
WELSH STATUTORY INSTRUMENTS

2010 No. 1701 (W.162)

**SOCIAL CARE, WALES
NATIONAL HEALTH SERVICE, WALES
CHILDREN AND YOUNG PERSONS, WALES**

The Integrated Family Support Teams (Family Support Functions) (Wales) Regulations 2010

<i>Made</i>	- - - -	<i>24 June 2010</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>29 June 2010</i>
<i>Coming into force</i>	- -	<i>1 September 2010</i>

The Welsh Ministers, in exercise of the powers conferred by sections 58(2) of the Children and Families (Wales) Measure 2010⁽¹⁾, make the following regulations.

Citation, commencement, interpretation and application

1.—(1) The title of these Regulations is the Integrated Family Support Teams (Family Support Functions) (Wales) Regulations 2010 and they come into force on 1 September 2010.

(2) These Regulations apply in relation to Wales⁽²⁾

(3) In these Regulations—

“the 2010 Measure” (“*Mesur 2010*”) means the Children and Families (Wales) Measure 2010.

Family support functions

2. The functions set out in the Schedule are family support functions for the purposes of Part 3 of the 2010 measure.

(1) [2010 nawm.1](#)

(2) The enabling power under which these regulations are made has been brought into force only in relation to the specified areas prescribed in the Children and Families (Wales) Measure 2010 (Commencement) Order 2010 (S.I.2010/1699 (W.160) (C.87)). These areas are the local authority areas of Merthyr Tydfil, Newport, Rhondda Cynon Taf and Wrexham.

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24 June 2010

Gwenda Thomas
Deputy Minister for Social Services under
authority of the Minister for Health and Social
Services, one of the Welsh Ministers

SCHEDULE 1

Table 1

Local authority functions in relation to children

<i>Function</i>	<i>Extent</i>
s.2 Chronically Sick and Disabled Persons Act 1970 (as it applies through the operation of s.28A of that Act) (<i>Provision of Welfare Services</i>)	In so far as they relate to the provision of services (including assistance, counselling or support) for children who are “in need” for the purposes of section 17 of the Children Act 1989 and for their families, including the carrying out of any assessments for those purposes.
s. 117 Mental Health Act 1983 (<i>After-care</i>)	
s.17 and Schedule 2, part 1 Children Act 1989 (<i>Provision of services for children in need, their families and others</i>)	
s. 82 National Health Service Act 2006 (<i>Cooperation between NHS bodies and local authorities</i>)	
s.192(1) and Schedule 15 National Health Service (Wales) Act 2006 (<i>Local Social Service Authorities</i>)	

Table 2

Local authority functions in relation to adults

<i>Function</i>	<i>Extent</i>
s. 29 National Assistance Act 1948 and directions made under it (<i>Welfare arrangements</i>)	In so far as they relate to the provision of services (including assistance, counselling or support) or facilities to promote the welfare of persons over the age of 18 who are eligible for services under those sections because they are dependent on alcohol or drugs, because they are victims of domestic violence or abuse, have a history of violent or abusive behaviour or because they have a mental disorder, and including assessment of the need for those services or facilities.
s.2 Chronically Sick and Disabled Persons Act 1970 (<i>Provision of Welfare Services</i>)	
s. 117 Mental Health Act 1983 (<i>After-care</i>)	
s.6 Carers and Disabled Children Act 2000 (<i>Assessments: persons with parental responsibility</i>)	

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<i>Function</i>	<i>Extent</i>
s. 192(1) and Schedule 15 of National Health Service (Wales) Act 2006 (<i>Local Social Service Authorities</i>)	

Table 3

Local Health Board functions in relation to children

<i>Function</i>	<i>Extent</i>
s. 117 Mental Health Act 1983 (<i>After-care</i>)	In so far as they relate to the provision of health services or facilities for, or treatment of children who are in need for the purposes of s.17 of the Children Act 1989 including the assessment of need for such services or facilities.
s.82 National Health Service Act 2006 (<i>Cooperation between NHS bodies and local authorities</i>)	
s. 1 National Health Service (Wales) Act 2006 (<i>Duty to promote health service</i>)	
s. 2 National Health Service (Wales) Act 2006 (<i>General powers</i>)	
s.3(1) (c), (d), (e) and (f) National Health Service (Wales) Act 2006 (<i>Provision of certain services</i>)	
s. 10(1), (2), (3), (4) and (5) National Health Service (Wales) Act 2006 (<i>Arrangements with other bodies</i>)	
s. 38(6) National Health Service (Wales) Act 2006 (<i>Duty to make available services provided by a person employed in the health service to enable local authorities to discharge functions</i>)	

Table 4

Local Health Board functions in relation to adults

<i>Function</i>	<i>Extent</i>
s. 117 Mental Health Act 1983 (<i>After-care</i>)	In so far as they relate to the provision of health services or facilities for, or treatment of persons who are dependent on alcohol or drugs, or who are victims of domestic violence or abuse, have a history of violent or abusive behaviour or who have a mental disorder, to include the assessment of need for such services, facilities or treatment.

<i>Function</i>	<i>Extent</i>
s.82 National Health Service Act 2006 (<i>Cooperation between NHS bodies and local authorities</i>)	
s. 1 National Health Service (Wales) Act 2006 (<i>Duty to promote health service</i>)	
s. 2 National Health Service (Wales) Act 2006 (<i>General powers</i>)	
s.3(1) (c), (d), (e) and (f) National Health Service (Wales) Act 2006 (<i>Provision of certain services</i>)	
s. 10(1), (2), (3), (4) and (5) National Health Service (Wales) Act 2006 (<i>Arrangements with other bodies</i>)	
S. 38(6) National Health Service (Wales) Act 2006 (<i>Duty to make available services provided by a person employed in the health service to enable local authorities to discharge functions</i>)	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations set out the functions of a local authority and the functions of a Local Health Board which are “family support functions” for the purposes of section 58 of the Children and Families (Wales) Measure 2010 (“the Measure”). Section 57 of the Measure requires local authorities to establish one or more integrated family support (“IFS”) teams in their area and requires a Local Health Board to participate in their establishment. The IFS teams are not separate legal entities but bring together the local authority and the Local Health Board to perform together certain health and social care functions to address the issues of the families whose cases can be referred to it.

Section 58(2) of the Measure allows the Welsh Ministers to prescribe certain of a local authority’s social services functions and certain functions of a Local Health Board or NHS Trust as “family support functions”. A local authority, with the consent of the participating Local Health Board, must decide which of its own and the Local Health Board “family support functions” to assign to the IFS team.

Subsections (5) to (8) of section 58 set out the particular types of cases which a local authority may refer to an IFS team. The statutory functions identified apply more widely than the types of case in question might require so the tables in the Schedule to these Regulations include text narrowing the focus to the relevant area.

Section 58(12) of the Measure provides that functions prescribed as “family support functions” and which are assigned to an IFS team will continue to be exercised by the local authority and a local health board outside the team as well as being performed within the team.

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