

Social Services Act (2001:453)

Swedish Constitution

The Swedish Code of Statutes (SFS) contains current laws and regulations. If a statute is amended, the old text is replaced with the new one.

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/Repealed U:2025-07-01 by *law (2025:400)* ./ Chapter 1. Objectives of social services

Section 1 The social services of society shall, on the basis of democracy and solidarity, promote people's

- economic and social security,
- equality in living conditions,
- active participation in social life.

Social services, taking into account people's responsibility for their own and others' social situation, should focus on releasing and developing the own resources of individuals and groups.

The activities shall be based on respect for people's right to self-determination and integrity.

Section 2 In measures concerning children, the best interests of the child shall be given special consideration.

When making decisions or taking other measures concerning care or treatment for children, what is best for the child should be the determining factor.

A child is any person under the age of 18.

Law (2012:776) .

Section 3 Provisions on care without consent are given in the Act (1988:870) on the care of drug addicts in certain cases and in the Act (1990:52) with special provisions on the care of young people.

Section 4 Provisions on sheltered accommodation for children when consent is lacking from one of the guardians are found in the Act (2024:79) on the placement of children in sheltered accommodation. *Act (2024:85)* .

Chapter 2. Municipality's responsibility

Section 1 Each municipality is responsible for social services within its area, and has the ultimate responsibility for ensuring that individuals receive the support and assistance they need. This does not limit the responsibility of other authorities.

Provisions on the division of responsibilities between municipalities regarding support and assistance under this Act are found in Chapter 2a.

In the case of those covered by the Act (1994:137) on the Reception of Asylum Seekers etc., there are special provisions on assistance and placement of children in that Act. *Act (2018:347)* .

Section 2 Has been repealed by *law (2011:328)* .

Section 3 Has been repealed by *law (2011:328)* .

Section 4 The municipality's tasks within social services are carried out by the committee or committees determined by the municipal council. Special provisions on joint committees are contained in the Act (2003:192) on joint committees within the health and social care sector.

What is stated in this Act or other statute regarding social welfare committees applies, where applicable, to the committee or committees appointed in accordance with the first paragraph. *Act (2003:199)* .

Section 5 In addition to contractual cooperation according to Chapter 9, Section 37 of the Local Government Act (2017:725), a municipality may enter into an agreement with an individual to carry out the municipality's tasks within social services. However, tasks that involve the exercise of authority may not be transferred. *Act (2018:573)* .

Section 6 The municipality may also reach an agreement with the region, the Social Insurance Agency and the Public Employment Service to cooperate, within the framework of the tasks of the social services, with the aim of achieving a more efficient use of available resources. The municipality shall contribute to the financing of such activities that are carried out in cooperation. According to the provisions of the Act (2003:1210) on financial coordination of rehabilitation efforts, the municipality may participate in financial coordination in the rehabilitation area.

The National Audit Office may audit activities that have been conducted in collaboration with and partly financed by the Swedish Social Insurance Agency or the Public Employment Service. In such an audit, the National Audit Office has the right to access the information needed to audit the activities. *Act (2019:909)* .

Section 7 When an individual needs support from both social services and healthcare, the municipality, together with the region, shall draw up an individual plan. The plan shall be drawn up if the municipality or region deems it necessary for the individual to have his or her needs met, and if the individual agrees to its drawing up. Work on the plan shall commence without delay.

The plan should, whenever possible, be drawn up together with the individual. Close relatives should be given the opportunity to participate in the work on the plan, if appropriate and the individual does not object.

The plan must state

1. what actions are needed,
2. what actions each principal is responsible for,
3. what measures are taken by someone other than the municipality or region, and
4. which of the principals will have overall responsibility for the plan. *Act (2019:909)* .

Chapter 2 a. On the division of responsibilities between municipalities regarding support and assistance under this Act

Responsible municipality

Section 1 The municipality where the individual resides is responsible for support and assistance in accordance with Chapter 2, Section 1, unless otherwise provided for in Sections 3-5.

Act (2011:328) .

Section 2 If it is clear that a municipality other than the municipality of residence is responsible for support and assistance to an individual, the responsibility of the municipality of residence is limited to emergency situations. *Law (2011:328)* .

Section 3 If the individual is resident in a municipality other than the municipality of residence, the municipality of residence is responsible for the support and assistance that the individual needs. In this chapter, the

municipality of residence refers to

1. the municipality where the individual is permanently resident, or
2. if the individual is permanently resident in a municipality but has his or her strongest connection to another municipality, the latter municipality, or
3. if the individual lacks a permanent residence, the municipality to which he or she has his or her strongest connection. *Act (2011:328)* .

Section 4 A municipality retains responsibility for support and assistance for an individual who, as a result of a decision by the municipality, resides in another municipality in

1. a family home pursuant to Chapter 6 of this Act or Section 9, Section 8 of the Act (1993:387) on Support and Service for Certain Disabled Persons,
2. a home for care or accommodation, in sheltered accommodation or in supported accommodation pursuant to Chapter 6,
3. a special form of accommodation for older people pursuant to Chapter 5, Section 5, second or third paragraph or Chapter 7, Section 1, first paragraph 2,
4. a home with special service pursuant to Chapter 5, Section 7, third paragraph or Chapter 7, Section 1, first paragraph 2,
5. a home with special service or other specially adapted accommodation pursuant to Section 9, Section 8 or 9 of the Act on Support and Service for Certain Disabled Persons, or
6. other accommodation, if it is not clear which municipality is the individual's municipality of residence. *Act (2024:85)* .

