



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 8

SOCIAL SERVICES FUNCTIONS

*f¹*Reviews

Textual Amendments

- F1** Ss. 149A-149D and cross-heading inserted (29.4.2019) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), **ss. 57(1)**, 188(1); S.I. 2019/864, art. 2(3)(c)

149A Reviews of studies and research

- (1) The Welsh Ministers may review—
- studies and research undertaken by others in relation to the exercise of the social services functions of local authorities in Wales,
 - the methods used in such studies and research, and
 - the validity of conclusions drawn from such studies and research.
- (2) The Welsh Ministers must—
- prepare and publish a report of a review conducted under subsection (1), and
 - lay a copy of the report before the National Assembly for Wales.

149B Reviews of local authority social services functions

- (1) The Welsh Ministers may review the way in which the social services functions of local authorities are exercised.
- (2) In particular, the Welsh Ministers may—

Changes to legislation: Social Services and Well-being (Wales) Act 2014, Cross Heading: Reviews is up to date with all changes known to be in force on or before 19 July 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

- (a) review the overall exercise of local authority social services functions in Wales;
 - (b) review the way in which the social services functions of a particular local authority are exercised;
 - (c) review the exercise of a local authority social services function of a particular description (whether exercised by a single local authority or by two or more authorities working together);
 - (d) review the exercise of a local authority social services function by a particular person or persons.
- (3) A reference in subsection (2) to the exercise by a local authority of local authority social services functions includes a reference to the commissioning of any services in connection with those functions.
- (4) The Welsh Ministers must—
- (a) prepare and publish a report of a review conducted under subsection (1), and
 - (b) lay a copy of the report before the National Assembly for Wales.
- (5) Regulations may make provision about ratings that may be given in relation to the exercise of a specified local authority social services function.
- (6) If regulations are made under subsection (5) in relation to the exercise of a local authority social services function, the Welsh Ministers must—
- (a) in conducting a review of the exercise of that function give a rating in accordance with the regulations, and
 - (b) include the rating in their report of the review.
- (7) Before making regulations under subsection (5) the Welsh Ministers must consult any persons they think appropriate.
- (8) But the requirement to consult does not apply to regulations which—
- (a) amend other regulations made under that subsection, and
 - (b) do not, in the opinion of the Welsh Ministers, effect any substantial change in the provision made by the regulations to be amended.

149C Fees

- (1) Regulations may make provision for a local authority to pay a fee in respect of a review under section 149B(1).
- (2) Regulations under subsection (1) may include provision—
 - (a) specifying the amount of any fee or permitting the Welsh Ministers to determine the amount of any fee (subject to any limits or other factors as may be specified in the regulations);
 - (b) specifying the time by which a fee is to be payable or specifying factors by which that time is to be determined by the Welsh Ministers.

149D General considerations

When conducting a review under section 149A or 149B, the Welsh Ministers must, in relation to the local authority social services functions under review, have regard to—

- (a) the availability and accessibility of the services;

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- (b) the quality and effectiveness of the services;
- (c) the management of the services;
- (d) the economy and efficiency of their provision and their value for money;
- (e) the availability and quality of information provided to people in the local authority area about the services;
- (f) the duties imposed on local authorities by sections 5 (duty to promote well-being), 6 (other overarching duties) and 7 (duties relating to UN Principles and Convention) in so far as they are relevant to the services and the effectiveness of measures taken by a local authority to fulfil those duties;
- (g) the effectiveness of measures taken by a local authority to achieve the outcomes specified in a statement issued by the Welsh Ministers under section 8 (statement of outcomes relating to well-being) in so far as they are relevant to the services;
- (h) any performance measures and performance targets set out in a code issued under section 9 that they think are relevant;
- (i) any requirements or guidelines contained in a code issued under section 145 that they think are relevant;
- (j) the extent to which a local authority has involved people in the local authority area—
 - (i) in decisions about the way in which its social services functions are exercised, and
 - (ii) in reviewing the exercise of those functions.]

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))