
EXPLANATORY NOTE

(This note is not part of the Regulations)

Local authorities have a discretion to charge for care and support provided to meet a person's needs. These Regulations set out the requirements which local authorities must follow when making a determination of the amount of the charges which apply in relation to care and support which they are providing or arranging or propose to provide or arrange in the course of carrying out their functions under Part 4 of the Social Services and Well-being (Wales) Act 2014 ("the Act"). This is dealt with in Part 2 of the Regulations.

Part 3 gives local authorities a discretion to charge for any services which they might provide in carrying out their duty to provide preventative services under section 15 of the Act or their duty to provide assistance under section 17 of the Act.

Part 4 contains parallel provision setting out the requirements which apply when a local authority makes direct payments to meet a person's needs for care and support. In those circumstances a local authority may make gross payments and require the person to make a reimbursement or make net payments on the basis that the person will be required to make a contribution towards the cost of the care and support required to meet the person's assessed needs.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained by contacting the Health and Social Services Group, Welsh Government, Cathays Park, Cardiff CF10 3NQ.