Section 5 The municipality where the individual is registered is responsible for support and assistance

1. during correctional care in an institution,
2. during care in a hospital or other healthcare facility on the initiative of someone other than a municipality,
3. which has become relevant prior to the end of care in accordance with Section 1 or 2 of *the Act (2011:328)* .

The obligation of the municipality of residence to assist the municipality of residence

Section 6 When an individual intends to stay for a short period of time in a municipality other than the municipality of residence, and as a result of old age, disability or serious illness needs support and assistance for this, the municipality of residence is obliged, upon request, to

1. assist with the investigation that the municipality of residence needs in

order to be able to assess the individual's need for support and assistance,
2. implement the decision of the municipality of residence. *Act (2011:328)* .

Section 7 If a municipality of residence has requested enforcement pursuant to Section 6, Section 2, the municipality of residence shall reimburse the municipality of stay for the enforcement costs. The compensation shall be paid according to the compensation level that the municipality of residence applies for corresponding measures. *Law (2011:328)* .

Application for interventions in another municipality

Section 8 A person who wishes to move to another municipality may apply for services in that municipality if he or she

1. as a result of old age, disability or serious illness has a permanent need for extensive care or welfare services and therefore cannot settle in the other municipality without the services he or she needs being given up, or
2. due to violence or other abuse needs to move to another municipality but cannot do so without the services he or she needs being given up. *Law (2011:328)* .

Section 9 An application pursuant to Section 8 shall be treated as if the individual were resident in the municipality of move-in. If the applicant's needs are met in the municipality of residence, this circumstance may not be taken into account when the application is examined.

The municipality of residence is obliged to assist, upon request, with the investigation that the other municipality needs in order to be able to examine the application. *Law (2011:328)* .

Transfer of case

Section 10 A matter concerning care or any other measure concerning an individual may be transferred to another municipality.

A municipality that believes that a case should be transferred must request this from the other municipality. The case shall then be transferred if the person affected by the case has the strongest connection to the other municipality and this appears appropriate, taking into account the individual's wishes, the duration of the need for assistance and the circumstances in general.

A request pursuant to the second paragraph shall be in writing. The other municipality shall notify its position in writing and without delay. *Act (2011:328)* .

Section 11 If the municipalities concerned do not agree to transfer the case, the municipality that requested the transfer may apply to the Health and Social Care Inspectorate. Such an application may also be made by a municipality that has not received a response from another municipality to a request for transfer within one month.

The Health and Social Care Inspectorate shall examine the application as soon as possible. A decision in the case shall be announced within three months of the application being received, unless there are special reasons for a longer processing time. *Act (2012:944)* .

Section 12 Information that is necessary for a municipality to be able to take over a case according to Section 10 or 11 shall be provided by the municipality that transfers the case. *Act (2011:328)* .

Chapter 3. Certain tasks within social services, etc.

Section 1 The tasks of the social welfare committee include

- becoming familiar with the living conditions in the municipality,
- participating in community planning and in collaboration with other community bodies, organizations, associations and individuals promoting good environments in the municipality,
- providing information about social services in the municipality,
- through outreach activities and in other ways promoting the conditions for good living conditions,
- being responsible for care and service, information, advice, support and care, financial assistance and other assistance to families and individuals who need it.

Section 2 The social committee's participation in community planning shall be based on the committee's social experiences and shall particularly aim to influence the design of new and older residential areas in the municipality. The committee shall also work to ensure that public premises and public transport are designed so that they are easily accessible to everyone.

The Social Welfare Committee shall also otherwise take the initiative and monitor that measures are taken to create a good social environment and good conditions for children and young people, for the elderly, for those who have been subjected to violence or other abuse by a close relative and for other groups who need special support from society. The Social Welfare Committee shall, in its activities, promote the individual's right to work, housing and education. *Act (2024:85)* .

Section 3 Social services interventions must be of good quality.

To carry out tasks within social services, there must be personnel with appropriate training and experience.

In activities under this Act, only those who have a certificate as referred to in Chapter 4, Section 5 a of the Patient Safety Act (2010:659) may use the professional title of assistant nurse. Those who lack the authority to use the professional title may not use a title that could be confused with that professional title.

The quality of the operations shall be systematically and continuously developed and ensured. *Law (2021:738)* .

Section 3 a The social welfare committee shall ensure that there are procedures for preventing, detecting and addressing risks and irregularities within social services activities concerning children and young people.

The social welfare committee shall use case managers who have completed a Swedish degree in social work or another relevant degree at least at the basic level of a university to carry out such tasks within social services concerning children and young people that include

1. assessment of whether an investigation should be initiated,
2. investigation and assessment of the need for interventions or other measures, or
3. follow-up of decided interventions.

The Social Welfare Board is responsible for ensuring that the caseworker who independently performs the tasks referred to in the second paragraph has sufficient experience for the task. *Law (2016:147)* .

Section 3 b Provisions on temporary professional practice and recognition of professional qualifications that have been acquired or recognised in a state other than Sweden within the European Economic Area or in Switzerland are

contained in the Act (2016:145) on the recognition of professional qualifications and in the regulations issued in connection with that Act. *Act (2016:147)* .

Section 3 c For the performance of the tasks specified in Section 3 a, second paragraph, the social welfare board may also use case managers who have foreign education other than that referred to in Section 3 b, if the education alone or together with professional experience corresponds to a Swedish degree in social work or another relevant degree at least at the basic level in higher education.

