

Statutory Instruments with Clear Reports under Standing Order 21.7

28 February 2022

SL(6)153 – Code of practice on the exercise of social services functions in relation to Part 4 (direct payments and choice of accommodation) and Part 5 (charging and financial assessment) of the Social Services and Well-being (Wales) Act 2014

Procedure: Draft Negative

This [Code of Practice](#) is issued under section 145 of the Social Services and Well-being (Wales) Act 2014. Local authorities, when exercising their social services functions, must act in accordance with the requirements contained in this Code.

This revised Code has been amended to reflect a number of compensation schemes by making an addition to the lists of forms of capital and income that should be fully disregarded in the financial assessment for charging for all forms of social care and support. Schemes are typically new pieces of legislation introduced by governments in the United Kingdom that make monetary awards to individuals who have suffered harm, abuse or injury and are to receive payments in recognition of their suffering.

The schemes to be added to the Code are the:

- Historical Institutional Abuse (Northern Ireland) Act 2019;
- Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021;
- Victims Payment Regulations 2020;
- Any payments made under the payment scheme for former British child migrants established by the Secretary of State.

In addition, there are a number of infected blood and blood products compensation schemes applied to a person infected by contaminated blood products. They are the:

- Wales Infected Blood Support Scheme;
- Northern Ireland Infected Blood Support Scheme.

Producing a revised Code also presents an opportunity to add a reference to amending charging and financial assessment regulations that have come into effect since the previous



revision. To this effect the Care and Support (Charging) (Wales) (Amendment) Regulations 2021 have been referenced on the revised Code as appropriate and the Care and Support (Charging) and (Financial Assessment) (Wales) (Miscellaneous Amendments) Regulations 2022.

Parent Act: The Social Services and Well-being (Wales) Act 2014

Date Made: Not stated

Date Laid: 4 February 2022

Coming into force date: Not stated



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee