
WELSH STATUTORY INSTRUMENTS

2015 No. 1989

The Partnership Arrangements (Wales) Regulations 2015

Title, commencement, application and interpretation

- 1.—(1) The title of these Regulations is the Partnership Arrangements (Wales) Regulations 2015.
- (a) (2) (a) These Regulations come into force on 6 April 2016 except sub-paragraph (a) of regulation 19(1);
- (b) sub-paragraph (a) of regulation 19(1) comes into force on 6 April 2018.
- (3) These Regulations apply in relation to Wales.
- (4) In these Regulations—
- “the Act” (“*y Ddeddf*”) means the Social Services and Well-being (Wales) Act 2014;
- “family support functions” (“*swyddogaethau cymorth i deuluoedd*”) means the functions specified in regulation 15;
- “partnership arrangements” (“*trefniadau partneriaeth*”) means the partnership arrangements which are required to be made by partnership bodies in accordance with regulations 2 to 8;
- “partnership bodies” (“*cyrff partneriaeth*”) are those bodies which are required by regulations 2 to 8 to enter into partnership arrangements;
- “regional partnership boards” (“*byrddau partneriaeth rhanbarthol*”) means the boards required to be established by partnership bodies in accordance with regulations 2 to 8;
- “specified functions” (“*swyddogaethau penodedig*”) means the functions specified in regulation 9.

Regional Partnership Boards

Partnership arrangements under the direction of Gwent regional partnership board

2.—(1) Partnership arrangements for carrying out the specified functions must be made by the following bodies—

Aneurin Bevan University Health Board
Monmouthshire County Council
Newport City Council
Torfaen County Borough Council
Blaenau Gwent County Borough Council
Caerphilly County Borough Council.

(2) These bodies must together establish a partnership board in respect of the partnership arrangements required to be made by this regulation, to be known as Gwent regional partnership board.

(3) The partnership arrangements required to be made by this regulation must be carried out under the direction of Gwent regional partnership board.

Partnership arrangements under the direction of North Wales regional partnership board

3.—(1) Partnership arrangements for carrying out the specified functions must be made by the following bodies—

- Betsi Cadwaladr University Health Board
- Flintshire County Council
- Wrexham County Borough Council
- Isle of Anglesey County Council
- Gwynedd County Council
- Denbighshire County Council
- Conwy County Borough Council.

(2) These bodies must together establish a partnership board in respect of the partnership arrangements required to be made by this regulation, to be known as North Wales regional partnership board.

(3) The partnership arrangements required to be made by this regulation must be carried out under the direction of North Wales regional partnership board.

Partnership arrangements under the direction of Cardiff and Vale regional partnership board

4.—(1) Partnership arrangements for carrying out the specified functions must be made by the following bodies—

- Cardiff and Vale University Health Board
- Cardiff City and County Council
- Vale of Glamorgan Council.

(2) These bodies must together establish a partnership board in respect of the partnership arrangements required to be made by this regulation, to be known as Cardiff and Vale regional partnership board.

(3) The partnership arrangements required to be made by this regulation must be carried out under the direction of Cardiff and Vale regional partnership board.

Partnership arrangements under the direction of Western Bay regional partnership board

5.—(1) Partnership arrangements for carrying out the specified functions must be made by the following bodies—

- Abertawe Bro Morgannwg University Health Board
- Swansea City and County Council
- Bridgend County Borough Council
- Neath Port Talbot County Borough Council.

(2) These bodies must together establish a partnership board in respect of the partnership arrangements required to be made by this regulation, to be known as Western Bay regional partnership board.

(3) The partnership arrangements required to be made by this regulation must be carried out under the direction of Western Bay regional partnership board.

Partnership arrangements under the direction of Cwm Taf regional partnership board

6.—(1) Partnership arrangements for carrying out specified functions must be made by the following bodies—

- Cwm Taf University Health Board
- Rhondda Cynon Taf County Borough Council
- Merthyr Tydfil County Borough Council.

(2) These bodies must together establish a partnership board in respect of the partnership arrangements required to be made by this regulation, to be known as Cwm Taf regional partnership board.

(3) The partnership arrangements required to be made by this regulation must be carried out under the direction of Cwm Taf regional partnership board.

Partnership arrangements under the direction of the West Wales regional partnership board

7.—(1) Partnership arrangements for carrying out the specified functions must be made by the following bodies—

- Hywel Dda University Health Board
- Pembrokeshire County Council
- Carmarthenshire County Council
- Ceredigion County Council..

(2) These bodies must together establish a partnership board in respect of the partnership arrangements required to be made by this regulation, to be known as West Wales regional partnership board.