The authority appointed by the Government may assess in individual cases whether the requirements according to the first paragraph are met. *Act (2016:147)* .

Section 3 d In activities under this Act, only those who have proof of the right to use the professional title of assistant nurse as referred to in Chapter 4, Section 5 a of the Patient Safety Act (2010:659) may be appointed as permanent care contact. *Act (2022:388)* .

Section 4 The social welfare committee shall, in its outreach activities, provide information about social services and offer groups and individuals its assistance.

Where appropriate, the committee shall cooperate with other social bodies and with organizations and other associations.

Section 5 The social welfare committee's efforts for the individual shall be designed and implemented together with him or her and, if necessary, in collaboration with other social bodies and with organizations and other associations. *Law (2012:776)* .

Section 6 The social welfare committee should, through home care, day care or other similar social services, make it easier for the individual to live at home and have contact with others.

The committee should also otherwise provide social services through advice agencies, social centres and the like, social emergency services or other comparable activities. *Act (2012:776)* .

Section 6 a The Social Welfare Committee is responsible for ensuring that there is access to open interventions to meet the various needs of children, young people and guardians.

For a child who has reached the age of 12 but not 15, the committee may decide on open interventions even without the consent of the guardian, if it is appropriate and the child agrees to it.

For a child who has reached the age of 15, the committee may decide on open interventions even without the consent of the guardian, if it is appropriate and the child requests or agrees to it.

Section 6 b contains special provisions on contact persons and contact families. *Act (2023:292)* .

Section 6 b The social welfare committee may appoint a special person (contact person) or a family (contact family) with the task of helping the individual and his or her loved ones in personal matters, if the individual requests or agrees to this.

If a person who has not reached the age of 21 needs special support and guidance to counteract a risk of substance abuse, criminal activity or other socially disruptive behavior, the committee may appoint a specially qualified contact person for the young person if the young person requests or agrees to this.

For a child

- who has not reached the age of 12, a contact person or a specially qualified contact person may be appointed only if the child's guardian requests or consents to it,

- who has reached the age of 12 but not the age of 15, a contact person or a specially qualified contact person may be appointed only if the child's guardian requests or consents to it or, in the absence of such consent, if it is appropriate and the child consents to it,

- who has reached the age of 15, a contact person or a specially qualified contact person may be appointed only if it is appropriate and the child requests or consents to it. *Act (2023:292)* .

Section 6 c The social welfare committee shall continuously monitor how the measures referred to in Section 6 b are implemented when these have been granted to children and young people. *Act (2015:982)* .

Section 7 The Social Welfare Committee shall work to prevent and counteract the abuse of alcohol and other addictive substances. The Social

Welfare Committee shall also work to prevent and counteract the abuse of gambling.

The Social Welfare Board shall, through information to authorities, groups and individuals and through outreach activities, disseminate knowledge about the harmful effects of substance abuse and about the help options available. *Act (2017:809)* .

Chapter 4. The right to assistance

Section 1 Anyone who cannot meet their own needs or can have them met in another way is entitled to assistance from the social welfare board for their livelihood (income support) and for their livelihood in general.

Anyone who is unable to support themselves but who is able to work is entitled to income support in accordance with the first paragraph if they are available to the labour market, which includes, if necessary, participating in municipal adult education in Swedish for immigrants or equivalent education at a folk high school. If there are acceptable reasons, the individual is entitled to income support even if they are not available to the labour market.

When assessing the need for assistance for living expenses in general, the individual's financial circumstances may not be taken into account if the right to charge fees for the assistance is regulated in Chapter 8.

The individual shall be assured of a reasonable standard of living through the assistance. The assistance shall be designed so that it strengthens his or her opportunities to live an independent life.

Act (2021:159) .

Section 1 a The following income shall not be taken into account when assessing the right to assistance under Section 1:

1. income from own work of children living at home,
2. income from own work of schoolchildren living at home, if the schoolchildren are under 21 years of age.

Schooling includes studies in primary or secondary school or other comparable basic education.

However, income referred to in the first paragraph may be taken into account when applying Section 1 to the extent that it exceeds a price base amount per calendar year according to Chapter 2, Sections 6 and 7 of the Social Insurance Code. *Act (2013:421)* .

Section 1 b For those who have received income support for six consecutive months, 25 percent of income from employment shall not be taken into account when assessing the right to assistance according to Section 1 (special calculation rule).

The special calculation rule applies for two years. After that, the requirement that income support must have been provided for six consecutive months must be met again for the special calculation rule to apply again.

The special calculation rule does not apply to income specified in Section 1a. *Act (2013:421)* .

Section 1 c For a person who has been granted or is granted assistance in the form of accommodation in a special form of accommodation as referred to in Chapter 5, Section 5, it shall be part of a reasonable standard of living to be able to live together with a spouse or cohabitant. This applies provided that the couple has lived together permanently or, if one party already lives in such accommodation, that the couple has previously lived together permanently.

The first paragraph applies regardless of whether the spouse or cohabitant has a need for accommodation in a special form of accommodation. *Law (2013:421)* .

Section 2 The Social Welfare Committee may provide assistance beyond what follows from Section 1 if there are reasons for it.

Section 2 a The social welfare committee may offer home care to elderly people without prior needs assessment.

Such an offer requires that the older person has been informed about:

1. the extent to which and in what way he or she can influence the implementation of the interventions,
2. the way in which the municipality follows up on the interventions, and
3. the right to always be able to apply for assistance according to Section 1.

