

Act No 86/2021 on the Integration of Services in the Interest of Children's Prosperity

Stages of passage through Althing. Parliamentary bill.

Entered into force on 1 January 2022, with the exception of the interim provision which entered into force on 8 July 2021.

Where reference is made in this Act to the minister or ministry without specifically identifying or referring to a field of responsibility, this is to be read as referring to the **Minister of Education and Children** or the **Ministry of Education and Children**, which is responsible for this Act. Information about the responsibilities conferred on each ministry as stipulated by Presidential Order is available [here](#).

Chapter I General provisions.

■ Article 1. Aim.

- This Act is intended to promote children's prosperity. The principle aim of the Act is for children and parents in need to have access to suitable integrated services without impediment.
- When administering this Act, children's rights shall be guaranteed in accordance with the Constitution and international obligations undertaken by Iceland, in particular the United Nations Convention on the Rights of the Child.
- Responsible parties pursuant to this Act shall:
 1. Monitor the welfare and prosperity of children and parents and evaluate the need for services.
 2. Respond effectively to children's and parents' need for services, as soon as necessary.
 3. Consult among themselves with the aim of providing continuous and integrated services in the interest of the welfare and prosperity of children and parents.

■ Article 2. Definition of terms.

- For the purposes of this Act the following terms shall have the meaning as set out below:
 1. *General services in the interest of a child's prosperity*: All organised activities by parties other than service providers which contribute to a child's prosperity, for example the services of self-employed specialists, sports, art and youth activities, and the activities of non-governmental organisations and organised interest groups.
 2. *Child*: A person under 18 years of age residing in the territory of the Icelandic State.
 3. *A child's prosperity*: Circumstances which create the conditions for a child's physical, mental, intellectual, moral and social development and health on its own terms for the future.
 4. *Prosperity assembly*: Consultation platform on children's prosperity for the authorities, professionals and users of the services.
 5. *Prosperity services*: All services to be provided by the government or municipalities, as prescribed by law, which contribute to promoting and/or ensuring a child's prosperity. Prosperity services range from basic services accessible to all children and/or parents to further multilevel individualised services, including in the field of education, health, policing, social services and child protection.
 6. *Parent*: A child's parent and/or custodian pursuant to the provisions of the Children Act. The term can also refer to pregnant persons for the purpose of integration of services during pregnancy. The provisions of the Children Act and other sectorial law, as the case may be, apply to the respective roles, cooperation and division of duties between parents and legal guardians in individual cases.
 7. *Case manager of services in the interest of a child's prosperity*: The person managing the integration of services in the interest of a child's prosperity, where the child is in need of secondary or tertiary level services.
 8. *Integrated services in the interest of a child's prosperity*: Organised and continuous services aimed at promoting a child's prosperity and which are offered by service providers best equipped to meet the child's needs at any given time.
 9. *Support plan*: Individualised plan on integrated services in the interest of a child's prosperity.
 10. *Support team*: A platform where service providers, and, as the case may be, those who provide general services to a particular child, cooperate on integrating the services. The support team creates and follows up on the support plan.
 11. *Regional prosperity assemblies*: A platform where regional governmental and municipal service providers consult and plan regional prioritisation of actions promoting the prosperity of children.
 12. *Coordinator of services in the interest of a child's prosperity*: The person supporting the integration of primary level

services in the interest of a child's prosperity.

13. *Information about a child's circumstances:* Information indicating a child's need for services or support pertaining to the child itself and/or individuals in the child's micro-environment. Information about a child's circumstances may include sensitive personal data, such as information about health, and information which may be considered of a sensitive nature, such as information about family status, social problems, and information on criminal conduct and alleged criminal conduct.

14. *Service provider:* The provider of prosperity services, whether as a part of the administrative organisation of the government or municipality, or a private body providing such services under the auspices of the government or municipality, for example on the basis of a service contract. Service providers include for example preschools, primary schools, after school activity centres, community centres, secondary schools, healthcare services, specialised healthcare services, police, social services and child protection.

Chapter II Central administration, policy-making and public administration.

