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**Wellbeing Principle**

This document is for Adult Care and Community Wellbeing only.

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# **KEY POINTS**

* The wellbeing principle applies equally to adults with care and support needs and their carers.
* When undertaking an assessment, practitioners must consider the person’s needs, goals and wishes and how they impact on their wellbeing.
* Practitioners should consider all aspects of the wellbeing principle when looking to meet a person’s need and support them to achieve their desired outcome.

# **Introduction**

The core purpose of adult care and support is to help people to achieve the outcomes that matter to them in their life. Throughout this guidance document and the [Care and Support Statutory Guidance](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#chapter-1) the different chapters set out how a local authority should perform its care and support responsibilities. Underpinning these individual ‘care and support functions’ (that is, any process, activity or broader responsibility that the local authority performs) is the need to ensure that doing so focuses on the needs and goals of the person concerned.

Local authorities must promote wellbeing when carrying out any of their care and support functions in respect of a person. This may sometimes be referred to as ‘the wellbeing principle’ because it is a guiding principle that puts wellbeing at the heart of care and support.

The wellbeing principle applies in all cases where a local authority is carrying out a care and support function, or making a decision, in relation to a person. For this reason it is referred to throughout this chapter. It applies equally to adults with care and support needs and their carers.

# **Definition of Wellbeing**

Wellbeing is a broad concept, and it is described as relating to the following areas in particular:

* personal dignity (including treatment of the individual with respect);
* physical and mental health and emotional wellbeing;
* protection from abuse and neglect;
* control by the individual over day to day life (including over care and support provided and the way it is provided);
* participation in work, education, training or recreation;
* social and economic wellbeing;
* domestic, family and personal relationships;
* suitability of living accommodation;
* the individual’s contribution to society.

The individual aspects of wellbeing or outcomes above are those which are set out in the Care Act, and are most relevant to people with care and support needs and carers. There is no hierarchy, and all should be considered of equal importance when considering ‘wellbeing’ in the round.

# **Promoting Wellbeing**

Promoting wellbeing involves actively seeking improvements in aspects of wellbeing set out above when carrying out a care and support function in relation to an individual at any stage of the process, from the provision of information and advice to reviewing a care and support plan. Wellbeing covers an intentionally broad range of the aspects of a person’s life and will encompass a wide variety of specific considerations depending on the individual.

A local authority can promote a person’s wellbeing in many ways. How this happens will depend on the circumstances, including the person’s needs, goals and wishes, and how these impact on their wellbeing. There is no set approach – a local authority should consider each case on its own merits, consider what the person wants to achieve, and how the action which the local authority is taking may affect the wellbeing of the individual.

The Act therefore signifies a shift from existing duties on local authorities to provide particular services, to the concept of ‘meeting needs’. This is the core legal entitlement for adults to care and support, establishing one clear and consistent set of duties and power for all people who need care and support.

The concept of meeting needs recognises that everyone’s needs are different and personal to them. Local authorities must consider how to meet each person’s specific needs rather than simply considering what service they will fit into. The concept of meeting needs also recognises that modern care and support can be provided in any number of ways, with new models emerging all the time, rather than the previous legislation which focuses primarily on traditional models of residential and domiciliary care.

Whenever a local authority carries out any care and support functions relating to an individual, it must act to promote wellbeing – and it should consider all of the aspects above in looking at how to meet a person’s needs and support them to achieve their desired outcomes. However, in individual cases, it is likely that some aspects of wellbeing will be more relevant to the person than others. For example, for some people the ability to engage in work or education will be a more important outcome than for others, and in these cases ‘promoting their wellbeing’ effectively may mean taking particular consideration of this aspect. Local authorities should adopt a flexible approach that allows for a focus on which aspects of wellbeing matter most to the individual concerned.

The principle of promoting wellbeing should be embedded through the local authority care and support system, but how it promotes wellbeing in practice will depend on the particular function being performed. During the assessment process, for instance, the local authority should explicitly consider the most relevant aspects of wellbeing to the individual concerned, and assess how their needs impact on them. Taking this approach will allow for the assessment to identify how care and support or other services or resources in the local community could help the person to achieve their outcomes. During care and support planning, when agreeing how needs are to be met, promoting the person’s wellbeing may mean making decisions about particular types or locations of care (for instance, to be closer to family). To give another example, the concept of wellbeing is very important when responding to someone who self-neglects, where it will be crucial to work alongside the person, understanding how their past experiences influence current behaviour. The duty to promote wellbeing applies equally to those who, for a variety of reasons, may be difficult to engage.