The municipality shall follow up the efforts based on the municipality's guidelines, the quality of the efforts according to Chapter 3, Section 3 and the values in Chapter 5, Section 4. *Law (2018:669)* .

Section 2 b Anyone who has home care services under Section 1 or 2 a shall be offered a permanent care contact, unless it is deemed to be clearly unnecessary.

The permanent care contact shall meet the individual's need for security, continuity, individually adapted care and coordination when the home care intervention is carried out. *Law (2022:388)* .

Section 2 c Digital technology may be used when assistance is provided in the form of home care or accommodation in such forms of accommodation as referred to in Chapter 5. Section 5. Digital technology may only be used outside the human body. *Law (2023:820)* .

Section 3 Subsistence allowance is provided for reasonable costs for

1. food, clothing and shoes, play and leisure, consumables, health and hygiene, as well as newspapers and telephone,
2. accommodation, household electricity, work trips, home insurance and membership in a trade union and unemployment fund.

Reasonable costs pursuant to the first paragraph 1 shall, in accordance with the Government's further provisions, be calculated according to a standard applicable to the entire country (national standard) on the basis of official price surveys of basic consumption of different types of households. If there are special reasons in an individual case, the social welfare committee shall, however, calculate these costs at a higher level. The committee may also calculate the costs at a lower level in an individual case, if there are special reasons for this. *Act (2018:1894)* .

Section 4 The social welfare committee may request that a person receiving income support for a certain period of time participate in an internship or other skills-enhancing activity designated by the committee if the individual has not been offered any suitable labour market policy measure.

The internship or skills-enhancing activity referred to in the first paragraph shall aim to develop the individual's opportunities to support themselves in the future. The activity shall strengthen the individual's opportunities to enter the labour market or, where appropriate, to continue education. It shall be

designed with reasonable consideration for the individual's individual wishes and circumstances.

The Social Welfare Board shall consult with the Swedish Public Employment Service before making a decision in accordance with the first paragraph. *Act (2013:421)* .

Section 5 If the individual refuses to participate in an internship or other skills-enhancing activity assigned in accordance with Section 4 without an acceptable reason, continued income support may be refused or reduced. The same applies if he or she fails to participate in the internship or skills-enhancing activity without an acceptable reason.

Section 6 A person who participates in an internship or other skills-enhancing activity according to Section 4 shall not be considered an employee in this context. To the extent that the individual performs tasks that are consistent with or similar in nature to those usually performed in gainful employment, he or she shall, however, be treated as an employee when applying Chapter 2, Sections 1-9, Chapter 3, Sections 1-4 and 6-13, Chapter 4, Sections 1-4 and 8-10 and Chapters 7-9 of the Work Environment Act (1977:1160) and the provisions on occupational injury insurance in the Social Insurance Code. *Act (2010:1284)* .

Chapter 4 a. The chapter has been repealed by law (2015:970) .

Chapter 5. Special provisions for different groups

Children and young people

Section 1 The Social Welfare Committee shall

1. work to ensure that children and young people grow up in safe and good conditions,
2. in close collaboration with the homes, promote all-round personality development and favourable physical and social development in children and

young people,

3. conduct outreach activities and other preventive work to prevent children and young people from coming into harm's way,

4. actively work to prevent and counteract abuse among children and young people of alcoholic beverages, other intoxicants or addictive substances and doping substances,

5. actively work to prevent and counteract abuse of gambling among children and young people,

6. together with community bodies, organisations and others who are concerned, pay attention to and work to ensure that children and young people do not stay in environments that are harmful to them,

7. monitor with particular attention the development of children and young people who have shown signs of unfavourable development,

8. in close collaboration with the homes, ensure that children and young people who are at risk of developing unfavourably receive the protection and support they need and, if the best interests of the child or young person are justified, care and upbringing outside one's own home,

9. in their care of children and young people, meet the special need for support and help that may exist after a case or matter regarding custody, accommodation, access or adoption has been decided, and

10. in their care of children and young people, meet the special need for support and help that may exist after care and upbringing outside one's own home has ceased or after the enforcement of closed youth care according to the Act (1998:603) on the enforcement of closed youth care has ceased. *Act (2017:809)* .

Section 1 a The social welfare committee shall, in matters concerning children who are in harm's way or at risk of being in harm's way, collaborate with community bodies, organisations and others who are affected. The restrictions that follow from Chapter 15 of this Act and from the Public Access and Secrecy Act (2009:400) apply to the disclosure of information . The committee shall actively work to ensure that collaboration is achieved. *Act (2009:496)* .

Section 1 b The municipality shall ensure that the youth service penalty can be enforced as soon as possible. Enforcement shall commence no later than two months after the judgment has become final, unless there are special reasons to the contrary.

The social welfare committee shall determine the detailed content of a youth service sentence in a work plan and appoint a supervisor for the young person. The social welfare committee shall monitor that the work plan is followed.

Act (2015:85) .

Section 1 c The municipality shall ensure that mediation in accordance with the Act (2002:445) on Mediation in Case of Crime can be offered when the crime has been committed by someone under the age of 21. *Act (2006:901) .*

Section 1 d The municipality shall enter into an agreement with the region on cooperation regarding children and young people who are cared for outside their own home or who are placed in sheltered accommodation. If possible, organizations representing these children and young people or their relatives should be given the opportunity to submit comments on the content of the agreement. *Act (2024:85) .*

Section 2 When the best interests of a child require it, the social welfare committee may prohibit or limit the opportunities for a person who has their home within the municipality to receive other people's children in their home.