■ Article 3. Ministerial responsibility.

- Ministers responsible for services in the interest of a child's prosperity shall actively work towards the aims of this Act.
- The minister is responsible for the integration of prosperity services and supervises the administering of this Act.
- The minister's representatives pursuant to paragraph 1 shall consult regularly on the integration of prosperity services and tasks in the interest of children's prosperity. The consultative platform shall also prepare a policy on children's prosperity and a 4-year action plan for government tasks concerning children's prosperity, in consultation with the Icelandic Association of Local Authorities. During the preparation of the policy and action plan, the conclusions of the prosperity assembly shall be taken into account. The minister submits the policy and action plan as a parliamentary resolution within in a year from the last general elections.

■ Article 4. Prosperity assembly.

- The minister convenes a prosperity assembly within a year after the parliamentary resolution pursuant to Article 3(3) is adopted. The prosperity assembly is a discussion platform for professionals, the users of services and the authorities where work is carried out towards the integration of prosperity services, innovation and improvement of issues which concern children's prosperity. The assembly is open to all, but participation by children should be ensured specifically.
- The prosperity assembly shall serve as a platform for discussion of the policy on children's prosperity and the government's 4-year action plan, as well as regional prioritisation of actions in the interest of children's prosperity. The discussions and the main conclusions of the assembly shall be put on record. The minister is responsible for the running of the assembly and for following up its conclusions.

■ Article 5. Regional prosperity councils.

- Municipalities appoint regional prosperity councils which serve as platforms for regional consultation about children's prosperity. They are composed of representatives of regional government and municipal service providers. The respective council shall consult with the representatives of the users of services in the region in question.
- Regional prosperity councils shall prepare plans for the regional prioritisation of 4-year actions on children's prosperity which take into account the parliamentary resolution on the policy regarding children's prosperity, the government's action plan and the conclusions of the prosperity assembly.
- Municipalities prepare reports on the progress of plans for regional prioritisation of actions every two years. Plans and reports pursuant to this provision shall be submitted to the Quality Inspectorate for Welfare Work.

■ Article 6. Tasks performed by the National Agency for Children and Families.

- Tasks performed by the National Agency for Children and Families in order to integrate services in the interest of children's prosperity pursuant to this Act are:
 1. Support for integrating services in the interest of children's prosperity, i.a. the publication of guidelines, check lists and additional material on integration for those providing services in the interest of children's prosperity, as well as publication of standardised forms and information for the users of the services.
 2. Regular instruction on the integration of services in the interest of children's prosperity for those engaged in the integration pursuant to this Act.
 3. Advice to coordinators, case managers and support teams, including support with processing individual cases.
 4. Determining the purpose and methods for processing personal data on the basis of Article 15 and Chapter V.
 5. Other tasks serving the aims of this Act subject to decision by the minister.

■ Article 7. Tasks performed by the Quality Inspectorate for Welfare Work.

- Tasks performed by the Quality Inspectorate for Welfare Work in order to integrate services in the interest of children's prosperity pursuant to this Act are:
 1. Supervising the quality of the integration of services in the interest of children's prosperity, including the resolution of complaints made by users of the services.
 2. Other tasks serving the aims of this Act subject to decision by the minister.

■ Article 8. Processing of information.

- The National Agency for Children and Families collects and processes general information about children's prosperity with the aim of providing the authorities with an overview over children's circumstances and service needs. The information in question is non-identifiable. The agency can require service providers and others providing services in the interest of children's prosperity to provide any information and explanation necessary in order to achieve the aims of this provision.

- The minister has the authority to issue a regulation setting requirements for service providers to regularly submit general information on children's prosperity.
- In order to achieve the aims of this Act, service providers and others providing general services in the interest of children's prosperity are permitted to disseminate information about a child's circumstances to the National Agency for Children and Families, and the Quality Inspectorate for Welfare Work. The National Agency for Children and Families and the Quality Inspectorate for Welfare Work are permitted, subject to the same requirements, to disseminate information about a child's circumstances to service providers and those providing general services in the interest of a child's prosperity. Service providers and those providing general services in the interest of children's prosperity are for the same purpose also obliged to disseminate any information about a child's circumstances to the National Agency for Children and Families and the Quality Inspectorate for Welfare Work, which the agencies consider necessary in order for them to engage in their tasks pursuant to Articles 6 and 7. The National Agency for Children and Families and the Quality Inspectorate for Welfare Work are obliged to share among themselves any information which either agency considers necessary in order to fulfil its role, and are also permitted to communicate information among themselves about a child's circumstances for the purposes of the aims of this Act.

