
WELSH STATUTORY INSTRUMENTS

2016 No. 413

**The Social Services and Well-being (Wales) Act
2014 (Consequential Amendments) Regulations 2016**

Care Standards Act 2000 (c. 14)

- 170.** The Care Standards Act 2000 is amended as follows.
- 171.** In section 22 (regulation of establishments and agencies)—
- (a) for subsection (2)(e)(1) substitute—
 - “(e) make provision for securing the welfare of children placed, under section 22C of the 1989 Act or section 81 of the Social Services and Well-being (Wales) Act 2014, by a fostering agency;”;
 - (b) in subsection (8)(b) after “1989 Act” insert “and section 119 of the Social Services and Well-being (Wales) Act 2014 (use of accommodation for restricting liberty)”.
- 172.** In section 31 (inspections by persons authorised by registration authority) for subsection (3) substitute—
- “(b) inspect and take copies of any documents or records (including medical and other personal records) required to be kept in accordance with regulations under this Part, section 9 of the Adoption and Children Act 2002, section 22C or 59(2) of the 1989 Act, section 1(3) of the Adoption (Intercountry Aspects) Act 1999 or section 81 of the Social Services and Well-being (Wales) Act 2014;”.
- 173.** For section 43(3)(b)(2) (local authority services: meaning of “relevant fostering functions”) substitute—
- “(b) “relevant fostering functions” means functions under—
 - (i) section 22C of the 1989 Act in connection with placements with local authority foster parents or regulations under paragraph 12E(a), (b), (d) or (e) or 12F of Schedule 2 to that Act,
 - (ii) section 81 of the Social Services and Well-being (Wales) Act 2014 in connection with placements with local authority foster parents or regulations under section 92(1)(a), (b), (d) or (e) or section 93 of that Act.”
- 174.** For section 78(1B)(3) (interpretation) substitute—
- “(1B) A person falls within this subsection if the person is a category 3, 4, 5 or 6 young person, within the meaning of section 104 of the Social Services and Well-being (Wales) Act 2014, in respect of whom services are provided in Wales by, or on behalf of, or under arrangements with, a county council or county borough council in Wales.”
- 175.** In section 121 (general interpretation)—

(1) Section 22(2)(e) was amended by the Children and Young Persons Act 2008 (c. 23), Schedule 1, paragraph 11.
(2) Section 43(3)(b) was substituted by the Children and Young Persons Act 2008, Schedule 1, paragraph 13.
(3) Section 78(1), (1A), (1B) were substituted for section 78(1), as originally enacted, by the Children’s Commissioner for Wales Act 2001 (c. 18), section 1(1), (2).

- (a) in subsection (1)—
 - (i) in the definition of “local authority foster parent” after “has the same meaning as in” insert “section 105(1) of”;
 - (ii) in the definition of “social services functions” after “1970” insert “or the Social Services and Well-being (Wales) Act 2014”;
- (b) for subsection (10) substitute—

“(10) References in this Act to a child being looked after by a local authority shall be construed—

 - (a) in relation to a local authority in England, in accordance with section 22 of the 1989 Act,
 - (b) in relation to a local authority in Wales, in accordance with section 74 of the Social Services and Well-being (Wales) Act 2014.”

176. In Schedule 4 (minor and consequential amendments)—

- (a) omit paragraph 14(23)(a)(i)(4);
- (b) omit paragraph 14(23)(a)(iii)(5).

(4) Paragraph 14(23)(a)(i) inserted the definition of “appropriate children’s home” into section 105(1) of the Children Act 1989. This definition was repealed by the Children and Young Persons Act 2008, Schedule 1, paragraph 3(1), (2).

(5) Paragraph 14(23)(a)(iii) substituted the definition of “children’s home” in section 105(1) of the Children Act 1989. This definition was further substituted by the Children and Young Persons Act 2008, Schedule 1, paragraph 3(1), (3).