

WELSH STATUTORY INSTRUMENTS

**2015 No. 1367 (W. 135)**

**SOCIAL CARE, WALES**

**The Care and Support (Population Assessments) (Wales) Regulations 2015**

<i>Made</i>	- - - -	<i>5 June 2015</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>12 June 2015</i>
<i>Coming into force</i>	- -	<i>6 April 2016</i>

The Welsh Ministers, in exercise of the powers conferred by section 14(1) and (2) and 198(1) of the Social Services and Well-being (Wales) Act 2014 (1), make the following Regulations:

PROSPECTIVE

**Title, commencement, application and interpretation**

1.—(1) The title of these Regulations is the Care and Support (Population Assessments) (Wales) Regulations 2015.

(2) These Regulations come into force on 6 April 2016 and apply in relation to Wales.

(3) In these Regulations—

“population assessment” (“*asesiad poblogaeth*”) means the assessment which is required to be carried out under section 14(1) of the Act;

“population assessment report” (“*adroddiad asesiad poblogaeth*”) has the meaning in regulation 5;

“preventative services” (“*gwasanaethau ataliol*”) means services the local authority considers would achieve any of the purposes in section 15(2) of the Act;

“the Act” (“*y Ddeddf*”) means the Social Services and Well-being (Wales) Act 2014;

“the responsible bodies” (“*y cyrff cyfrifol*”) means the bodies responsible for carrying out a population assessment.

*Status: This version of this Instrument contains provisions that are prospective.*

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Care and Support (Population Assessments) (Wales) Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### Commencement Information

**I1** Reg. 1 in force at 6.4.2016, see [reg. 1\(2\)](#)

### Achievement of well-being outcomes

**2.** In carrying out a population assessment, the responsible bodies must have regard to the outcomes and measures specified in the statement issued by the Welsh Ministers under section 8 of the Act (duty to issue a statement of the outcomes to be achieved).

### Commencement Information

**I2** Reg. 2 in force at 6.4.2016, see [reg. 1\(2\)](#)

### Citizen engagement

**3.—(1)** In carrying out a population assessment, the responsible bodies must take reasonable steps to engage with—

- (a) people in the local authority’s area who have or may have needs for care and support<sup>(2)</sup>,
- (b) people in the local authority’s area with parental responsibility for children who have or may have needs for care and support, and
- (c) carers in the local authority’s area who have or may have needs for support.

(2) The responsible bodies must establish a procedure for the engagement required by paragraph (1).

### Commencement Information

**I3** Reg. 3 in force at 6.4.2016, see [reg. 1\(2\)](#)

### Engagement with the private sector and third sector

**4.—(1)** In carrying out a population assessment, the responsible bodies must engage with any private sector organisation or third sector organisation which is concerned with or has an interest in the provision of care and support or preventative services<sup>(3)</sup> to the local population.

(2) For the purposes of this regulation, “third sector organisation” means an organisation which a person might reasonably consider to exist wholly or mainly to provide benefits to society.

### Commencement Information

**I4** Reg. 4 in force at 6.4.2016, see [reg. 1\(2\)](#)

### Population assessment report

**5.—(1)** The responsible bodies must jointly produce a report of the outcome of the population assessment which has been carried out by them.

(2) See section 4 of the Act for the meaning of “care and support”

(3) “preventative services” means services provided for any of the purposes described in section 15(2) of the Act.

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#### Commencement Information

**I5** Reg. 5 in force at 6.4.2016, see [reg. 1\(2\)](#)

#### Publication of population assessment report

6.—(1) The first population assessment report must be produced by 1 April 2017.

(2) Each local authority must publish on its website the population assessment report which has been produced for its area.

(3) Each Local Health Board must publish on its website the population assessment reports which have been produced for the areas of the local authorities which are within its area.

(4) Each local authority must submit to the Welsh Ministers a copy of the population assessment report which has been produced for its area.

#### Commencement Information

**I6** Reg. 6 in force at 6.4.2016, see [reg. 1\(2\)](#)

#### Review of population assessment reports

7. The responsible bodies must jointly keep the population assessment report under review and may issue an addendum to the report whenever they consider it appropriate to do so.

#### Commencement Information

**I7** Reg. 7 in force at 6.4.2016, see [reg. 1\(2\)](#)

5 June 2015

*Mark Drakeford*  
Minister for Health and Social Services, one of  
the Welsh Ministers

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PROSPECTIVE

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Section 14(1) of the Social Services and Well-being (Wales) Act 2014 (“the Act”) requires local authorities and Local Health Boards (referred to in the Regulations as “responsible bodies”) to jointly assess the matters specified in section 14(1)(a) to (f) of the Act. These matters include the extent to which there are people in the local authority’s area who need care and support and the extent to which there are carers in the area who need support. These Regulations make provision for the carrying out of these assessments (referred to in the regulations as “population assessments”).

Regulation 2 requires the responsible bodies to have regard to the statement of well-being outcomes (issued under section 8 of the Act) when carrying out population assessments

Regulations 3 and 4 make provision for the persons and bodies with which the responsible bodies must engage when carrying out population assessments.

Regulation 5 requires the responsible bodies to jointly produce a report of the outcome of the population assessment (referred to in the regulations as a “population assessment report”).

Regulation 6 provides for the publication of population assessment reports and also requires population assessment reports to be submitted to the Welsh Ministers.

Regulation 7 provides for the review of population assessment reports.

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**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- reg. 1 coming into force by S.I. 2015/1367 reg. 1(2)
- reg. 2 coming into force by S.I. 2015/1367 reg. 1(2)
- reg. 3 coming into force by S.I. 2015/1367 reg. 1(2)
- reg. 4 coming into force by S.I. 2015/1367 reg. 1(2)
- reg. 4 heading substituted by S.I. 2023/292 reg. 2(2)(a)
- reg. 4(1) words substituted by S.I. 2023/292 reg. 2(2)(b)
- reg. 4(2) substituted by S.I. 2023/292 reg. 2(2)(c)
- reg. 5 coming into force by S.I. 2015/1367 reg. 1(2)
- reg. 6 coming into force by S.I. 2015/1367 reg. 1(2)
- reg. 7 coming into force by S.I. 2015/1367 reg. 1(2)