



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 8

SOCIAL SERVICES FUNCTIONS

Codes

147 Departure from requirements in codes

- (1) Where this section applies to a requirement in a code (see section 145(4)), a local authority may exercise social services functions in a way that does not comply with the requirement so far as—
 - (a) the authority considers there is good reason for it not to comply with the requirement in particular categories of cases or at all,
 - (b) it decides on an alternative policy for the exercise of its functions in respect of the subject matter of the requirement, and
 - (c) a policy statement issued by the authority in accordance with section 148 is in effect.
- (2) Where paragraphs (a) to (c) of subsection (1) apply, the authority—
 - (a) must follow the course set out in the policy statement, and
 - (b) is subject to the duty to comply with the requirement in the code only so far as the subject matter of the requirement is not displaced by the policy statement.
- (3) The duty to comply with a requirement in a code of practice or to follow the course set out in a policy statement does not apply to a local authority so far as it would be unreasonable for the authority to follow the code or policy statement in a particular case or category of case.