



Care Act 2014

2014 CHAPTER 23

PART 1

CARE AND SUPPORT

General responsibilities of local authorities

1 Promoting individual well-being

- (1) The general duty of a local authority, in exercising a function under this Part in the case of an individual, is to promote that individual's well-being.
- (2) "Well-being", in relation to an individual, means that individual's well-being so far as relating to any of the following—
 - (a) personal dignity (including treatment of the individual with respect);
 - (b) physical and mental health and emotional well-being;
 - (c) protection from abuse and neglect;
 - (d) control by the individual over day-to-day life (including over care and support, or support, provided to the individual and the way in which it is provided);
 - (e) participation in work, education, training or recreation;
 - (f) social and economic well-being;
 - (g) domestic, family and personal relationships;
 - (h) suitability of living accommodation;
 - (i) the individual's contribution to society.
- (3) In exercising a function under this Part in the case of an individual, a local authority must have regard to the following matters in particular—
 - (a) the importance of beginning with the assumption that the individual is best-placed to judge the individual's well-being;
 - (b) the individual's views, wishes, feelings and beliefs;

Status: This is the original version (as it was originally enacted).

- (c) the importance of preventing or delaying the development of needs for care and support or needs for support and the importance of reducing needs of either kind that already exist;
 - (d) the need to ensure that decisions about the individual are made having regard to all the individual's circumstances (and are not based only on the individual's age or appearance or any condition of the individual's or aspect of the individual's behaviour which might lead others to make unjustified assumptions about the individual's well-being);
 - (e) the importance of the individual participating as fully as possible in decisions relating to the exercise of the function concerned and being provided with the information and support necessary to enable the individual to participate;
 - (f) the importance of achieving a balance between the individual's well-being and that of any friends or relatives who are involved in caring for the individual;
 - (g) the need to protect people from abuse and neglect;
 - (h) the need to ensure that any restriction on the individual's rights or freedom of action that is involved in the exercise of the function is kept to the minimum necessary for achieving the purpose for which the function is being exercised.
- (4) "Local authority" means—
- (a) a county council in England,
 - (b) a district council for an area in England for which there is no county council,
 - (c) a London borough council, or
 - (d) the Common Council of the City of London.