

SOCIAL SERVICES AND WELL- BEING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 176 – Representations relating to former looked after children etc

443. **Section 176** requires a local authority to establish a procedure for considering representations by certain categories of children and young persons about the discharge of its functions under Parts 3 to 7 of the Act, in relation to those children and young persons. It replicates, to a large extent, the provision currently contained in section 24D of the Children Act 1989, which is to be disapplied in relation to Wales.
444. The children and young persons whose representations may be considered under this procedure are those who are described in the Act as category 2, 3, 4, 5 or 6 young persons (see notes to section 104 of the Act). They are essentially older children (aged 16 or 17) who are looked after or were formerly looked after by a local authority and young people (aged 18 or older) who are generally care leavers. A child looked after by a local authority is defined in section 74 of the Act as a child who is in the local authority's care or who is provided with accommodation by the authority in the exercise of specified social services functions.
445. The Welsh Ministers have the power to make regulations which may impose requirements about the procedure that must be established by the local authority under this section and specify time limits for the making of representations. A local authority is under a duty to give publicity to the procedure which it establishes under this section and must comply with any procedural requirements set out in the regulations.