Such a prohibition does not cover cases where, taking into account special circumstances, it is clearly justified for a child to be accepted into the home.

Section 3 The municipality shall ensure that

1. parents can be offered discussions under expert guidance with the aim of reaching an agreement on issues concerning custody, accommodation, access and issues concerning the child's support (collaborative discussions), and
2. parents are helped to reach agreements in accordance with Chapter 6, Section 6, Section 14 a, second paragraph or Section 15 a, third paragraph of the Parental Code.

The municipality shall ensure that family counseling through the municipality's services or otherwise through a suitable professional counselor can be offered to those who request it.

In this Act, family counselling refers to an activity that consists of conversations with the aim of working through conflicts in relationships and families. *Act (2013:1000) .*

Section 3 a The municipality shall ensure that parents who disagree on issues of custody, residence or access can be offered informational discussions under expert guidance.

The Information Calls Act (2021:530) contains provisions on such calls. *Act (2021:531)* .

Older people

Section 4 Social services' care for the elderly shall be focused on ensuring that older people are able to live a dignified life and feel well-being (core values).

The Social Welfare Committee shall work to ensure that older people are given the opportunity to live and reside independently under safe conditions and have an active and meaningful life in community with others.

Law (2010:427) .

Section 5 The Social Welfare Committee shall work to ensure that older people receive good housing and shall, in addition, provide those who need it with support and assistance at home and other easily accessible services.

The municipality shall establish special forms of housing for service and care for older people who need special support.

The municipality may also establish special forms of housing for older people who primarily need support and assistance in their homes and other easily accessible services and who also need to break unwanted isolation.

The older person should, as far as possible, be able to choose when and how support and assistance in the home and other easily accessible services should be provided. *Law (2018:1724)* .

Section 6 The social welfare committee shall familiarize itself with the living conditions in the municipality for older people and, in its outreach activities, provide information about the activities of social services in this area.

The municipality must plan its efforts for the elderly. In the planning, the municipality must collaborate with the region and other community bodies and organizations.

The municipality shall ensure that there is access to personnel with knowledge of Finnish, Yiddish, Meänkieli, Romani Chib or Sami where this is needed in the

care of older people.

Act (2019:909) .

People with disabilities

Section 7 The Social Welfare Committee shall work to ensure that people who, for physical, mental or other reasons, encounter significant difficulties in their lives are given the opportunity to participate in society and to live like others.

The social welfare committee shall contribute to ensuring that the individual obtains meaningful employment and is allowed to live in a way that is adapted to his or her need for special support.

The municipality shall establish housing with special services for those who, as a result of the difficulties referred to in the first paragraph, need such housing.

Section 8 The social welfare committee shall familiarize itself with the living conditions in the municipality for people with physical and mental disabilities and, in its outreach activities, provide information about the activities of social services in these areas.

The municipality shall plan its interventions for people with physical and mental disabilities. In the planning, the municipality shall cooperate with the region and other social bodies and organizations. *Act (2019:909) .*

Section 8 a The municipality shall enter into an agreement with the region on cooperation regarding persons with mental disabilities. If possible, organizations representing these persons or their relatives should be given the opportunity to submit comments on the content of the agreement.

Act (2019:909) .

Addict

Section 9 The social welfare committee shall actively ensure that the individual substance abuser receives the help and care that he or she needs to overcome the addiction. The committee shall, in agreement with the individual, plan the help and care and carefully monitor that the plan is carried out.

Section 9 a The municipality shall enter into an agreement with the region on cooperation regarding persons who abuse alcohol, narcotics, other addictive substances, medicines, doping substances or gambling.

If possible, organizations representing these persons or their relatives should be given the opportunity to submit comments on the content of the agreement. *Law (2019:909)* .

People who care for or support loved ones

Section 10 The Social Welfare Board shall offer support to facilitate those who care for a close relative who is long-term ill or elderly or who support a close relative who has a disability. *Law (2009:549)* .

Crime victim

Section 11 The tasks of the social welfare committee include working to ensure that the person who has been the victim of a crime and their relatives receive support and assistance.

The social welfare committee must take particular account of the fact that women who are or have been subjected to violence or other abuse by relatives may be in need of support and assistance to change their situation.

The social welfare committee is responsible for ensuring that a child who has been subjected to crime and their relatives receive the support and help they need.

The social welfare committee shall also take special account of the fact that a child who has witnessed violence or other abuse by or against a close relative is a victim of crime and shall be responsible for ensuring that the child receives the support and assistance that the child needs. *Act (2012:776)* .

Abuser

Section 11 a The social welfare committee's tasks include working to ensure that those who subject or have subjected close relatives to violence or other abuse change their behavior.

When the social welfare committee fulfills its task, the committee shall pay particular attention to the safety of the person who is or has been subjected to violence or other abuse and their relatives.

Act (2021:645) .

Indebted people

Section 12 The municipality shall provide budget and debt advice to persons in debt. This obligation also applies during a debt restructuring procedure and until an approved debt restructuring or F-debt restructuring is fully completed.

The Swedish Consumer Agency shall support and provide guidance for the budget and debt advice for which the municipalities are responsible.
Act (2016:686) .

Chapter 6. Care outside one's own home

General provisions on care outside one's own home

Section 1 The social welfare committee shall ensure that anyone who needs care or living in a home other than their own is received in a

1. family home,
2. home for care or accommodation, or
3. supported housing for children and young people aged 16-20 (supported housing).

