
WELSH STATUTORY INSTRUMENTS

2016 No. 413

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

Social Services and Well-being (Wales) Act 2014 (anaw 4)

312. After section 164 (duty to co-operate and provide information in the exercise of social services functions) insert—

“Duty of other persons to co-operate and provide information

164A.—(1) If a local authority requests the co-operation of a person mentioned in subsection (4) in the exercise of its functions mentioned in subsection (5), the person must comply with the request unless the person considers that doing so would—

- (a) be incompatible with the person’s own duties, or
- (b) otherwise have an adverse effect on the exercise of the person’s functions.

(2) If a local authority requests that a person mentioned in subsection (4) provides it with information it requires for the purpose of the exercise of any of its functions mentioned in subsection (5), the person must comply with the request unless the person considers that doing so would—

- (a) be incompatible with the person’s own duties, or
- (b) otherwise have an adverse effect on the exercise of the person’s functions.

(3) A person who decides not to comply with a request under subsection (1) or (2) must give the local authority which made the request written reasons for the decision.

(4) The persons are—

- (a) a local authority in England;
- (b) a local housing authority in England;
- (c) the National Health Service Commissioning Board;
- (d) any clinical commissioning group, Special Health Authority, NHS Foundation Trust, or NHS trust in England established under section 25 of the National Health Service Act 2006;
- (e) any other persons—
 - (i) as regulations may specify, or
 - (ii) of a description as regulations may specify.

(5) The functions are—

- (a) the local authority’s functions under section 14F of the Children Act 1989 (special guardianship support services);
- (b) any of the local authority’s functions in relation to safeguarding and promoting the well-being of children and young persons, in particular those with needs for care and support, and their families and others;

- (c) any of the local authority's functions in relation to looked-after and accommodated children;
 - (d) any of the local authority's functions in relation to young persons entitled to support under sections 105 to 115.
- (6) Regulations under subsection (4)(e) may not specify the following persons without consent of the Secretary of State—
- (a) a Minister of the Crown, or
 - (b) the governor of a prison or secure training centre (or in the case of a contracted out prison or secure training centre, its director).
- (7) In this section “local housing authority” (“*awdurdod tai lleol*”) means a local housing authority within the meaning of the Housing Act 1985.”

Commencement Information

11 Reg. 312 in force at 6.4.2016, see [reg. 2\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016, Section 312.