

SOCIAL SERVICES AND WELL- BEING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 150 – Grounds for intervention

399. **Section 150** sets out the grounds on which the Welsh Ministers may intervene in a local authority's exercise of its social services functions. The section contains three grounds, namely that the local authority:
- a) has failed or is likely to fail in the exercise of a duty that is a social services function;
 - b) has acted or is proposing to act unreasonably in the exercise of a social services function; or
 - c) is failing or is likely to fail to perform a social services function to an adequate standard.
400. This section is derived, in part, from section 7D of the Local Authority Social Services Act 1970 (which applies in relation to a local authority's exercise of its adult social services functions). However, the grounds for intervention are wider than those that are currently available in respect of a local authority's exercise of its social services functions in relation to adults. They reflect, instead, the broader grounds for intervention that currently apply in relation to a local authority's exercise of its social services functions in respect of children (under sections 496 to 497B of the Education Act 1996 and section 50 of the Children Act 2004). These broader grounds for intervention will now apply in relation to a local authority's exercise of all its social services functions, irrespective of whether those functions are to be exercised in relation to adults or to children.