

SL(5)188 – Code of Practice and guidance on the exercise of social services functions and partnership arrangements in relation to Part 6 (looked after and accommodated children) of the Social Services and Well-being (Wales) Act 2014. Including children and young people who are leaving or who have left care.

## Background and Purpose

---

This code of practice is issued under section 145 of the Social Services and Well-being (Wales) Act 2014 ('the Act').

This code aims to set out local authority responsibilities under the Act for:

- care and support plans in relation to looked after children and young people, including education and health;
- the ways in which looked after children are to be accommodated and maintained, including placements of looked after children;
- contact and visits to looked after and previously looked after children, including independent visitors;
- arrangements for leaving care, personal advisers, pathway plans and assessments, suitable accommodation and support for higher education;
- secure accommodation;
- children accommodated in other types of establishment (by health and education authorities, or in care homes or independent hospitals).

## Procedure

---

A draft of the code must be laid before the Assembly. If, within 40 days (excluding any time when the Assembly is dissolved or is in recess for more than 4 days) of the draft being laid, the Assembly resolves not to approve the draft code then the Welsh Ministers must not issue the code.

If no such resolution is made, the Welsh Ministers must issue the code (in the form of the draft) and the code comes into force on a day specified in an order made by the Welsh Ministers.

## Scrutiny under Standing Order 21.7

---

One point is identified for reporting under Standing Order 21.7 in respect of this code.

The Committee welcomes the clarity of the code in respect of things that "must" be done and things that "should" be done, and how the introduction to the code clearly sets the scene in respect of the difference between the use of "must" and "should" in the code.



## Government Response

---

No government response is required.

### **Legal Advisers**

**Constitutional and Legislative Affairs Committee**

**9 February 2018**

