



# Children Act 2004

## 2004 CHAPTER 31

### PART 3

#### CHILDREN'S SERVICES IN WALES

##### *General*

#### **25 Co-operation to improve well-being: Wales**

- (1) Each [<sup>F1</sup>local authority] in Wales must make arrangements to promote co-operation between—
- the authority;
  - each of the authority's relevant partners; and
  - such other persons or bodies as the authority consider appropriate, being persons or bodies of any nature who exercise functions or are engaged in activities in relation to children in the authority's area.

[<sup>F2</sup>(1A) Each local authority in Wales must also make arrangements to promote co-operation between officers of the authority who exercise its functions.]

- [<sup>F3</sup>(2) The arrangements under subsections (1) and (1A) are to be made with a view to—
- improving the well-being of children within the authority's area, in particular those with needs for care and support;
  - improving the quality of care and support for children provided in the authority's area (including the outcomes that are achieved from such provision);
  - protecting children who are experiencing, or are at risk of, abuse, neglect or other kinds of harm (within the meaning of the Children Act 1989).]

(3) In making arrangements under this section a [<sup>F1</sup>local authority] in Wales must have regard to the importance of parents and other persons caring for children in improving the well-being of children.

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- (4) For the purposes of this section each of the following is the relevant partner of a [<sup>F1</sup>local authority] in Wales—
- (a) [<sup>F4</sup>the local policing body] and the chief officer of police for a police area any part of which falls within the area of the [<sup>F1</sup>local authority];
  - [<sup>F5</sup>(aa) any other local authority in Wales with which the authority agrees that it would be appropriate to co-operate under this section;]
  - (b) a local probation board for an area any part of which falls within the area of the authority;
  - [<sup>F6</sup>(ba) the Secretary of State in relation to his functions under sections 2 and 3 of the Offender Management Act 2007, so far as they are exercisable in relation to Wales;
  - (bb) any provider of probation services that is required by arrangements under section 3(2) of the Offender Management Act 2007 to act as a relevant partner of the authority;]
  - (c) a youth offending team for an area any part of which falls within the area of the authority;
  - (d) a Local Health Board for an area any part of which falls within the area of the authority;
  - (e) an NHS trust providing services in the area of the authority;
  - [<sup>F7</sup>(f) the [<sup>F8</sup>Welsh Ministers] to the extent that [<sup>F8</sup>they are] discharging functions under Part 2 of the Learning and Skills Act 2000]
  - [<sup>F9</sup>(g) such a person, or a person of such description, as regulations made by the Welsh Ministers may specify.]
- [<sup>F10</sup>(4A) Regulations under subsection (4)(g) may not specify a Minister of the [<sup>F11</sup>Crown,] the governor of a prison or secure training centre (or, in the case of a contracted out prison or secure training centre, its director) [<sup>F12</sup>or the principal of a secure college] unless the Secretary of State consents.]
- (5) The relevant partners of a [<sup>F1</sup>local authority] in Wales must co-operate with the authority in the making of arrangements under this section.
- (6) A [<sup>F1</sup>local authority] in Wales and any of their relevant partners may for the purposes of arrangements under this section—
- (a) provide staff, goods, services, accommodation or other resources;
  - (b) establish and maintain a pooled fund.
- (7) For the purposes of subsection (6) a pooled fund is a fund—
- (a) which is made up of contributions by the authority and the relevant partner or partners concerned; and
  - (b) out of which payments may be made towards expenditure incurred in the discharge of functions of the authority and functions of the relevant partner or partners.
- (8) A [<sup>F1</sup>local authority] in Wales and each of their relevant partners must in exercising their functions under this section have regard to any guidance given to them for the purpose by the [<sup>F13</sup>Welsh Ministers].
- (9) The [<sup>F14</sup>Welsh Ministers] must obtain the consent of the Secretary of State before giving guidance under subsection (8) at any time after the coming into force of any of paragraphs (a) to (c) of subsection (4).

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[<sup>F15</sup>(9A) Information about the arrangements a local authority in Wales makes under this section may be included in the local well-being plan published under section 39 [<sup>F16</sup>, 44(5) or 47(6) or (11)] of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by the public services board of which the local authority is a member.]

(10) Arrangements under this section may include arrangements relating to—

- (a) persons aged 18 and 19;
- (b) persons over the age of 19 who are receiving—
  - [<sup>F17</sup>(i) services under sections 105 to 118 and 176 of the Social Services and Well-being (Wales) Act 2014; or]
  - (ii) youth support services (within the meaning of section 123 of the Learning and Skills Act 2000 (c. 21)).

[<sup>F18</sup>(11) In this section—

“care and support” means—

- (a) care;
  - (b) support;
  - (c) both care and support;
- “well-being” means well-being in relation to any of the following—
- (a) physical and mental health and emotional well-being;
  - (b) protection from abuse and neglect;
  - (c) education, training and recreation;
  - (d) domestic, family and personal relationships;
  - (e) contribution made to society;
  - (f) securing rights and entitlements;
  - (g) social and economic well-being;
  - (h) suitability of living accommodation;
  - (i) physical, intellectual, emotional, social and behavioural development;

and it includes “welfare” as that word is interpreted for the purposes of the Children Act 1989.]

