

Statutory Instruments with Clear Reports

18 November 2019

SL(5)469 – Code of Practice on the exercise of social services functions in relation to Advocacy under Part 10 and related parts of the Social Services and Well-being (Wales) Act 2014

Procedure: Negative

The Code sets out the requirements for local authorities to:

- (a) ensure that access to advocacy services and support is available to enable individuals to engage and participate when local authorities are exercising statutory duties in relation to them, and
- (b) to arrange an Independent Professional Advocate to facilitate the involvement of individuals in certain circumstances.

The Code states that it also sets out:

- people's choice to have someone to act as an advocate for them,
- a clear framework to support and empower individuals to make positive informed choices,
- a clear recognition of the benefits of advocacy,
- the range of advocacy available to people,
- the key points when people's need for advocacy must be assessed,
- when independent advocacy must be provided,
- the circumstances that impact on peoples' need for advocacy,
- the circumstances when it is inappropriate for certain people to advocate,
- the arrangements for publicising advocacy services and
- charging for advocacy services.



Procedure

A draft of the Code must be laid before the Assembly. If, within 40 days (excluding any time when the Assembly is dissolved or is in recess for more than 4 days) of the draft being laid, the Assembly resolves not to approve the draft Code then the Welsh Ministers must not issue the Code.

If no such resolution is made, the Welsh Ministers must issue the Code (in the form of the draft) and the Code comes into force on a day specified in an order made by the Welsh Ministers.

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

Date Made:

Date Laid: 06 November 2019

Coming into force date:

