



# Social Services and Well-being (Wales) Act 2014

2014 anaw 4

## PART 8 **E+W**

### SOCIAL SERVICES FUNCTIONS

#### *Intervention by central government*

#### **152 Power of Welsh Ministers to intervene **E+W****

- (1) The Welsh Ministers have the power to intervene under this Part in the exercise of social services functions by a local authority if subsection (2) or (3) applies.
- (2) This subsection applies if—
  - (a) the Welsh Ministers have given a warning notice, and
  - (b) the local authority has failed to comply, or secure compliance, with the notice to the Welsh Ministers' satisfaction within the compliance period.
- (3) This subsection applies if the Welsh Ministers are satisfied that one or more of grounds 1 to 3 exist in relation to the local authority and they have reason to believe that—
  - (a) there is a related risk to the health or safety of any person that calls for urgent intervention under this Part, or
  - (b) the local authority is unlikely to be able to comply, or secure compliance, with a warning notice.
- (4) The Welsh Ministers must, within 90 days of the date on which they begin to intervene in the exercise of a local authority's social services functions, report to the National Assembly for Wales on the steps taken pursuant to the intervention.
- (5) Where the Welsh Ministers have the power to intervene, they must keep the circumstances giving rise to the power under review.

*Changes to legislation: Social Services and Well-being (Wales) Act 2014, Section 152 is up to date with all changes known to be in force on or before 24 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) View outstanding changes*

- (6) If the Welsh Ministers conclude that the grounds for intervention have been dealt with to their satisfaction or that the exercise of their powers under this Part would not be appropriate for any other reason, they must notify the local authority of their conclusion in writing.
- (7) The Welsh Ministers' power to intervene continues in effect until they give notice under subsection (6).
- (8) Until such time as notice is given under subsection (6), the Welsh Ministers must, every 6 months from the date on which they begin to intervene in the exercise of a local authority's social services functions, report to the National Assembly for Wales on the steps being taken pursuant to the intervention.
- (9) Where the Welsh Ministers have the power to intervene, they are not limited to taking the action they said they were minded to take in a warning notice.

**Commencement Information**

**II** S. 152 in force at 6.4.2016 by [S.I. 2016/412](#), [art. 2](#) (with [art. 4](#), [Schs. 1, 2](#))

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 162(4)(ga) inserted by [2022 asc 1 Sch. 4 para. 30\(2\)\(b\)](#)
- s. 163(4A) inserted by [2014 c. 23 s. 75\(10\)](#) (Effect inserting (4) not applied at s. 163 as it appears to relate to s. 194 in view of the title of the section as cited i.e. "ordinary residence". In s. 194 another (4), identically worded, is inserted on the same date by S.I. 2016/413, regs. 2(1), 316(a))