Children aged 16-17 may only be admitted to a supported housing facility if there are special reasons.

The social welfare committee is responsible for ensuring that those who have been accepted into a home other than their own through the committee's care receive good care.

Care should be designed so that it promotes the individual's closeness with relatives and other close people as well as contact with the home environment. *Law (2015:982) .*

Section 1 a The social welfare committee shall ensure that anyone who needs support and protection as a result of threats, violence or other abuse can be accommodated in sheltered accommodation. *Act (2024:85) .*

Section 2 Each municipality is responsible for ensuring that there is access to family homes, homes for care or accommodation, supported housing and sheltered accommodation. According to Section 3, however, the need for certain homes shall be met by the state. *Act (2024:85) .*

Section 3 The need for such homes as referred to in Section 12 of the Act (1990:52) with special provisions on the care of young people and Sections 22 and 23 of the Act (1988:870) on the care of drug addicts in certain cases shall be met by the State. The State Institutions Board manages the operations at

the homes. Provisions on supervision etc. of the operations at the homes are found in Chapter 13.

The State Institution Board may, if there are special reasons for doing so, by agreement assign a region or a municipality to establish and operate such a home as referred to in the first paragraph.

For care in a home referred to in this section, the state may charge a fee to the municipality that requested the placement. *Law (2019:909)* .

Section 4 Care in family homes, homes for care or accommodation, supported housing and sheltered housing shall be carried out in consultation with the social welfare committee. This also applies to homes referred to in Section 3. *Act (2024:85)* .

Special provisions on the reception of children

Section 5 When a child is placed, the primary consideration shall be whether the child can be accepted by a relative or other close person.

However, what is best for the child shall always be taken into account, according to Chapter 1, Section 2.

Section 6 A child may not, without the consent or decision of the social welfare board, be accepted for permanent care and upbringing in an individual home that does not belong to either of the parents or to someone else who has custody of him or her.

The social welfare committee may not grant consent or make decisions about care without the conditions in the individual home and the conditions for care in the home having been investigated by the social welfare committee.

The social welfare board may not place a child in an individual home that repeatedly receives children for temporary care and upbringing (emergency home) unless the conditions in the individual home and the conditions for care in it have been investigated by the social welfare board.

Unless there are special reasons, a child may be cared for in an emergency home for a maximum of two months after the social welfare committee's investigation pursuant to Chapter 11, Section 2, regarding intervention for the child's protection or support has been concluded. *Law (2012:776)* .

Section 6 a If the social welfare board's review concerns a child and consent or decision on care under Section 6 and concerns a proposed private home in

another municipality, the board shall inform and consult with that municipality before making its decision. If there is someone in the private home who is staying there following a decision by another municipality, the board shall also inform and consult with that municipality. *Act (2012:776)* .

Section 6 b In connection with a decision on placement in a family home, the social welfare committee shall enter into an agreement with those whom the committee intends to employ as a family home. The committee's and the family home's commitments regarding the child's need for support and protection during the placement shall be stated in the agreement. *Act (2012:776)* .

Section 6 c The social welfare committee shall provide the training needed for those whom the committee intends to employ to care for children in family homes or emergency homes. *Act (2012:776)* .

Section 6 d The social welfare committee may grant a child such sheltered accommodation as referred to in Section 1 a only if the child is placed there together with a guardian who is of legal age and who is also granted the intervention.

Provisions regarding sheltered housing when consent is lacking from one of the guardians are found in the Act (2024:79) on the placement of children in sheltered housing. *Act (2024:85)* .

Section 7 The social welfare committee shall, in relation to children who are cared for in a family home, emergency home, other individual home, supported housing, sheltered housing or home for care or accommodation:

1. contribute to ensuring that they receive good care and upbringing and otherwise favourable growing-up conditions,
2. work to ensure that they receive appropriate education,
3. work to ensure that they receive the health and medical care they need, and
4. provide the guardians and parents with the advice, support and other assistance they need. *Act (2024:85)* .

Section 7 a The social welfare committee shall, in the case of children who are cared for in a family home, emergency home, supported housing, sheltered housing or home for care or accommodation, provide those caring for such children with advice, support and other assistance that they need. *Act (2024:85)* .

Section 7 b The social welfare committee shall closely monitor the care of children and young people who are cared for in a family home, emergency home, supported housing, sheltered housing or home for care or accommodation, primarily through

1. regular personal visits to the home or accommodation where the child or young person is staying,
2. individual conversations with the child or young person,
3. conversations with the person or persons who have received the child or young person in their home or accommodation, and
4. conversations with the guardians.

The social welfare committee shall pay particular attention to the child's or young person's health, development, social behavior, school attendance and relationships with relatives and other close people. *Act (2024:85)* .

Section 7 c When care is provided in a family home, supported housing, sheltered housing or home for care or accommodation, there shall be a social worker specially appointed by the social welfare committee who is responsible for contacts with the child or young person.

The social worker shall visit the child or young person regularly to the extent that is appropriate based on the child or young person's needs and wishes. *Act (2024:85)* .

Section 8 If a child is cared for under this Act in a home other than their own, the social welfare committee shall consider at least once every six months whether the care is still needed and how the care should be directed and designed.

The same applies when a child has been granted sheltered accommodation under this Act. *Act (2024:85)* .

Section 8 a When a child is placed in a home as referred to in Chapter 6, Section 6, first paragraph, and a guardian or the child, if the child has reached the age of 15, requests that the care be terminated, the social welfare committee shall consider in particular whether there are grounds to apply for a ban on moving in accordance with Section 24 of the Act (1990:52) containing special provisions on the care of young people. *Act (2022:665)* .