(3) The partnership arrangements required to be made by this regulation must be carried out under the direction of West Wales regional partnership board.

Partnership arrangements under the direction of Powys regional partnership board

8.—(1) Partnership arrangements for carrying out the specified functions must be made by the following bodies—

- Powys Teaching Health Board
- Powys County Council.

(2) These bodies must together establish a partnership board in respect of the partnership arrangements required to be made by this regulation, to be known as Powys regional partnership board.

(3) The partnership arrangements required to be made by this regulation must be carried out under the direction of Powys regional partnership board.

Specified functions

9. The functions to be carried out in accordance with the partnership arrangements are the functions described in Schedule 1.

Objectives of regional partnership boards

10. The objectives of a regional partnership board are—

- (a) to ensure that the partnership bodies work effectively together to—

- (i) respond to the population assessment carried out in accordance with section 14 of the Act, and
- (ii) implement the plans for each of the local authority areas covered by the board which local authorities and local health boards are each required to prepare and publish under section 14A of the Act⁽¹⁾;
- (b) to ensure that the partnership bodies provide sufficient resources for the partnership arrangements, in accordance with their powers under section 167 of the Act;
- (c) to promote the establishment of pooled funds where appropriate.

Membership of regional partnership boards

11.—(1) Membership of a regional partnership board must include the following—

- (a) at least one elected member of a local authority which established the regional partnership board;
- (b) at least one member of a Local Health Board which established the regional partnership board;
- (c) the person appointed as director of social services under section 144 of the Act in respect of each local authority which established the regional partnership board, or his or her nominated representative;
- (d) a representative of the Local Health Board which established the regional partnership board;
- (e) two persons who represent the interests of third sector organisations in the area covered by the regional partnership board;
- (f) at least one person who represents the interests of care providers in the area covered by the regional partnership board;
- (g) one person to represent people with needs for care and support in the area covered by the regional partnership board;
- (h) one person to represent carers⁽²⁾ in the area covered by the regional partnership board.

(2) A regional partnership board may co-opt such other persons to be members of the board as it thinks appropriate.

(3) The partnership bodies may pay remunerations and allowances to members of regional partnership boards.

(4) For the purpose of this regulation—

“care provider” (*“darparwr gofal”*) means a person registered under Part 2 of the Care Standards Act 2000⁽³⁾ in respect of an establishment or agency (within the meaning of that Act);

“third sector organisation” (*“sefydliad trydydd sector”*) has the same meaning as in section 16(2) of the Act.

Reports

12.—(1) Regional partnership boards must prepare a report on the extent to which the board’s objectives in regulation 10 have been achieved and submit this report to the Welsh Ministers.

(1) Section 14A was inserted into the Act by section 46 of, and paragraph 34 of Schedule 4 to the [Well-being of Future Generations \(Wales\) Act 2015 \(anaw 2\)](#).

(2) “Carer” is defined in section 3(4) of the Act.

(3) 2000 c. 14.

- (2) The first report must be prepared and submitted by 1 April 2017.
- (3) Subsequent reports must be prepared and submitted annually.

Information sharing

13.—(1) For the purposes of carrying out the functions being carried out by the partnership arrangements, a partnership body must share information with—

- (a) any of the other partnership bodies;
- (b) the regional partnership board.

(2) For the purpose of carrying out the specified family support functions, an integrated family support team must share information with—

- (a) any of the partnership bodies;
- (b) the regional partnership board.

(3) For the purposes of achieving its objectives, a regional partnership board must share information with any of the partnership bodies.

(4) The duty in paragraphs (1), (2) or (3) does not apply if this is incompatible with any of the body's other duties, including its duties under the Data Protection Act 1998⁽⁴⁾ and the Human Rights Act 1998⁽⁵⁾.

Delegation of functions

14.—(1) A local authority may carry out any of the specified functions on behalf of any of the other partnership bodies taking part in the same partnership arrangements.

(2) A Local Health Board may carry out any of the specified local authority functions described in Table 1 of Schedule 1 on behalf of any of the local authorities taking part in the same partnership arrangements.

Integrated Family Support Teams

Family support functions

15. Family support functions are the functions specified in Schedule 2.

Establishment of integrated family support teams

16.—(1) The partnership bodies for each of the partnership arrangements must establish a team for the purpose of the exercise of family support functions.

(2) A team established under this regulation is to be known as an integrated family support team.

(3) The partnership bodies may assign family support functions to the integrated family support team.

(4) An integrated family support team must contain staff with suitable skills and experience having regard to—

- (a) the categories of cases which can be referred to it, and
- (b) the need of professional staff for administrative support.

