

CHILDREN AND FAMILIES (WALES) MEASURE 2010

EXPLANATORY NOTES

Part 4: Miscellaneous and General

Section 66: Family social work standards officers

132. **Section 66** requires each local authority area to appoint a designated officer (family social work standards officer) who will have specific responsibility for raising standards in social work practice and promoting use of evidence-based research in relation to children and persons who care for them. The remit of the family social work standards officer extends to all social work practice which has a bearing on children.

Section 67: Children’s needs arising from community care needs of their parents

133. **Section 67** imposes a duty on local authorities, when assessing the needs of adults for community care services, to consider also the needs of any children for whom the adult has caring responsibilities and consider whether the impact of the adults’ needs on their ability to parent indicate that the child in turn is a “child in need” in the terms of section 17 of the 1989 Act.
134. Having considered whether or not the child does appear to be a child in need, the local authority must decide whether to make the child the subject of an assessment under section 17 of the 1989 Act and then whether or not to provide any services.
135. Subsection (4) then requires the local authority to take account of the consideration given to the child’s needs in deciding what are the needs of the parent are under section 47(1)(b) of the National Health Service and Community Care Act 1990.

Section 68: Children’s needs arising from the health conditions of their parents

136. This section complements the provision in section 67 by imposing a duty on NHS bodies, when certain health services are provided, to make suitable arrangements to consider whether the health needs of a parent are such that any children may be eligible for services from a local authority whether under section 17 of the 1989 Act or another provision. The health body must also make suitable arrangements for referral of appropriate cases to the relevant local authority but this duty is subject to any duty owed to the child or carer in relation to disclosure of information whether under a common law duty of confidentiality or any duty owed to the subject of the information under the Data Protection Act 1998.

Section 69: Social services functions

137. **Section 69** provides for a consequential change to Schedule 1 of the Local Authority Social Services Act 1970 to extend the meaning of “social services functions” to include the functions relating to an IFST and IFS Boards, family social work standards officers (section 66) and consideration of the needs of children when assessing parents (section 67).

Section 70: Guidance

138. [Section 70](#) sets out certain provisions in respect of any guidance issued by the Welsh Ministers to bodies that must have regard to it.

Section 71: General interpretation

139. [Section 71](#) sets out definitions for terms used within the Measure.

Section 72: Minor and consequential amendments

140. Minor and consequential amendments are set out in Schedule 1.

Section 73: Repeals

141. Repeals are set out in Schedule 2.

Section 74: Orders and Regulations

142. Any power of the Welsh Ministers to make an order or regulations under the Measure is exercisable by statutory instrument. Subsection (2) to (5) set out the arrangements in respect of orders and regulations. The power to make regulations may be exercised so as to make different provision for different cases or areas or purposes and to make general provision or provision which is specific to a particular case or particular class of cases.

Section 75: Commencement

143. [Section 75](#) sets out the arrangements for commencement of the Measure in respect of Sections 1, 2, 3, 74, 75 and 76. All other remaining provisions come into force when commenced by the Welsh Ministers by order.

Section 76: Short title

144. The short title of the Measure is ‘the Children and Families (Wales) Measure 2010’.