

2012 No. 191 (W. 30) (C.5)

SOCIAL CARE, WALES

**NATIONAL HEALTH
SERVICE, WALES**

**CHILDREN AND YOUNG
PERSONS, WALES**

The Children and Families (Wales)
Measure 2010 (Commencement
No. 4) Order 2012

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into effect Part 3 of the Children and Families (Wales) Measure 2010 ("the 2010 Measure") in relation to two further sets of local authority areas (with the exception of part of section 58(6)).

It also commences certain regulation making powers in relation to all parts of Wales where they are not already in force. Part 3 (except part of section 58(6)) has already been brought into force by the Children and Families (Wales) Measure 2010 (Commencement) Order 2010, but only in relation to specified local authority areas, namely Merthyr Tydfil, Newport, Rhondda Cynon Taff and Wrexham.

Article 2 of this Order commences the provisions in Schedule 1. The provisions give the Welsh Ministers power to make specific regulations to give effect to Part 3 of the Measure and are brought into force on the day after this Order is made. The effect of article 2 is to bring these powers into force in relation to areas in which the powers have not already been commenced.

Articles 3 and 4 commence the provisions listed in Schedule 2. The provisions are brought into force in relation to the local authority areas of Cardiff and the Vale of Glamorgan on 28 February 2012 and in relation to the local authority areas of Carmarthen,

Ceredigion, Pembrokeshire and Powys on 31 March 2012. The provisions place a duty on local authorities to establish one or more integrated family support (“IFS”) teams in their area. A Local Health Board whose area corresponds to the area of a local authority must participate in the establishment of the team. Section 58 sets out the kinds of cases that can be referred to an IFS team and section 58(6) sets out categories of adults who may be subject to a family referral. Only paragraph (a) of section 58(6) is commenced, therefore an IFS team is only able to receive referrals in relation to families where a parent is dependent on alcohol or drugs. Sections 61 and 62 provide for the establishment of IFS boards to oversee the IFS teams.

Article 5 commences section 12 of the 2010 Measure on 31 January 2012. Section 12 concerns the participation of children in local authority decision making.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Children and Families (Wales) Measure 2010 have been brought into force by Commencement Orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 57	1 September 2010 (in relation to specified local authority areas)	S.I. 2010/1699 (W.160) (C.87)
Sections 58 (1)–(5), (6)(a), (7)–(14)	1 September 2010 (in relation to specified local authority areas)	S.I. 2010/1699 (W.160) (C.87)
Sections 59–65	1 September 2010 (in relation to specified local authority areas)	S.I. 2010/1699 (W.160) (C.87)
Sections 19–56	1 April 2011	S.I. 2010/2582 (W.216) (C.123)
Section 72 and Schedule 1 paras 1–18, paras 21–28	1 April 2011	S.I. 2010/2582 (W.216) (C.123)
Section 73 and Schedule 2 (in so far as they relate to the Children Act 1989, the	1 April 2011	S.I. 2010/2582 (W.216) (C.123)

Education Act 2002 and the Childcare Act 2006)		
Section 2 (in so far as it applies to the Welsh authorities)	10 January 2011	S.I 2010/2994 (W.248) (C.134)
Section 4, 5, 6, 17, 18	10 January 2011	S.I 2010/2994 (W.248) (C.134)

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The Children and Families (Wales)
Measure 2010 (Commencement
No. 4) Order 2012

Made

26 January 2012

The Welsh Ministers, in exercise of the powers conferred by sections 74(2) and 75(3) of the Children and Families (Wales) Measure 2010⁽¹⁾, make the following Order:

Title and Interpretation

1.—(1) The title of this Order is the Children and Families (Wales) Measure 2010 (Commencement No. 4) Order 2012.

(2) In this Order —

“the 2010 Measure” (“*Mesur 2010*”) means the Children and Families (Wales) Measure 2010;

“local authority area” (“*ardal awdurdod lleol*”) means that geographical area of Wales for which a local authority has responsibility.

Commencement on the day after the day this Order is made

2.—(1) This article applies in relation to Wales.

(2) Those provisions of the 2010 Measure set out in Schedule 1, insofar as they are not already in force,

(1) 2010 nawm 1.

come into force on the day after the day on which this Order is made.

Commencement in specified areas on 28 February 2012

3.—(1) Paragraph (2) of this article applies in relation to the following local authority areas—

- (a) Cardiff; and
- (b) Vale of Glamorgan.

(2) Those provisions of the 2010 Measure set out in Schedule 2 come into force on 28 February 2012.

Commencement in specified areas on 31 March 2012

4.—(1) Paragraph (2) of this article applies in relation to the following local authority areas—

- (a) Carmarthen;
- (b) Ceredigion;
- (c) Pembrokeshire; and
- (d) Powys.

(2) Those provisions of the 2010 Measure set out in Schedule 2 come into force on 31 March 2012.

Commencement on 31 January 2012

5.—(1) This article applies in relation to Wales.

(2) Section 12 of the 2010 Measure comes into force on 31 January 2012.

Gwenda Thomas

Deputy Minister for Children and Social Services,
under authority of the Minister for Health and Social
Services, one of the Welsh Ministers

26 January 2012

SCHEDULE 1

Article 2(2)

1. Section 58(2) (family support functions);
2. Section 60(1) (prescribed persons);
3. Section 62(2) (functions of integrated family support boards);
4. Section 63 (regulations about integrated family support teams and boards).

SCHEDULE 2

Articles 3(2) and 4(2)

All remaining provisions of Part 3 of the 2010 Measure, in so far as not already in force, except paragraphs (b), (c) and (d) of section 58(6).