Section 8 b When the child has been placed in the same family home for two years from the date the placement was made, the social welfare

committee shall specifically consider whether there are grounds to apply for a transfer of custody in accordance with Chapter 6, Section 8 of the Parental Code. Thereafter, the issue shall be considered annually.

In such a consideration, the following shall be taken into particular account:

- the child's and the foster parents' attitude towards a transfer of custody,
- the child's relationship with the foster parents and their ability to meet the child's need for a safe and good upbringing,
- the foster parents' attitude towards and ability to meet the child's need for contact with their parents and other close relatives,
- the child's relationship with their parents, and
- the child's social situation in general. *Act (2024:1176)* .

Section 9 Consent pursuant to Section 6 to receive a child for permanent care and upbringing is granted by the social welfare committee in the same municipality which, pursuant to Chapter 2a, is responsible for meeting the guardian's need for support and assistance.

The committee that has given consent pursuant to Section 6 fulfills the obligations pursuant to Section 7. *Act (2011:328)* .

Section 10 Individuals or associations may not conduct activities aimed at placing children in homes referred to in Section 6.

Section 11 If the custody of a child has been transferred to one or two specially appointed guardians with whom the child was previously placed in a family home, the municipality may continue to pay these guardians reasonable compensation. In the event of such a transfer of custody, the social welfare committee shall provide the specially appointed guardians with advice and support.

Advice and support shall be provided by the social welfare committee in the municipality that has decided on the foster home placement if specifically appointed guardians request it. *Act (2012:776)* .

Placement of a child across national borders

Section 11 a The social welfare board may approve that a foreign authority places a child in Sweden only if

1. it is in the best interests of the child to be placed here, particularly taking into account the child's ties to Sweden,
2. the child's attitude to the placement has been clarified as far as possible,

3. the child's guardian and, if the child has reached the age of 15, the child consents to the measure,
4. the conditions in the individual home and the conditions for care in the home have been investigated by the board,
5. the child has been granted a residence permit, if such a permit is required, and
6. the placement takes place on the basis of Council Regulation (EU) 2019/1111 of 25 June 2019 on jurisdiction, recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (Brussels II Regulation) or on the basis of the Convention on the Protection of Children in the Family, signed at The Hague on 19 October 1996. jurisdiction, applicable law, recognition, enforcement and cooperation in matters of parental responsibility and measures for the protection of children.

Act (2022:956) .

Section 11 b The social welfare board may place a child in another country only if

1. it is in the best interests of the child to be placed there, particularly taking into account the child's attachment to it,
2. the child's attitude to the placement has been clarified as far as possible,
3. the child's guardian and, if the child has reached the age of 15, the child consents to the placement,
4. the social welfare board has made it possible to follow up on the placement through an agreement with the competent authority in the country where the child is to be placed, and
5. the country has a satisfactory system in terms of supervision.

Act (2012:321) .

International adoptions

Section 12 A child residing abroad may not be received by anyone for the purpose of adoption without the consent of the social welfare board. The consent must have been given before the child leaves the country where the child is domiciled.

Consent may be given if the applicant is suitable to adopt. If the child is known, the applicant's suitability shall be assessed in relation to the individual child and the adoption shall also otherwise be presumed to be in the child's best interests.

The social welfare committee shall make an overall assessment of the applicant's suitability. The assessment shall take into particular account

- the applicant's knowledge and insights about adopted children and their needs and the implications of the planned adoption,
- the applicant's personal characteristics and social network,
- the applicant's age and state of health, and
- the stability of the relationship, if consent is sought by spouses or cohabitants.

Before consent is given, the applicant must have participated in a parent education course for adoption designated by the municipality. If the applicant has previously adopted a child from abroad, consent may be given even if he or she has not participated in parent education. *Law (2018:1281)* .

Section 12 a Consent pursuant to Section 12 ceases to be valid if the child has not been accepted into the applicant's care within three years of the date on which the consent was given. *Act (2018:1281)* .

Section 13 The person or persons who wish to adopt are obliged to notify the social welfare board if their circumstances change significantly during the period of validity of the consent. If a child has not been proposed for adoption within two years of the consent being given, the social welfare board shall, unless it is unnecessary, check whether the circumstances have changed.

Consent shall be revoked if the conditions for it no longer exist. Consent may also be revoked when the child has been received by the person or persons who wish to adopt, if continued residence with them would not be in the best interests of the child. *Act (2018:1281)* .

Section 14 When a particular child has been proposed for adoption, the social welfare committee shall promptly and no later than two weeks from the date on which the person or persons wishing to adopt have submitted a notification of this, consider whether consent should be given to the continuation of the adoption procedure. If the matter concerns an adoption procedure covered by the Act (1997:191) on the occasion of Sweden's accession to the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, Section 3 of that Act shall apply. The period within which the examination shall take place may be extended if there are exceptional reasons.

Section 15 Consent pursuant to Section 12 to receive a child domiciled abroad for the purpose of adoption and consent pursuant to Section 14 to the continuation of the adoption procedure shall be granted by the social welfare committee in the same municipality which, pursuant to Chapter 2a, is responsible for meeting the applicant's or applicants' needs for support and assistance.

The social welfare committee that has given consent according to Section 14 shall fulfill the obligations according to Section 7. *Law (2011:328)* .

