b) for determining the amount of contributions to be made by a local authority or a Local Health Board to a pooled fund;
  - (c) about expenditure for posts or categories of post established for the purpose of, or in connection with, partnership arrangements;
  - (d) about expenditure for services provided in accordance with partnership arrangements;
  - (e) about expenditure for the administration of partnership arrangements;
  - (f) about expenditure for any other purpose connected to partnership arrangements.
- (4) In this section “a pooled fund” means a fund established and maintained by a local authority or a Local Health Board, out of which the payments may be made towards the expenditure incurred for the purpose of, or in connection with, partnership arrangements.

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**Commencement Information**

**I2** S. 167 in force at 6.4.2016 by [S.I. 2016/412](#), [art. 2](#) (with [art. 4](#), [Schs. 1, 2](#))

**168 Partnership boards** **E+W**

- (1) Regulations may require a partnership board in respect of partnership arrangements made under regulations under section 166 to be established by—
- (a) one or more local authorities,
  - (b) one or more Local Health Boards, or
  - (c) one or more local authorities and one or more Local Health Boards.
- (2) Regulations may make provision about—
- (a) the membership of partnership boards;
  - (b) the payment of remuneration and allowances to members of partnership boards;
  - (c) the objectives and functions of partnership boards;
  - (d) the procedures to be followed by partnership boards;
  - (e) the making of reports by partnership boards and their form, content, timing and publication.

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**Commencement Information**

**I3** S. 168 in force at 6.4.2016 by [S.I. 2016/412](#), [art. 2](#) (with [art. 4](#), [Schs. 1, 2](#))

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## 169 Guidance about partnership arrangements **E+W**

- (1) The Welsh Ministers must issue, and from time to time revise, guidance about partnership arrangements made under regulations under section 166.
- (2) In exercising functions conferred on them under or by virtue of sections 166 to 168, the following must have regard to that guidance and to any outcomes specified in a statement issued under section 8—
  - (a) a local authority;
  - (b) a Local Health Board;
  - (c) a team or person carrying out partnership arrangements in accordance with regulations made by virtue of section 166(4)(b);
  - (d) a partnership board established under regulations under section 168.

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### Commencement Information

**I4** S. 169 in force at 6.4.2016 by S.I. 2016/412, art. 2 (with art. 4, Schs. 1, 2)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 162(4)(ga) inserted by [2022 asc 1 Sch. 4 para. 30\(2\)\(b\)](#)
- s. 163(4A) inserted by [2014 c. 23 s. 75\(10\)](#) (Effect inserting (4) not applied at s. 163 as it appears to relate to s. 194 in view of the title of the section as cited i.e. "ordinary residence". In s. 194 another (4), identically worded, is inserted on the same date by S.I. 2016/413, regs. 2(1), 316(a))