The wellbeing principle applies equally to those who do not have eligible needs but come into contact with the care and support system in some other way (for example, via an assessment that does not lead to ongoing care and support) as it does to those who go on to receive care and support and have an ongoing relationship with the local authority.

It should also inform delivery of universal services provided to all people in the local population, as well as being considered when meeting eligible needs. Although the wellbeing principle applies specifically when the local authority performs an activity or task or makes a decision in relation to a person, the principle should also be considered by the local authority when it undertakes broader, strategic functions, such as planning, which are not in relation to one individual. Wellbeing should, therefore, be seen as the common theme around which care and support is built at both local and national levels.

# **Other key principles and standards**

In addition to the general principle of promoting wellbeing, there are a number of other [key principles and standards](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#chapter-1) to which the local authority must have regard to when carrying out the same activities or functions:

1. **The importance of beginning with the assumption that the individual is best placed to judge the individual’s wellbeing.** Building on the principles of the [Mental Capacity Act 2005](http://www.legislation.gov.uk/ukpga/2005/9/contents), the local authority should assume that the person themselves knows best their own outcomes, goals and wellbeing. Local authorities should not make assumptions as to what matters most to the person; there should be an assumption that the individual is best placed to understand the impact of their condition/s on their outcomes and wellbeing.
2. **The individual’s views, wishes, feelings and beliefs.** Considering the person’s views and wishes is critical to a person centred system. Local authorities should not ignore or downplay the importance of a person’s own opinions in relation to their life and their care. Where particular views, feelings or beliefs (including religious beliefs) impact on the choices that a person may wish to make about their care, these should be taken into account. This is especially important where a person has expressed views in the past, but no longer has capacity to make decisions themselves.
3. **The importance of preventing or delaying the development of needs for care and support and the importance of reducing needs that already exist.** At every interaction with a person, a local authority should consider whether or how the person’s needs could be reduced or other needs could be delayed from arising. Effective interventions at the right time can stop needs from escalating, and help people maintain their independence for longer ([Care and Support Statutory Guidance, Chapter 2).](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#chapter-2)
4. **The need to ensure that decisions are made having regard to all the individual’s circumstances**(and are not based only on their age or appearance, any condition they have, or any aspect of their behaviour which might lead others to make unjustified assumptions about their wellbeing). Local authorities should not make judgments based on preconceptions about the person’s circumstances, but should in every case work to understand their individual needs and goals.
5. **The importance of the individual participating as fully as possible** in decisions about them and being provided with the information and support necessary to enable the individual to participate. Care and support should be personal, and local authorities should not make decisions from which the person is excluded.
6. **The importance of achieving a balance between the individual’s wellbeing and that of any friends or relatives who are involved in caring for the individual.** People should be considered in the context of their families and support networks, not just as isolated individuals with needs. Local authorities should take into account the impact of an individual’s need on those who support them, and take steps to help others access information or support.
7. **The need to protect people from abuse and neglect.**In any activity which a local authority undertakes, it should consider how to ensure that the person is and remains protected from abuse or neglect. This is not confined only to safeguarding issues, but should be a general principle applied in every case including with those who self-neglect.
8. **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. Where the local authority has to take actions which restrict rights or freedoms, they should ensure that the course followed is the least restrictive necessary. Concerns about self-neglect do not override this principle.

All of the matters listed above must be considered in relation to every individual, when a local authority carries out a function as described in this guidance. Considering these matters should lead to an approach that looks at a person’s life holistically, considering their needs in the context of their skills, ambitions, and priorities – as well as the other people in their life and how they can support the person in meeting the outcomes they want to achieve. The focus should be on supporting people to live as independently as possible for as long as possible.

As with promoting wellbeing, the factors above will vary in their relevance and application to individuals. For some people, spiritual or religious beliefs will be of great significance, and should be taken into particular account. Local authorities should consider how to apply these further principles on a case by case basis. This reflects the fact that every person is different and the matters of most importance to them will accordingly vary widely.

Neither these principles nor the requirement to promote wellbeing require the local authority to undertake any particular action; the steps it takes should depend entirely on the individual’s circumstances. The principles as a whole are not intended to specify the activities which should take place. Instead, their purpose is to set common expectations for how the local authority should approach and engage with people ([Care and Support Statutory Guidance, Chapter 1](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#chapter-1)).