



Children and Families (Wales) Measure 2010

2010 nawm 1

PART 4

MISCELLANEOUS AND GENERAL

Children's needs arising from community care and health needs of their parents

PROSPECTIVE

67 Children's needs arising from community care needs of their parents

- (1) This section applies to a child where it appears to a local authority that the child's parent—
 - (a) is a person for whom it may provide or arrange for the provision of community care services, and
 - (b) may be in need of any such services.
- (2) A local authority must consider whether the child appears to the authority to be a child in need as a result of the needs of the parent.
- (3) A local authority must take account of the results of its consideration under subsection (2) in deciding—
 - (a) whether or not to assess the needs of the child for the purposes of section 17 of the Children Act 1989 (c. 41) (provision of services for children in need), and
 - (b) what, if any, services to provide under that section for the child or the child's family.
- (4) A local authority must take account of the results of its consideration under subsection (2) in making any decision in respect of the parent under section 47(1)(b) of the National Health Service and Community Care Act 1990 (c. 19) (assessment of needs for community care services).

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Children and Families (Wales) Measure 2010, Section 67. (See end of Document for details)

(5) In this section—

“child in need” (“plentyn mewn angen”) means a child taken to be in need for the purposes of Part 3 of the Children Act 1989;

“community care services” (“gwasanaethau gofal cymunedol”) has the same meaning as in section 46 of the National Health Service and Community Care Act 1990.

(6) In this section and in section 68 “parent”, in relation to a child, includes any individual—

(a) who is not a parent of the child but who has parental responsibility for the child, or

(b) who has care of the child.

(7) For the purposes of subsection (6)—

(a) “parental responsibility” has the same meaning as in the Children Act 1989 (c. 41);

(b) in determining whether an individual has care of a child, any absence of the child at a hospital, children's home or foster placement and any other temporary absence is to be disregarded.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Children and Families (Wales) Measure 2010, Section 67.