(4) 1998 c. 29.

(5) 1998 c. 42.

Assignment and exercise of family support functions

17.—(1) An integrated family support team must carry out the family support functions that are assigned to it.

(2) The functions of an integrated family support team are to be carried out under the direction of the regional partnership board.

(3) The family support functions of an integrated family support team are to be carried out in respect of a family referred to it by the local authority.

(4) A function exercised under these Regulations is exercisable concurrently by the integrated family support team and the body upon whom the function is conferred.

Arrangements for referral of cases to the integrated family support teams

18.—(1) A partnership body may refer a family to an integrated family support team if it reasonably believes or suspects that—

- (a) a parent of a child in that family (or a prospective parent)—
 - (i) is dependent on alcohol or drugs,
 - (ii) is a victim of domestic violence or abuse,
 - (iii) has a history of violent or abusive behaviour, or
 - (iv) has a mental disorder; and
- (b) as a consequence of one or more of these circumstances, the child is or will be in need of care and support and either—
 - (i) the child will be unable to remain with the family if family support services are not provided,
 - (ii) where the child is looked after, the child will be unable to return to live with the family if family support services are not provided, or
 - (iii) the child is or will be at risk of abuse, neglect or other harm if family support services are not provided.

(2) A referral to an integrated family support team must be made in accordance with a referral procedure agreed by the regional partnership board.

(3) For the purposes of this regulation, “family” (“*teulu*”) includes each of the following—

- (a) a child, the parents of the child and, if the authority thinks it is appropriate, any other individual connected with the child or the parents;
- (b) individuals who are about to become parents of a child and, if the local authority thinks it appropriate, any other individual connected with the individuals who are about to become the parents of that child.

(4) A child with needs for care and support may include a looked after child.

(5) In this regulation—

“abuse” (“*cam-drin*”) includes both sexual activity without consent and unreasonable behaviour liable to cause serious psychological harm; abuse is “domestic abuse” (“*cam-drin domestig*”) if it is from an individual who is associated with the victim; and “abusive” (“*camdriniol*”) is to be interpreted accordingly;

“child with needs for care and support” (“*plentyn y mae arno anghenion am ofal a chymorth*”) means a child who the local authority has determined has needs for care and support, following an assessment under section 21 of the Act;

“looked after child” (“*plentyn sy’n derbyn gofal*”) has the same meaning as in section 74 of the Act;

“mental disorder” (“*anhwylder meddwl*”) means any disorder or disability of the mind;

“parent” (“*rhiant*”), in relation to a child, includes any individual—

- (a) who is not a parent of the child but who has parental responsibility for the child, or
- (b) who has care of the child;

“violence” (“*trais*”) means violence or threats of violence which are likely to be carried out and “violent” (“*treisgar*”) is to be interpreted accordingly; violence is “domestic violence” (“*trais domestig*”) if it is from an individual who is associated with the victim.

(6) For the purposes of the definition of “parent” (“*rhiant*”) in paragraph (4)—

- (a) “parental responsibility” (“*cyfrifoldeb rhiant*”) has the same meaning as in section 3 of the Children Act 1989⁽⁶⁾;
- (b) in determining whether an individual has care of a child, any absence of the child at a hospital, children’s home or foster placement and any other temporary absence is to be disregarded.

Pooled Funds

Establishment and maintenance of pooled funds

19.—(1) Partnership bodies for each of the partnership arrangements are required to establish and maintain pooled funds in relation to—

- (a) the exercise of their care home accommodation functions;
- (b) the exercise of their family support functions;
- (c) such of their specified functions as they decide they will exercise jointly in consequence of an assessment carried out under section 14 of the Act or any plan prepared under section 14A of the Act⁽⁷⁾.

(2) In this regulation—

“care home” (“*cartref gofal*”) has the same meaning as in the Care Standards Act 2000;

“care home accommodation functions” (“*swyddogaethau llety cartref gofal*”) means—

- (a) the functions of a local authority under sections 35 and 36 of the Act, where it has been decided to meet the adult’s needs by providing or arranging to provide accommodation in a care home;
- (b) the functions of a Local Health Board under section 3 of the National Health Service (Wales) Act 2006 in relation to an adult, in cases where—
 - (i) the adult has a primary need for health care and it has been decided to meet the needs of the adult by arranging the provision of accommodation in a care home, or
 - (ii) the adult does not have a primary need for health care but the adult’s needs can only be met by the local authority arranging for the provision of accommodation together with nursing care.

⁽⁶⁾ 1989 c. 41.

⁽⁷⁾ See footnote to regulation 10(a)(ii).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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the Welsh Ministers