



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 4

MEETING NEEDS

Supplementary

56 Portability of care and support

- (1) Where a local authority (“the sending authority”) is notified by or on behalf of a person in respect of whom it has a duty under section 35 or 37 to meet needs for care and support that the person is going to move to the area of another local authority (“the receiving authority”), and it is satisfied that the move is likely to happen, it must—
 - (a) notify the receiving authority that it is so satisfied, and
 - (b) provide the receiving authority with—
 - (i) a copy of the care and support plan prepared for the person, and
 - (ii) such other information relating to the person and, if the person has a carer, such other information relating to the carer as the receiving authority may request.
- (2) Where the receiving authority is notified by or on behalf of a person in respect of whom the sending authority has a duty under section 35 or 37 to meet needs for care and support that the person is going to move to the receiving authority’s area, and the receiving authority is satisfied that the move is likely to happen, it must—
 - (a) notify the sending authority that it is so satisfied,
 - (b) provide the person and, if the person has a carer, the carer with such information as it considers appropriate,
 - (c) if the person is a child, provide the persons with parental responsibility for the child with such information as it considers appropriate, and

Status: This is the original version (as it was originally enacted).

- (d) assess the person under section 19 (if the person is an adult) or 21 (if the person is a child), having regard in particular to any change in the person's needs for care and support arising from the move.
- (3) If, on the day the person moves to its area, the receiving authority has yet to carry out the assessment required by subsection (2)(d), or has done so but has yet to carry out the other steps required by this Part or Part 5, it must meet the person's needs for care and support in accordance with the care and support plan prepared by the sending authority, in so far as that is reasonably practicable.
 - (4) In carrying out the assessment required by subsection (2)(d), the receiving authority must have regard to the care and support plan provided under subsection (1)(b).
 - (5) The receiving authority is subject to the duty under subsection (3) until it has—
 - (a) carried out the assessment required by subsection (2)(d), and
 - (b) taken the other steps required under this Part or Part 5.
 - (6) Regulations may—
 - (a) specify steps which a local authority must take to satisfy itself in respect of the matters mentioned in subsections (1) and (2);
 - (b) specify matters to which a receiving authority must have regard in deciding how to comply with the duty under subsection (3);
 - (c) specify cases in which the duties under subsection (1), (2) or (3) do not apply.
 - (7) A reference in this section to moving to an area is a reference to moving to that area with a view to becoming ordinarily resident there.