



# 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

*Changes to legislation: Social Services and Well-being (Wales) Act 2014, Section 56 is up to date with all changes known to be in force on or before 16 May 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*

- (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.

**Modifications etc. (not altering text)**

**C1** S. 56 modified (1.4.2020) by [Coronavirus Act 2020 \(c. 7\)](#), s. 87(2), [Sch. 12 para. 33](#) (with [Sch. 12 para. 34](#)); [S.I. 2020/366, reg. 3](#)

**Commencement Information**

**II** S. 56 in force at 6.4.2016 by [S.I. 2016/412, art. 2](#) (with [art. 4](#), [Schs. 1, 2](#))

**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))