



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 6

LOOKED AFTER AND ACCOMMODATED CHILDREN

Review of cases

99 Appointment of independent reviewing officer

- (1) If a local authority is looking after a child, it must appoint an individual as the independent reviewing officer for that child's case.
- (2) The initial appointment under subsection (1) must be made before the child's case is first reviewed in accordance with regulations made under section 102.
- (3) If a vacancy arises in respect of a child's case, the local authority must make another appointment under subsection (1) as soon as is practicable.
- (4) An appointee must fall within a category of persons specified in regulations.

100 Functions of the independent reviewing officer

- (1) The independent reviewing officer must—
 - (a) monitor the performance by the local authority of its functions in relation to the child's case;
 - (b) participate, in accordance with regulations, in any review of the child's case;
 - (c) ensure that any ascertained wishes and feelings of the child concerning the case are given due consideration by the local authority;
 - (d) perform any other function specified in regulations.
- (2) An independent reviewing officer's functions must be performed—
 - (a) in such manner as may be specified in regulations, and

Status: This is the original version (as it was originally enacted).

- (b) having regard to such guidance as that authority may issue in relation to the discharge of those functions.
- (3) If the independent reviewing officer considers it appropriate to do so, the child's case may be referred by that officer to a Welsh family proceedings officer.
- (4) If the independent reviewing officer is not an officer of the local authority, it is the duty of the authority—
 - (a) to co-operate with that individual, and
 - (b) to take such reasonable steps as that individual may require to enable that individual's functions under this section to be performed satisfactorily.

101 Referred cases

- (1) In relation to children whose cases are referred to Welsh family proceedings officers under section 100(3), the Lord Chancellor may by regulations—
 - (a) extend any functions of the Welsh family proceedings officers in respect of family proceedings (within the meaning of section 12 of the Criminal Justice and Court Services Act 2000) to other proceedings;
 - (b) require any functions of the Welsh family proceedings officers to be performed in the manner specified by the regulations.
- (2) The power to make regulations under this section is exercisable only with the consent of the Welsh Ministers.

102 Review of cases and inquiries into representations

- (1) Regulations may require the case of each child who is being looked after by a local authority to be reviewed in accordance with the provisions of the regulations.
- (2) The regulations may, among other things, make provision—
 - (a) as to the manner in which each case is to be reviewed;
 - (b) as to the considerations to which the local authority is to have regard in reviewing each case;
 - (c) as to the time when each case is first to be reviewed and the frequency of subsequent reviews;
 - (d) requiring the authority, before conducting any review, to seek the views of—
 - (i) the child,
 - (ii) the child's parents,
 - (iii) any person who is not a parent of the child but who has parental responsibility for the child, and
 - (iv) any other person whose views the authority considers to be relevant, including, in particular, the views of those persons in relation to any particular matter which is to be considered in the course of the review;
 - (e) requiring the authority, in the case of a child who is in its care—
 - (i) to keep the plan under section 31A of the Children Act 1989 (care orders: care plans) for the child under review and, if it is of the opinion that some change is required, to revise the plan or make a new plan accordingly, and
 - (ii) to consider whether an application should be made to discharge the care order;

- (f) requiring the authority, in the case of a child in accommodation provided by or on behalf of the authority—
 - (i) if there is no plan for the future care of the child, to prepare one,
 - (ii) if there is such a plan for the child, to keep it under review and, if it is of the opinion that some change is required, to revise the plan or make a new plan accordingly, and
 - (iii) to consider whether the accommodation accords with the requirements of this Part;
- (g) requiring the authority to inform the child, so far as is reasonably practicable, of any steps the child may take under this Act or the Children Act 1989;
- (h) requiring the authority to make arrangements, including arrangements with other bodies which provide services and which it considers appropriate, to implement any decision which it proposes to make in the course, or as a result, of the review;
- (i) requiring the authority to notify details of the result of the review and of any decision taken by it in consequence of the review to—
 - (i) the child,
 - (ii) the child's parents,
 - (iii) any person who is not a parent of the child but who has parental responsibility for the child, and
 - (iv) any other person whom it thinks ought to be notified;
- (j) requiring the authority to monitor the arrangements which it has made with a view to ensuring that it complies with the regulations.