



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 9

CO-OPERATION AND PARTNERSHIP

Co-operation

164 Duty to co-operate and provide information in the exercise of social services functions

- (1) If a local authority requests the co-operation of a person mentioned in subsection (4) in the exercise of any of its social services functions, 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 social services functions, 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 relevant partner of the local authority making the request;
 - (b) a local authority, a Local Health Board or an [F1NHS Trust] which is not a relevant partner of the local authority making the request;

Changes to legislation: *Social Services and Well-being (Wales) Act 2014, Section 164 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (c) a youth offending team for an area any part of which falls within the area of the local authority making the request.
- (5) A local authority and each of those persons mentioned in subsection (4) must in exercising their functions under this section have regard to any guidance given to them for the purpose by the Welsh Ministers.
- (6) The Welsh Ministers must consult the Secretary of State before giving guidance under subsection (5).
- (7) For the purpose of this section a relevant partner of a local authority is a person who is a relevant partner of the authority for the purposes of section 162.

Textual Amendments

- F1** Words in s. 164(4)(b) substituted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **311**

Commencement Information

- I1** S. 164 in force at 6.4.2016 by [S.I. 2016/412](#), **art. 2** (with [art. 4](#), [Schs. 1, 2](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 162(4)(ga) inserted by [2022 asc 1 Sch. 4 para. 30\(2\)\(b\)](#)
- s. 163(4A) inserted by [2014 c. 23 s. 75\(10\)](#) (Effect inserting (4) not applied at s. 163 as it appears to relate to s. 194 in view of the title of the section as cited i.e. "ordinary residence". In s. 194 another (4), identically worded, is inserted on the same date by S.I. 2016/413, regs. 2(1), 316(a))