



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 4

MEETING NEEDS

Deciding what to do following needs assessment

32 Determination of eligibility and consideration of what to do to meet needs

- (1) Where a local authority is satisfied, on the basis of a needs assessment, that a person has needs for care and support or, if the person is a carer, needs for support, the authority must—
 - (a) determine whether any of the needs meet the eligibility criteria;
 - (b) if the needs do not meet the eligibility criteria, determine whether it is nevertheless necessary to meet the needs in order to protect the person from—
 - (i) abuse or neglect or a risk of abuse or neglect (if the person is an adult);
 - (ii) abuse or neglect or a risk of abuse or neglect, or other harm or a risk of such harm (if the person is a child);
 - (c) determine whether the needs call for the exercise of any function it has under this Act or Parts 4 or 5 of the Children Act 1989, in so far as the function is relevant to that person;
 - (d) consider whether the person would benefit from the provision of anything that may be provided by virtue of section 15 (preventative services) or 17 (information, advice and assistance) or anything else that may be available in the community.
- (2) If a local authority determines that any needs must be met, or are to be met, under sections 35 to 45, the authority must—
 - (a) consider what could be done to meet those needs;

Status: This is the original version (as it was originally enacted).

- (b) consider whether it would impose a charge for doing those things, and if so, determine the amount of that charge (see Part 5).
- (3) Regulations must make provision about the discharge of the duty under subsection (1)
 - (a).
- (4) Needs meet the eligibility criteria if they—
 - (a) are of a description specified in regulations, or
 - (b) form part of a combination of needs of a description so specified.
- (5) The regulations may, for example, describe needs by reference to—
 - (a) the effect that the needs have on the person concerned;
 - (b) the person's circumstances.