



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 6

LOOKED AFTER AND ACCOMMODATED CHILDREN

Duties of local authorities in relation to looked after children

78 Principal duty of a local authority in relation to looked after children

- (1) A local authority looking after any child must—
 - (a) safeguard and promote the child's well-being, and
 - (b) make such use of services available for children cared for by their own parents as appears to the authority reasonable in the child's case.
- (2) The duty of a local authority under subsection (1)(a) to safeguard and promote the well-being of a child looked after by it includes, for example—
 - (a) a duty to promote the child's educational achievement;
 - (b) a duty—
 - (i) to assess from time to time whether the child has care and support needs which meet the eligibility criteria set under section 32, and
 - (ii) if the child has needs which meet the eligibility criteria, to at least meet those needs.
- (3) Before making any decision with respect to a child whom it is looking after, or proposing to look after, a local authority must (in addition to the matters set out in sections 6(2) and (4) and 7(2) (other overarching duties)) have regard to—
 - (a) the views, wishes and feelings of any person whose views, wishes and feelings the authority considers to be relevant;
 - (b) the child's religious persuasion, racial origin and cultural and linguistic background.

Status: This is the original version (as it was originally enacted).

- (4) If it appears to a local authority that it is necessary, for the purpose of protecting members of the public from serious injury, to exercise its powers with respect to a child whom it is looking after in a manner which may not be consistent with its duties under this section or section 6, it may do so.