



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

2014 anaw 4

## PART 6

### LOOKED AFTER AND ACCOMMODATED CHILDREN

#### *Death of a looked after child*

#### **125 Death of children being looked after by local authorities**

- (1) If a child who is being looked after by a local authority dies, the authority—
  - (a) must notify the Welsh Ministers,
  - (b) must, so far as is reasonably practicable, notify the child's parents and every person who is not a parent of the child but who has parental responsibility for the child,
  - (c) may, with the consent (so far as it is reasonably practicable to obtain it) of every person who has parental responsibility for the child, arrange for the child's body to be buried or cremated, and
  - (d) may, if the conditions mentioned in subsection (2) are satisfied, make payments to any person who has parental responsibility for the child, or any relative, friend or other person connected with the child, in respect of travelling, subsistence or other expenses incurred by that person in attending the child's funeral.
- (2) The conditions are that—
  - (a) it appears to the authority that the person concerned could not otherwise attend the child's funeral without undue financial hardship, and
  - (b) that the circumstances warrant the making of the payments.
- (3) Subsection (1) does not authorise cremation where it does not accord with the practice of the child's religious persuasion.

*Status: This is the original version (as it was originally enacted).*

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- (4) Where a local authority has exercised its power under subsection (1)(c) with respect to a child who was under 16 when the child died, it may recover from any parent of the child any expenses incurred by it.
- (5) Any amounts so recoverable are, without prejudice to any other method of recovery, recoverable summarily as a civil debt.
- (6) Nothing in this section affects any enactment regulating or authorising the burial, cremation or anatomical examination of the body of the deceased person.