



# Social Services and Well-being (Wales) Act 2014

2014 anaw 4

## PART 6

### LOOKED AFTER AND ACCOMMODATED CHILDREN

#### *Contact and visits*

#### **95 Promotion and maintenance of contact between child and family**

- (1) Where a child is being looked after by a local authority, the authority must, unless it is not reasonably practicable or consistent with the child's well-being, promote contact between the child and—
  - (a) the child's parents,
  - (b) any person who is not a parent of the child but who has parental responsibility for the child, and
  - (c) any relative, friend or other person connected with the child.
- (2) Where a child is being looked after by a local authority, the authority must take such steps as are reasonably practicable to secure that the following persons are kept informed of where the child is being accommodated—
  - (a) the child's parents;
  - (b) any person who is not a parent of the child but who has parental responsibility for the child.
- (3) Every person mentioned in subsection (2)(a) or (b) must secure that the authority is kept informed of his or her address.
- (4) Where a local authority (“the receiving authority”) takes over the provision of accommodation for a child [F1 from a local authority or a local authority in England under section 76 (“the transferring authority”)]—
  - (a) the receiving authority must (where reasonably practicable) inform—

*Changes to legislation: Social Services and Well-being (Wales) Act 2014, Section 95 is up to date with all changes known to be in force on or before 20 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*

- (i) the child's parents, and
  - (ii) any person who is not a parent of the child but who has parental responsibility for the child,
  - (b) subsection (2) applies to the transferring authority, as well as to the receiving authority, until at least one of the persons mentioned in paragraph (a) or (b) of that subsection has been informed of the change, and
  - (c) subsection (3) does not require any person to inform the receiving authority of his or her address until that person has been informed under paragraph (a).
- (5) Nothing in this section requires a local authority to inform a person of the whereabouts of a child, other than a child aged under 16 who is being accommodated under section 76, if the authority has reasonable cause to believe that informing the person would prejudice the child's well-being.
- (6) Any person who fails, without reasonable excuse, to comply with subsection (3) is guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

#### **Textual Amendments**

- F1** Words in s. 95(4) 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), **303**

#### **Modifications etc. (not altering text)**

- C1** S. 95 excluded by SI 2005/1313, reg. 46A(2) (as excluded (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) and Care Planning, Placement and Case Review \(Miscellaneous Amendments\) \(Wales\) Regulations 2016 \(S.I. 2016/216\)](#), regs. 1(2), **5(8)**)

#### **Commencement Information**

- I1** S. 95 in force at 6.4.2016 by [S.I. 2016/412](#), **art. 2** (with [art. 4](#), [Schs. 1, 2](#))

**Changes to legislation:**

Social Services and Well-being (Wales) Act 2014, Section 95 is up to date with all changes known to be in force on or before 20 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.

[View outstanding changes](#)

**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))