



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 4

MEETING NEEDS

Meeting care and support needs of children

37 Duty to meet care and support needs of a child

- (1) A local authority must meet a child's needs for care and support if it is satisfied that conditions 1 and 2, and any conditions specified in regulations, are met (but see subsections (5) and (6)).
- (2) Condition 1 is that the child is within the local authority's area.
- (3) Condition 2 is that—
 - (a) the needs meet the eligibility criteria, or
 - (b) the local authority considers it necessary to meet the needs in order to protect the child from—
 - (i) abuse or neglect or a risk of abuse or neglect, or
 - (ii) other harm or a risk of such harm.
- (4) If the local authority has been notified about a child under section 120(2)(a) [^{F1}or under section 85(1) of the Children Act 1989 (children accommodated by health authorities and local education authorities)], it must treat the child as being within its area for the purposes of this section.
- (5) The duty under subsection (1) does not apply to a child's needs to the extent that the local authority is satisfied that those needs are being met by the child's family or a carer.
- (6) This section does not apply to a child who is looked after by—

Changes to legislation: Social Services and Well-being (Wales) Act 2014, Section 37 is up to date with all changes known to be in force on or before 26 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

- (a) a local authority,
- (b) a local authority in England,
- (c) a local authority in Scotland, or
- (d) a Health and Social Care trust.

Textual Amendments

- F1** Words in s. 37(4) 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), **296**

Commencement Information

- II** S. 37 in force at 6.4.2016 by [S.I. 2016/412](#), **art. 2** (with [art. 4](#), [Schs. 1, 2](#))

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[View outstanding changes](#)

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))