



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 2

GENERAL FUNCTIONS

Well-being outcomes

8 Duty to issue a statement of the outcomes to be achieved

- (1) The Welsh Ministers must issue a statement relating to the well-being of—
 - (a) people in Wales who need care and support, and
 - (b) carers in Wales who need support.
- (2) The statement must be issued within 3 years beginning with the date on which this Act receives Royal Assent.
- (3) The statement must specify the outcomes that are to be achieved, in terms of the well-being of the people mentioned in subsection (1), by means of—
 - (a) care and support (or, in the case of carers, support) provided by local authorities under this Act, and
 - (b) care and support (or, in the case of carers, support) provided by others which is of a kind that could be provided by local authorities under this Act.
- (4) The statement must also specify measures by reference to which the achievement of those outcomes is to be assessed.
- (5) The statement may specify different outcomes or measures for different categories of people who need care and support (or, in the case of carers, support).
- (6) The Welsh Ministers must keep the statement under review and may revise the statement whenever they consider it appropriate to do so.

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- (7) Before issuing or revising the statement, the Welsh Ministers must consult such persons as they think fit.
- (8) The Welsh Ministers must, on issuing or revising the statement—
 - (a) lay a copy of the statement before the National Assembly for Wales, and
 - (b) publish the statement on their website.

9 Power to issue a code to help achieve the outcomes

- (1) The Welsh Ministers must issue, and from time to time revise, a code to help achieve the outcomes specified in the statement under section 8.
- (2) The code may—
 - (a) give guidance to any person providing care and support (or, in the case of carers, support) of the kind described in section 8(3), and
 - (b) impose requirements on local authorities in relation to provision of that kind.
- (3) The following are examples of the matters which may be set out in the code—
 - (a) standards (“quality standards”) to be achieved in the provision of care and support (or, in the case of carers, support);
 - (b) measures (“performance measures”) by reference to which performance in achieving those quality standards can be assessed;
 - (c) targets (“performance targets”) to be met in relation to those performance measures;
 - (d) steps to be taken in relation to those standards, measures and targets.
- (4) The code may specify—
 - (a) different quality standards for—
 - (i) different categories of care and support (or, in the case of carers, support);
 - (ii) different categories of people who need care and support (or, in the case of carers, support);
 - (b) different performance measures or performance targets for—
 - (i) different categories of care and support (or, in the case of carers, support);
 - (ii) different categories of persons who provide care and support (or, in the case of carers, support);
 - (c) different quality standards, performance measures or performance targets to apply at different times.
- (5) The Welsh Ministers must—
 - (a) publish on their website the code which is for the time being in force, and
 - (b) make available to the public (whether on their website or otherwise) codes which are no longer in force.

10 Local authorities and the code

- (1) In exercising its functions under this Act, a local authority must—
 - (a) act in accordance with any relevant requirements imposed upon it by a code issued under section 9, and

- (b) have regard to any relevant guidance contained in that code.
- (2) Where performance measures or performance targets are specified in a code issued under section 9, they are to be treated (so far as they apply to the performance of local authorities in exercising their functions) as having been specified as performance indicators or performance standards respectively under section 8(1) of the Local Government (Wales) Measure 2009.

11 Issue, approval and revocation of the code

- (1) Before issuing or revising a code under section 9, the Welsh Ministers must consult such persons as they think fit on a draft of the code (or revised code).
- (2) If the Welsh Ministers wish to proceed with the draft (with or without modifications) they must lay a copy of the draft before the National Assembly for Wales.
- (3) If, before the end of the 40 day period, the National Assembly for Wales resolves not to approve the draft, the Welsh Ministers must not issue the code (or revised code) in the form of that draft.
- (4) If no such resolution is made before the end of that period—
 - (a) the Welsh Ministers must issue the code (or revised code) in the form of the draft, and
 - (b) the code (or revised code) comes into force on the date appointed by order of the Welsh Ministers.
- (5) The 40 day period—
 - (a) begins on the day on which the draft is laid before the National Assembly for Wales, and
 - (b) does not include any time during which the National Assembly for Wales is dissolved or is in recess for more than four days.
- (6) Subsection (3) does not prevent a new draft of a code (or revised code) from being laid before the National Assembly for Wales.
- (7) The Welsh Ministers may revoke a code (or revised code) issued under this section in a further code or by direction.
- (8) A direction under subsection (7) must be laid before the National Assembly for Wales.

12 Power to help local authorities to comply with the code's requirements

- (1) The Welsh Ministers may do anything which they consider is likely to help a local authority to comply with requirements imposed by a code under section 9.
- (2) The power under subsection (1) includes power—
 - (a) to enter into arrangements or agreements with any person;
 - (b) to co-operate with, or facilitate or co-ordinate the activities of, any person;
 - (c) to exercise on behalf of any person any functions of that person;
 - (d) to provide staff, goods, services or accommodation to any person.
- (3) Unless the Welsh Ministers are exercising the power under subsection (1) in response to a request made under subsection (4), they must, before exercising that power, consult—

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- (a) the local authority which they propose to assist by the exercise of the power, and
 - (b) those persons who appear to the Welsh Ministers to be key stakeholders affected by the exercise of the power.
- (4) If a local authority asks them to do so, the Welsh Ministers must consider whether to exercise their power under subsection (1).

13 Publication of information and reports

The Welsh Ministers may publish—

- (a) information about the provision of care and support (or, in the case of carers, support) of the kind described in section 8(3), and
- (b) reports on the progress made by local authorities and others towards the achievement of—
 - (i) the outcomes specified in a statement under section 8;
 - (ii) the quality standards and performance targets (if any) specified in a code under section 9.