Chapter III Levels of services in the interest of children's prosperity.

■ Article 9. Service levels.

- Services in the interest of children's prosperity are provided at three service levels.
- Prosperity services shall be defined with regard to the appropriate service level. Where classification of prosperity services according to service levels is not provided for by legislation, ministers responsible for prosperity services shall issue regulations, having consulted with municipalities, as the case may be, explaining all prosperity services for which each minister is responsible and the service levels for those services pursuant to the provisions of this chapter.
- An effort shall be made to officially define general services in the interest of children's prosperity in a similar manner.

■ Article 10. Primary level services.

- Primary level services in the interest of children's prosperity include basic services accessible to all children and parents. Also included at the primary level is individualised early support which is provided with the aim of supporting the prosperity of the child. Early support is provided in accordance with a preliminary assessment of the needs of the child and systematically followed up.

■ Article 11. Secondary level services.

- Secondary level services in the interest of children's prosperity include resources where individualised and systematic support is provided with the aim of ensuring a child's prosperity. Systematic support is provided in conformity with professional assessment and/or preliminary analysis of the needs of the child. Effort shall be made to provide a more systematic support on the basis of a support plan on integrated services and follow up.

■ Article 12. Tertiary level services.

- Tertiary level services in the interest of children's prosperity include resources where individualised and specialised support is provided with the aim of ensuring that the prosperity of the child is not jeopardised. More specialised support is provided in conformity with specific and thorough assessment and/or analysis of the needs of the child. Efforts shall be made to provide more specific support based on a support plan on integrated services and follow up.

Chapter IV Obligations of those who provide services in the interest of a child's prosperity.

■ Article 13. Obligations of service providers.

- Service providers are to systematically promote the welfare and prosperity of the child while carrying out their tasks. Efforts shall be made to take note of evidence-based knowledge while developing, organising and implementing prosperity services and to provide services in consultation with and with the participation of the users of the services.
- Service providers shall engage in good general cooperation among themselves with emphasis on interdisciplinary expertise and mutual instruction.
- Service providers have an obligation to monitor, note and identify evidence that the needs of the child are not being sufficiently met and respond accordingly.
- Service providers have an obligation to take part in the cooperation as set out specifically in this Act.

■ Article 14. Obligations of those who provide general services in the interest of a child's prosperity.

- Those who provide general services in the interest of a child's prosperity are obliged to monitor the welfare and prosperity of the child, seek to identify evidence that the needs of the child are not being sufficiently met and respond accordingly. They are to process personal data in accordance with rules adopted on the basis of this Act.

■ Article 15. Indications that the needs of the child are not being met.

- Where a service provider or anyone providing general services in the interest of a child's prosperity notices and identifies indications that the needs of the child are not being sufficiently met, and that the child needs services in addition to those already provided, the service provider shall give direction to parents and/or the child regarding the integration of services, *cf.* Chapter V.
- Where a parent and/or child submits a request to that effect, the service provider or anyone providing general services in the interest of children's prosperity is able to record and/or compile information about a child's circumstances which shed light on any evidence and need for services, *cf.* paragraph 1, and disseminate them to the coordinator or case manager of

services for the sake of a child's prosperity, *cf.* Chapter V.

When the coordinator or case manager of services in the interest of a child's prosperity receives information pursuant to this Article they are permitted to process information about a child's circumstances. They shall as soon as possible contact the parents and/or child and offer integration of services pursuant to Chapter V.

■ **Article 16.** *Confidentiality.*

Service providers and anyone providing general services in the interest of a child's prosperity are subject to confidentiality pursuant to Chapter X of the Administrative Procedures Act with respect to information of which they have become aware because of their tasks pursuant to this Chapter and Chapter V.

