

Draft Regulations laid before the National Assembly for Wales under section 196(6) of the Social Services and Well-being (Wales) Act 2014, for approval by resolution of the National Assembly for Wales.

DRAFT WELSH STATUTORY
INSTRUMENTS

2017 No. (W.)

SOCIAL CARE, WALES

**NATIONAL HEALTH
SERVICE, WALES**

**The Partnership Arrangements
(Wales) (Amendment) Regulations
2017**

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 166 of the Social Services and Well-being (Wales) Act 2014 (“the 2014 Act”) enables the Welsh Ministers to make regulations requiring the making of partnership arrangements by combinations of local authorities and Local Health Boards.

The Partnership Arrangements (Wales) Regulations 2015 (“the principal Regulations”) have been made under the powers in section 166 and came into force on 6 April 2016. The principal Regulations require the making of partnership arrangements by specified local authorities and Local Health Boards under the direction of Regional Partnership Boards. The principal Regulations also specify the local authority and Local Health Board functions that are to be carried out by the partnership arrangements.

These Regulations amend the principal Regulations to add the functions under section 14A of the 2014 Act to the list of Local Health Board functions which are specified to be carried out by the partnership arrangements.

The Regulations also amend regulation 19 of the principal Regulations (establishment and maintenance of pooled funds) by omitting regulation 19(1)(c) and adding a new regulation 19(1A) which requires partnership bodies to consider whether it is appropriate

to establish and maintain a pooled fund if they decide to do things jointly in response to an assessment under section 14 of the 2014 Act (known as a population assessment).

They also amend Schedule 2 to the principal Regulations (which specifies the family support functions of integrated family support teams) to insert reference to functions under Part 6 of the 2014 Act, in so far as they relate to the meeting of needs for care and support of children who are looked after by a local authority and the provision of advice and support for young people leaving care. This amendment corrects an omission from Schedule 2.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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Made ***

Coming into force ***

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 166(2)(b) and 167(3) of the Social Services and Well-being (Wales) Act 2014(1).

A draft of these Regulations was laid before the National Assembly for Wales under section 196(6) of that Act and has been approved by a resolution of the National Assembly for Wales.

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Partnership Arrangements (Wales) (Amendment) Regulations 2017.

(2) These Regulations come into force on 1 April 2017 and apply in relation to Wales.

(3) In these Regulations “the principal Regulations” (“*y prif Reoliadau*”) means the Partnership Arrangements (Wales) Regulations 2015(2).

(1) 2014 anaw 4.

(2) S.I. 2015/1989 (W. 299).

Amendment to the principal Regulations

2.—(1) The principal Regulations are amended as follows.

(2) In regulation 19—

(a) omit paragraph (1)(c);

(b) after paragraph (1) insert—

“(1A) If any of the partnership bodies decide to do things jointly in response to the assessment carried out under section 14 of the Act, they must consider whether it is appropriate to establish and maintain a pooled fund.”

(3) In Schedule 1, Table 2 (Local Health Board functions) at the end insert—

“Section 14A of the Social Services and Well-being (Wales) Act 2014⁽¹⁾ (*plans following assessments of needs under section 14*)”.

(4) In Schedule 2 (family support functions), in Table 1 (local authority functions in relation to children), after the entry for “Parts 3 and 4 of the Act”—

(a) in the first column (function) insert—

“Part 6 of the Act (*looked after and accommodated children*)”; and

(b) in the second column (extent) insert—

“In so far as they relate to the meeting of needs for care and support of children who are looked after by a local authority and the provision of advice and support for young people under that Part.”

Rebecca Evans

Minister for Social Services and Public Health under authority of the Cabinet Secretary for Health, Well-being and Sport, one of the Welsh Ministers

Date

(1) Section 14A was inserted by the Well-being of Future Generations (Wales) Act 2015 (anaw 2), Schedule 4, paragraph 34.