

*These notes refer to the Social Services and Well-being (Wales)
Act 2014 (c.4) which received Royal Assent on 1 May 2014*

SOCIAL SERVICES AND WELL- BEING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 51 - Direct payments to meet a child's needs

190. **Section 51** provides the Welsh Ministers with a power to make regulations that require or allow a local authority to make payments (direct payments) towards the costs of meeting a child's needs for care and support. Payments can be made to a person with parental responsibility for a child who has needs for care and support, or to the child who has needs for care and support.
191. The person to whom the payments are to be made must consent to the making of the payments. Where the direct payments are being made to an adult or a child aged 16 or 17, the local authority must believe the person who is to receive the payments has the capacity to consent to the making of the payments. Where the person is a child under the age of 16, the local authority must be satisfied they have sufficient understanding to make an informed choice about receiving direct payments.
192. In all cases the local authority must be satisfied that making the payments is an appropriate way of meeting the child's needs, that the well-being of the child will be safeguarded and promoted by the making of the payments and that the person who is to receive the payments is capable of managing them by him or herself or with support.