Chapter V Integration of services in the interest of a child's prosperity.

■ **Article 17.** *Coordinator of services in the interest of a child's prosperity.*

All children and parents shall have access to a coordinator of services in the interest of a child's prosperity, as needed.

From birth to the start of preschool or primary school, the role of coordinator is fulfilled by a staff member at the health-care centre or health care establishment in the public health jurisdiction of the child. The same applies if integration of services is needed during pregnancy. During a child's preschool, primary school or secondary school years, a staff member of the school where the child studies fulfils the role of coordinator.

If paragraph 2 is not applicable, the role of coordinator is fulfilled by a staff member of social services in the municipality where the child is domiciled. When a child's circumstances changes pursuant to paragraph 2, the previous coordinator is to make sure that the new coordinator receives the necessary information about the child's circumstances in order to be able to fulfil his or her role.

The coordinator shall have the relevant knowledge of services in the interest of a child's prosperity. The coordinator must not be related to the child or the child's parents in a manner which would call their eligibility into question pursuant to the provisions of the Local Authorities Act.

The minister shall issue a regulation on coordinators of services in the interest of a child's prosperity. It shall include among other things further competency requirements and educational requirements for coordinators.

■ **Article 18.** *The role of the coordinator.*

The coordinator shall be guided by the best interests of the child. They shall pursue their role in cooperation and consultation with parents and the child. The coordinator's role is to:

1. Provide information about services in the interest of a child's prosperity.
2. Assist with ensuring access to a preliminary assessment of a child's needs.
3. Organise and follow up on the integration of primary level services in the interest of a child's prosperity.
4. Provide the relevant municipality with information about the need to appoint a case manager of services in the interest of a child's prosperity.
5. Participate in the activities of a support team as applicable.

A request from parents and/or child for integration of services must have been submitted before the coordinator begins to provide services pursuant to paragraph 1.

■ **Article 19.** *Integration of primary level services.*

All children and parents shall have access to the services of a coordinator when integrating first level services.

When a request by parents and/or child to start integration of services has been submitted, the coordinator is able to seek information about a child's circumstances from service providers and anyone providing general services in the interest of a child's prosperity. In order to ensure the interests of the child to the extent possible regarding the integration of services, the coordinator, service providers and those providing general services in the interest of a child's prosperity are permitted to share information about the circumstances of the child among themselves.

■ **Article 20.** *Case manager of services in the interest of a child's prosperity.*

Where a request by parents and/or child for integrating services has been submitted and there is reason to believe that a child needs multi-modal services at the secondary and/or tertiary level in the long term, the municipality where the child is domiciled shall appoint a case manager of services in the interest of the child's prosperity.

The municipality shall choose a case manager who works in social services in the municipality or other areas relevant to the needs of the child.

The case manager shall have knowledge of services in the interest of children's prosperity. The case manager must not be related to the child or the child's parents in a manner which would call his or her eligibility into question pursuant to the provisions of the Local Authorities Act.

The minister shall issue a regulation on case managers of services in the interest of a child's prosperity. It shall include among other things further competency requirements and educational requirements for case managers.

Where a child protection case has already been initiated, the integration of services is subject to the provisions of the Child Protection Act.

■ **Article 21.** *The role of the case manager.*

The case manager is guided by the best interests of the child. They shall pursue their role in cooperation and consultation with parents and the child. The case manager's role is to:

1. Provide advice and information about services in the interest of a child's prosperity.
2. Assist with ensuring access to an assessment and/or analysis of the child's needs.

