

Summaries of legislation related to social care



Legislation or laws and national policies have developed over time to support the rights of all citizens. As well as the Social Services and Well-being (Wales) Act, there are some other key laws that support people's rights.

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Legislation or laws and national policies have developed over time to support the rights of all citizens.

Introduction

As well as the Social Services and Well-being (Wales) Act, there are some other key laws that support people's rights such as:

- the Equality Act
- the Human Rights Act
- the Mental Health Act
- the Mental Capacity Act
- the Welsh Language Act.

This is a summary of what each of these Acts mean. There are also conventions and national guidance you should be aware of:

Equality Act 2010

The Equality Act 2010 makes it unlawful to discriminate against someone on the grounds of any of these characteristics:

- **age**
- **disability**
- **gender reassignment**
- **marriage or civil partnership**
- **pregnancy and maternity**
- **race**

- **religion/belief**
- **sex (gender)**
- **sexual orientation.**

These are often referred to as protected characteristics. You can find an [easy read version of the Equality Act here](#).

[The Equality and Human Rights Commission](#) also provides information about the Equality Act if you would like to find out more.

Human Rights Act 1998

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. The Act incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. You can find an [easy read version of the Human Rights Act here](#).

[The Equality and Human Rights Commission](#) also provides information about the Human Rights Act if you would like to find out more.

UN Convention on the Rights of Persons with Disabilities

The UN Convention on the Rights of Persons with Disabilities is an international legal agreement to protect and promote the human rights of disabled people. You can find an [easy read version of the UN Convention on the Rights of Persons with Disabilities here](#).

[The Equality and Human Rights Commission](#) also provides information about the UN Convention on the Rights of Persons with Disabilities if you would like to find out more.

UN Principles for Older Persons 1991

The UN Principles for Older Persons 1991 is made up of 18 principles, which can be grouped under five themes:

- independence
- participation
- care
- self-fulfilment

Governments were encouraged to incorporate them into their national programmes whenever possible. You can find information about the [UN Principles for Older Persons here](#).

Declaration of rights of older people in Wales (2014)

The Declaration of rights of older people in Wales (2014) sets out the rights of older people in Wales. You can find information about the [Declaration here](#).

Mental health legislation

The Mental Health Act (1983, amended 2007), Mental Health Act Code of Practice for Wales (2016) and the Mental Health (Wales) Measure (2010) place legal duties on local health boards and local authorities about the assessment and treatment of mental health problems. They make sure people's rights are upheld when they're accessing services.

For information about the Mental Health Act, take a look at this [information from Mind Cymru](#).

The Mental Capacity Act 2005 and associated Code of Practice are designed to protect and give back power to vulnerable people who may lack capacity to make certain decisions, because of the way their mental health is. You can find an [easy read version of the Mental Capacity Act here](#).

[The Social Care Institute for Excellence](#) also provides information about the Mental Capacity Act if you would like to find out more.

Welsh language legislation

The Welsh Language Act 1993, Welsh Language measure (2011) and Mwy na Geiriau give the Welsh language official status in Wales. They also introduce standards to explain how organisations are expected to:

- use the Welsh language
- increase the use of the Welsh language
- make it easier for people to use it in their everyday lives.

You can find information about [Welsh language legislation here](#).

The *Welsh Government Strategic Framework for the Welsh Language in Health and Social Care* (2013) is the Welsh Government's commitment to strengthen Welsh language services to people accessing health and social care, and their

families affected by illness or disability, or the effects of drugs or alcohol.