



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 3

ASSESSING THE NEEDS OF INDIVIDUALS

Assessing adults

19 Duty to assess the needs of an adult for care and support

- (1) Where it appears to a local authority that an adult may have needs for care and support, the authority must assess—
 - (a) whether the adult does have needs for care and support, and
 - (b) if the adult does, what those needs are.
- (2) The duty under subsection (1) applies in relation to—
 - (a) an adult who is ordinarily resident in the authority's area, and
 - (b) any other adult who is within the authority's area.
- (3) The duty under subsection (1) applies regardless of the local authority's view of—
 - (a) the level of the adult's needs for care and support, or
 - (b) the level of the adult's financial resources.
- (4) In carrying out a needs assessment under this section, the local authority must—
 - (a) seek to identify the outcomes that the adult wishes to achieve in day to day life,
 - (b) assess whether, and if so, to what extent, the provision of—
 - (i) care and support,
 - (ii) preventative services, or
 - (iii) information, advice or assistance,could contribute to the achievement of those outcomes or otherwise meet needs identified by the assessment, and

Status: Point in time view as at 22/03/2021. This version of this provision has been superseded.

Changes to legislation: Social Services and Well-being (Wales) Act 2014, Section 19 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)

- (c) assess whether, and if so, to what extent, other matters could contribute to the achievement of those outcomes or otherwise meet those needs.
- (5) A local authority, in carrying out a needs assessment under this section, must involve—
 - (a) the adult, and
 - (b) where feasible, any carer that the adult has.
- (6) The nature of the needs assessment required by this section is one that the local authority considers proportionate in the circumstances, subject to any requirement in regulations under section 30.

Modifications etc. (not altering text)

- C1** S. 19 restricted (temp.) (1.4.2020) by Coronavirus Act 2020 (c. 7), s. 87(2), **Sch. 12 para. 20** (with ss. 88-90, Sch. 12 paras. 23, 24, 34); S.I. 2020/366, **reg. 3** (which affecting provision is suspended (22.3.2021) by S.I. 2021/316, regs. 1(2), **2(a)**) and expires (1.8.2021) by virtue of The Coronavirus Act 2020 (Early Expiry: Local Authority Care and Support) (Wales) Regulations 2021 (S.I. 2021/850), regs. 1(2), **2(a)**)

Commencement Information

- I1** S. 19 in force at 6.4.2016 by S.I. 2016/412, **art. 2** (with art. 4, Schs. 1, 2)

Status:

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