



# Social Services and Well-being (Wales) Act 2014

2014 anaw 4

## PART 1

### INTRODUCTION

#### *Key terms*

#### **2 Meaning of “well-being”**

- (1) This section applies for the purpose of this Act.
- (2) “Well-being”, in relation to a person, 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.
- (3) In relation to a child, “well-being” also includes—
  - (a) physical, intellectual, emotional, social and behavioural development;
  - (b) “welfare” as that word is interpreted for the purposes of the Children Act 1989.
- (4) In relation to an adult, “well-being” also includes—
  - (a) control over day to day life;
  - (b) participation in work.

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*Changes to legislation: Social Services and Well-being (Wales) Act 2014, Cross Heading: Key terms is up to date with all changes known to be in force on or before 20 April 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*

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### 3 Meaning of “adult”, “child”, “carer” and “disabled”

- (1) This section applies for the purposes of this Act.
- (2) “Adult” means a person who is aged 18 or over.
- (3) “Child” [<sup>F1</sup>(except in section 83(2C))] means a person who is aged under 18.
- (4) “Carer” means a person who provides or intends to provide care for an adult or disabled child; but see subsections (7) and (8) and section 187(1).
- (5) A person is “disabled” if the person has a disability for the purposes of the Equality Act 2010, subject to provision made under subsection (6).
- (6) Regulations may provide that a person falling within a specified category is or is not to be treated as disabled for the purposes of this Act.
- (7) A person is not a carer for the purposes of this Act if the person provides or intends to provide care—
  - (a) under or by virtue of a contract, or
  - (b) as voluntary work.
- (8) But a local authority may treat a person as a carer for the purposes of any of its functions under this Act if the authority considers that the relationship between the person providing or intending to provide care and the person for whom that care is, or is to be, provided is such that it would be appropriate for the former to be treated as a carer for the purposes of that function or those functions.

#### Textual Amendments

- F1** Words in s. 3(3) inserted (1.9.2021) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), **Sch. 1 para. 24(2)**; S.I. 2021/373, art. 8(j)(xl) (as amended by S.I. 2021/735, art. 2(5)(b))

### 4 Meaning of “care and support”

Any reference to care and support in this Act is to be construed as a reference to—

- (a) care;
- (b) support;
- (c) both care and support.

**Changes to legislation:**

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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))