3. Be responsible for making a support plan and managing a support team.
 4. Follow up on services being provided in accordance with the support plan.
 5. Provide members of the support team with advice and information about the integration of services in the interest of a child's prosperity.
- A request from parents and/or child for integration of services must have been submitted before the case manager begins to provide services pursuant to paragraph 1. When a request has been submitted, the case manager can seek information about a child's circumstances from service providers and anyone providing general services in the interest of a child's prosperity.
- **Article 22. Support team and support plan.**
- The case manager shall establish a support team composed of representatives of the service providers providing services to the child. Those providing general services in the interest of a child's prosperity may be invited to become members of the support team if need be.
- The support team shall be guided by the best interests of the child and the team shall pursue its role in consultation and cooperation with parents and the child.
- The support team shall prepare a written support plan for the child as soon as possible where services provided in the interest of a child's prosperity are integrated. The support plan shall address, where applicable:
1. Assessment and/or analysis of the child's needs.
 2. The aim of the service and the integration of its individual components at all service levels.
 3. The role of each service provider and others, where applicable.
 4. How success is to be evaluated.
 5. The intended duration of the support plan.
- The support team cooperates regularly on implementing the support plan while it is in effect. The plan must be re-evaluated and renewed as needed. The support team shall prepare a plan before the child turns 18 addressing the integration of services for the child after it reaches adulthood.
- If a support team ends its assignment without preparing a support plan, the child's parents and the coordinator shall be informed of the team's conclusion along with a reasoning for the conclusion. Parents can direct a complaint against the support team's conclusion to end its assignment without providing a support plan to the Quality Inspectorate for Welfare Work.
- **Article 23. Processing of personal data when integrating services.**
- When a request for integration of services has been submitted, the processing of information about the child's circumstances is permitted by coordinators, case managers, service providers and those providing general services in the interest of a child's prosperity when implementing tasks pursuant to Article 15 and this Chapter. Processing of personal data includes, among other things, collecting, recording, preserving, sharing and combining information about a child's circumstances, including sensitive personal data and information on criminal conduct and alleged criminal conduct. The principle of proportionality must be observed during processing of personal data on the basis of this Act and personal data shall not be processed beyond that which may be considered necessary in each individual case appropriate for the purpose at hand.
- Consultation and instructions to parents and/or child on the integration of services shall include information about processing of personal data.
- The National Agency for Children and Families issues further rules on the processing of personal data pursuant to paragraph 1, including the purpose and methods of processing and instructions for parents and/or the child pursuant to paragraph 2, which shall be approved by the minister. The Data Protection Authority shall be consulted during the preparation of the rules. Parties authorised to process personal data pursuant to paragraph 1 are obliged to conduct processing in accordance with the rules set by the National Agency for Children and Families and the provisions of the Data Protection and the Processing of Personal Data Act.

Chapter VI Miscellaneous provisions.

- **Article 24. Cooperation between municipalities.**
- Municipalities may cooperate on tasks pursuant to this Act. Municipalities may form specific service areas with respect to the tasks, subject to the provisions of the Local Authorities Act.
- **Article 25. Children without lawful domicile residing in the jurisdiction of the Icelandic State.**
- Where a child resides in the jurisdiction of the Icelandic State but is without lawful domicile in the country, child and parents shall be provided with the services prescribed by this Act in the municipality where the child resides.
- **Article 26. Entry into force.**
- This Act shall enter into force on 1 January 2022. Interim provisions enter into force immediately.
- **Article 27. Amendments to other legislation.**
- When this Act enters into force, the following amendment is made to Act No 4/1995 on local government revenue sources: A new interim provision is added to the Act and reads as follows:
- Revenue for the Municipal Equalisation Fund for the years 2022–2024 pursuant to Article 8(a), is supplemented by an annual contribution from the State budget, which, notwithstanding Article 9, shall be disbursed through payments to individual municipalities in order to meet costs incurred by municipalities on account of the integration of services in the interest of children's prosperity.

- Contributions to individual municipalities pursuant to paragraph 1 shall not exceed the excess costs incurred by the municipality when implementing the Act on the integration of services in the interest of children's prosperity, less the benefits gained by the municipality on account of them.
- The calculation of contributions pursuant to this provision shall be further provided for through regulation, *cf.* Article 18.
- **Interim provision.**
- The minister is responsible for the appropriate measures being taken to prepare the entry into force of this Act and supporting its implementation. This includes among other things managing implementing actions in cooperation with the minister pursuant to Article 3(1) and municipalities.