



# Local Government Act 1974

## 1974 CHAPTER 7

### [<sup>F1</sup>PART 3A

#### INVESTIGATION OF COMPLAINTS ABOUT PRIVATELY ARRANGED OR FUNDED ADULT SOCIAL CARE

*Private adult social care: matters subject to investigation*

#### [<sup>F1</sup>34A Interpretation: “adult social care provider” and “adult social care”

- (1) This section applies for the purposes of this Part.
- (2) “Adult social care” means social care within the meaning of Part 1 of the Health and Social Care Act 2008 which is provided to persons aged 18 or over.
- (3) “Adult social care provider” means a person who carries on an activity which—
  - (a) involves, or is connected with, the provision of adult social care, and
  - (b) is a regulated activity within the meaning of Part 1 of the 2008 Act.
- (4) Action is to be treated as action taken by an adult social care provider if it is taken by—
  - (a) a person employed by that provider,
  - (b) a person acting on behalf of that provider, or
  - (c) a person to whom that provider has delegated any functions.
- (5) Action is also to be treated as action taken by an adult social care provider if—
  - (a) that provider provides adult social care by means of an arrangement with another person, and
  - (b) the action is taken by or on behalf of the other person in carrying out the arrangement.]

#### Textual Amendments

**F1** Pt. 3A inserted (1.10.2010) by [Health Act 2009 \(c. 21\), s. 40\(1\)](#), [Sch. 5 para. 2](#); [S.I. 2010/1863, art. 2](#)

**Changes to legislation:**

Local Government Act 1974, Section 34A is up to date with all changes known to be in force on or before 22 May 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.

[View outstanding changes](#)

**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. 33(1)(bzb) inserted by [2022 c. 30 Sch. 10 para. 2\(2\)\(a\)](#)
- s. 33(3B) inserted by [2022 c. 30 Sch. 10 para. 2\(4\)](#)
- s. 33ZA(1)(d) and word inserted by [2022 c. 30 Sch. 10 para. 3\(2\)\(b\)](#)
- s. 33ZA(3)(d) and word inserted by [2022 c. 30 Sch. 10 para. 3\(4\)\(b\)](#)
- s. 33ZB(4)(e)(f) inserted by [2022 c. 30 Sch. 10 para. 4\(b\)](#)