



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 6

LOOKED AFTER AND ACCOMMODATED CHILDREN

Contact and visits

98 Independent visitors for looked after children

- (1) A local authority looking after a child must appoint an independent person to be the child's visitor if—
 - (a) the child falls within a category specified in regulations, or
 - (b) in any other case, it appears to the authority that it would be in the child's interests to do so.
- (2) A person appointed under this section must visit, befriend and advise the child.
- (3) A person appointed under this section is entitled to recover from the appointing authority any reasonable expenses incurred by that person for the purposes of that person's functions under this section.
- (4) A person's appointment as a visitor in pursuance of this section comes to an end if—
 - (a) the child ceases to be looked after by the local authority,
 - (b) the person resigns the appointment by giving notice in writing to the appointing authority, or
 - (c) the authority gives the person notice in writing that it has terminated the appointment.
- (5) The ending of such an appointment does not affect any duty under this section to make a further appointment.

Changes to legislation: Social Services and Well-being (Wales) Act 2014, Section 98 is up to date with all changes known to be in force on or before 18 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

- (6) Where a local authority proposes to appoint a visitor for a child under this section, the appointment must not be made if—
 - (a) the child objects to it, and
 - (b) the authority is satisfied that the child has sufficient understanding to make an informed objection.
- (7) Where a visitor has been appointed for a child under this section, the local authority must terminate the appointment if—
 - (a) the child objects to its continuing, and
 - (b) the authority is satisfied that the child has sufficient understanding to make an informed objection.
- (8) If the local authority gives effect to a child's objection under subsection (6) or (7) and the objection is to having anyone as the child's visitor, the authority does not have to propose to appoint another person under subsection (1) until the objection is withdrawn.
- (9) Regulations may provide for the circumstances in which a person is to be regarded for the purposes of this section as being independent of the appointing local authority.

Commencement Information

II S. 98 in force at 6.4.2016 by [S.I. 2016/412](#), **art. 2** (with [art. 4](#), [Schs. 1, 2](#))

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[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))