**SOCIAL SERVICES AND WELL-BEING (WALES) ACT**

**HANDOUT**

**Well-being**

# Introduction

Well-being underpins the whole care and support system, linking through to the role that early intervention and prevention can play in promoting well-being, to how people can be empowered by information, advice and assistance and by being involved in the design and operation of services.

Section 5 of the Act requires any persons exercising functions under the Act to seek to promote the well-being of people who need care and support and carers who need support. This is referred to as ‘the well-being duty’ and this overarching duty applies to all persons and bodies exercising functions under the Act, including the Welsh Ministers, local authorities, health boards and other statutory agencies.

The well-being duty applies in all cases when a local authority is carrying out a care and support function, or making a decision, in relation to an individual. It applies equally to people with care and support needs and carers with support needs.

In order to discharge this duty, responsibility for well-being must be shared with people who need care and support, and carers who need support. Persons exercising functions under the Act must empower people to contribute to achieving their own well-being with the appropriate level of support and service. Agencies and organisations cannot deliver a well-being outcome for a person, but they can support them to achieve that outcome. Working in partnership with people will be key to securing their well-being and preventing the development of people’s needs for care and support.

# Definition of Well-being

The Act defines well-being as relating to the following eight areas in particular in relation to people who need care and support and carers who need support:

1. physical and mental health and emotional well-being
2. protection from abuse and neglect
3. education, training and recreation
4. domestic, family and personal relationships
5. contribution made to society
6. securing rights and entitlements
7. social and economic well-being
8. suitability of living accommodation

In relation to a child, well-being also includes:

1. physical, intellectual, emotional, social and behavioural development
2. welfare as that word is interpreted for the purposes of the Children Act 1989

In relation to an adult, well-being also includes:

1. control over day to day life
2. participation in work

# Promoting Well-being

You can promote a person’s well-being in many ways. Well-being means different things to different people and hence individuals will want to achieve well-being outcomes that are personal to them and their individual circumstances. There is no set approach – local authorities must consider people’s personal well-being outcomes and co-produce solutions with people themselves.

You should consider each case on its own merits, consider what the person wants to achieve, and how the action which you are taking may affect the well-being of the individual in relation to the definition of well-being. During the assessment process, for instance, the assessor should explicitly consider the most relevant aspects of well-being to the individual concerned, and assess how their needs impact on them.

The duty to promote well-being includes for those people who do not have needs which meet the eligibility criteria, but who do have needs for care and support which may be met in other ways, for example, by the provision of information, advice and assistance or preventative services.

While all aspects of well-being in the definition above have equal importance, it is likely that some aspects of well-being will be more relevant to one person than another. Local authorities should adopt a flexible approach that allows for a focus on which aspects of well-being matter most to the individual concerned.

Although the well-being duty applies specifically when a practitioner performs a care and support function in relation to an individual, the duty should also be considered by the local authority or local health board (or other statutory agency) when it undertakes broader, strategic functions, such as undertaking the population assessment.