



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 6

LOOKED AFTER AND ACCOMMODATED CHILDREN

Leaving care, accommodation and fostering

108 Pathway assessments and plans: post-18 living arrangements

- (1) The responsible local authority for a category 1 young person who has been placed with a local authority foster parent must comply with subsection (2) when—
 - (a) carrying out an assessment in relation to the young person under section 107(1),
 - (b) preparing and maintaining a pathway plan for the young person under section 107(3), or
 - (c) reviewing the young person's pathway plan under section 107(10).
- (2) The responsible local authority must ascertain whether the young person and his or her local authority foster parent wish to make a post-18 living arrangement.
- (3) A “post-18 living arrangement” is an arrangement under which—
 - (a) a category 3 young person—
 - (i) who is under the age of 21, and
 - (ii) who was being looked after by a local authority when he or she reached the age of 18 and, immediately before ceasing to be looked after, was a category 1 young person, and
 - (b) a person (a “former foster parent”) who was the young person's local authority foster parent immediately before he or she ceased to be looked after, continue to live together after the young person has ceased to be looked after.

Changes to legislation: Social Services and Well-being (Wales) Act 2014, Section 108 is up to date with all changes known to be in force on or before 16 May 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

- (4) Where the young person and his or her local authority foster parent wish to make a post-18 living arrangement, the responsible local authority must provide advice and other support in order to facilitate the arrangement.
- (5) Subsection (4) does not apply if the responsible local authority considers that the making of a post-18 living arrangement between the young person and his or her local authority foster parent would not be consistent with the young person's well-being.
- (6) Regulations may make provision about—
 - (a) the persons to whom information about post-18 living arrangements must be provided;
 - (b) the manner in which that information must be provided.

Modifications etc. (not altering text)

- C1** Ss. 105-116 excluded by 2002 c. 41, Sch. 3 para. 1(1)(o) (as inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **199(4)**)

Commencement Information

- I1** S. 108 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 108 is up to date with all changes known to be in force on or before 16 May 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.

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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))