#### Textual Amendments

- F1** Words in Pt. 3 substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010](#) (S.I. 2010/1158), arts. 1, 5(1), **Sch. 2 para. 55(5)**
- F2** S. 25(1A) inserted (6.4.2016) by [Social Services and Well-being \(Wales\) Act 2014](#) (anaw 4), **ss. 163(2)**, 199(2); S.I. 2016/412, art. 2 (with art. 4Sch. 12)
- F3** S. 25(2) substituted (6.4.2016) by [Social Services and Well-being \(Wales\) Act 2014](#) (anaw 4), **ss. 163(3)**, 199(2); S.I. 2016/412, art. 2 (with art. 4Sch. 12)
- F4** Words in s. 25(4)(a) substituted (16.1.2012) by [Police Reform and Social Responsibility Act 2011](#) (c. 13), ss. 99, 157(1), **Sch. 16 para. 333**; S.I. 2011/3019, **art. 3**, Sch. 1
- F5** S. 25(4)(aa) inserted (6.4.2016) by [Social Services and Well-being \(Wales\) Act 2014](#) (anaw 4), **ss. 163(4)(a)**, 199(2); S.I. 2016/412, art. 2 (with art. 4Sch. 12)
- F6** S. 25(4)(ba)(bb) inserted (1.4.2008) by [Offender Management Act 2007](#) (c. 21), ss. 39, 41(1), **Sch. 3 para. 4(5)**; S.I. 2008/504, **art. 3**
- F7** S. 25(4)(f) substituted (1.4.2006) by [The National Council for Education and Training for Wales \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005](#) (S.I. 2005/3238), art. 9(1), **Sch. 1 para. 90** (with transitional provisions in art. 7)

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- F8** Words in s. 25(4)(f) substituted (6.4.2016) by Social Services and Well-being (Wales) Act 2014 (anaw 4), **ss. 163(4)(b)**, 199(2); S.I. 2016/412, art. 2 (with art. 4Sch. 12)
- F9** S. 25(4)(g) inserted (6.4.2016) by Social Services and Well-being (Wales) Act 2014 (anaw 4), **ss. 163(4)(c)**, 199(2); S.I. 2016/412, art. 2 (with art. 4Sch. 12)
- F10** S. 25(4A) inserted (6.4.2016) by Social Services and Well-being (Wales) Act 2014 (anaw 4), **ss. 163(5)**, 199(2); S.I. 2016/412, art. 2 (with art. 4Sch. 12)
- F11** Words in s. 25(4A) substituted (20.3.2015) by Criminal Justice and Courts Act 2015 (c. 2), s. 95(1), **Sch. 9 para. 17(a)**; S.I. 2015/778, **art. 2(1)(c)**
- F12** Words in s. 25(4A) inserted (20.3.2015) by Criminal Justice and Courts Act 2015 (c. 2), s. 95(1), **Sch. 9 para. 17(b)**; S.I. 2015/778, **art. 2(1)(c)**
- F13** Words in s. 25(8) substituted (6.4.2016) by Social Services and Well-being (Wales) Act 2014 (anaw 4), **ss. 163(6)**, 199(2); S.I. 2016/412, art. 2 (with art. 4Sch. 12)
- F14** Words in s. 25(9) substituted (6.4.2016) by Social Services and Well-being (Wales) Act 2014 (anaw 4), **ss. 163(6)**, 199(2); S.I. 2016/412, art. 2 (with art. 4Sch. 12)
- F15** S. 25(9A) inserted (1.4.2016) by Well-being of Future Generations (Wales) Act 2015 (anaw 2), s. 56(2), **Sch. 4 para. 12**; S.I. 2016/86, art. 3
- F16** Words in s. 25(9A) substituted (W.) (20.3.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(3)(q), **Sch. 14 para. 5**
- F17** S. 25(10)(b)(i) substituted (6.4.2016) by The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (No. 413), regs. 2(1), **217**
- F18** S. 25(11) inserted (6.4.2016) by Social Services and Well-being (Wales) Act 2014 (anaw 4), **ss. 163(7)**, 199(2); S.I. 2016/412, art. 2 (with art. 4Sch. 12)

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#### Commencement Information

- II** S. 25 not in force at Royal Assent see s. 67(3); s. 25 in force for W. at 1.9.2006 by S.I. 2006/870, **art. 2**

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**Changes and effects yet to be applied to :**

- s. 25(4)(f) substituted by [2022 asc 1 Sch. 4 para. 17\(2\)](#)

**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. 26(1AA) inserted by [2014 anaw 4 s. 14\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 26 already repealed (1.4.2016) by 2015 anaw 2, s. 56(2), Sch. 4 para. 13; S.I. 2016/86, art. 3)