Section 16 The right of authorized associations to mediate children from abroad for adoption in certain cases is regulated in the Act (1997:192) on International Adoption Mediation.

Chapter 7. Regulations on individual activities and reporting obligations

Section 1 A company, association, community, foundation or individual may not, without permission from the Inspectorate for Care and Social Care, professionally conduct

1. activities in the form of supported housing, sheltered housing or homes for care or accommodation pursuant to Chapter 6,
2. activities in the form of accommodation corresponding to those referred to in Chapter 5, Section 5, second and third paragraphs or Chapter 5, Section 7, third paragraph,
3. activities in the form of homes for certain other round-the-clock care,
4. activities in the form of homes or open activities for care during a limited part of the day, regardless of where the activities are conducted,
5. activities whose task is to propose family homes and emergency homes for children to the social welfare committee and which provide support and supervision to such homes that accept children, or
6. home care.

Municipalities and regions that conduct activities referred to in the first paragraph 1-4 and 6 must report these activities to the Health and Social Care Inspectorate before the activities commence.
Act (2024:85) .

Section 2 Permits to conduct activities referred to in Section 1 may only be granted if the activities meet the requirements for good quality and safety.

Furthermore, a permit may only be granted to someone who, through experience or otherwise, has acquired insight into the regulations that apply to the business. In the case of a legal person, the examination shall cover

1. the managing director and others who, through a management position or otherwise, have a controlling influence over the business,
2. board members and deputy board members,
3. partners in limited partnerships or other partnerships, and
4. persons who, through direct or indirect ownership, have a significant influence over the business.

Furthermore, the applicant must be otherwise deemed suitable. In the case of a legal entity, all of the requirements set out in the second paragraph, 1-4, must be deemed suitable. The suitability assessment shall take into account the willingness and ability to fulfil one's obligations to the public, compliance with the law in general and other relevant circumstances.

The applicant must also have the financial capacity to comply with the regulations that apply to the business.

Permits may be subject to conditions of importance to the quality and safety of the operation.

If the operation is completely or substantially changed or moved, a new permit must be applied for. *Law (2018:1156)* .

Section 2 a The person who has been granted a permit pursuant to Section 1 shall report changes in the group of persons referred to in Section 2 to the Health and Social Care Inspectorate no later than one month after the change. *Act (2018:1156)* .

Section 2 b The Health and Social Care Inspectorate may charge a fee for applications for permits pursuant to Section 1. *Act (2018:1156)* .

Section 3 The provisions of Chapter 11, Sections 5 and 6 apply, as applicable, to individual activities that are under the supervision of the Health and Social Care Inspectorate in accordance with this Act. Notes and other information in a personal file that is part of a compilation of information referred to in the Act (2001:454) on the processing of personal data in social services shall be preserved and then deleted two years after the last note was made in the file.

However, the information shall not be deleted as long as information about the same person has not been deleted in accordance with the second paragraph.

Data in a compilation referred to in the Act on the Processing of Personal Data in Social Services shall be deleted two years after the circumstances to which the data relates have ceased.

Thinning must be completed no later than the calendar year after the thinning obligation occurred.

The social welfare committee that has decided on an intervention that is carried out in an individual business may enter into an agreement with the person who runs the business that documents shall be handed over to the committee when the obligation to cull occurs. However, this does not apply to documents referred to in Section 3 a. *Act (2012:944)* .

Section 3 a Documents in a personal file in an individual activity that relate to children who have been placed or received in a home for care or accommodation, supported housing, sheltered housing or such accommodation as referred to in Chapter 5, Section 7, third paragraph, shall be handed over for preservation to the social welfare committee that decided on the intervention, when the obligation to cull according to Section 3, first paragraph, occurs.

When the obligation to cull according to Section 3, first paragraph, occurs, documents in individual activities, in consideration of the needs of research, in a representative selection of municipalities and in other municipalities in the case of a representative selection of persons, shall be handed over for preservation to the social welfare committee that decided on the action. *Law (2024:85)* .

Section 4 A document in a personal file in an individual business that is under the supervision of the Health and Social Care Inspectorate under this Act shall, if requested by the person to whom the file relates, be made available to him or her as soon as possible for reading or copying on the spot or in a transcript or copy, unless otherwise provided for in Chapter 15, Section 1.

A question of disclosure according to the first paragraph is examined by the person responsible for the personal file. If he or she considers that the

personal file or any part of it should not be disclosed, he or she shall immediately submit the question to the Health and Care Inspectorate for examination, together with his or her own statement. *Act (2012:944)* .

Section 5 The Health and Social Care Inspectorate may decide that a personal file in an individual activity that is under the supervision of the Inspectorate under this Act shall be taken care of

1. if the activity ceases,
2. if it can be assumed on probable grounds that the personal file will not be handled in accordance with the provisions of this Act or in accordance with provisions issued pursuant to the Act, or
3. if the person responsible for the personal file applies for it and there is a clear need for the file to be taken care of.

A personal file that has been taken into custody shall be returned, if possible and there are no grounds for taking it into custody according to the first paragraph. A decision on return shall be issued by the Health and Social Care Inspectorate upon application by the person who was responsible for the personal file at the time of the decision to take it into custody.

Personal files that have been taken into custody shall be kept separately at the archives authority in the municipality where the files were taken into custody. The personal files shall be kept for at least two years from the date they were received by the archives authority, however, documents referred to in Chapter 7, Section 3 a may not be discarded. An authority that is in charge of a personal file that has been taken into custody has, if information from the file is requested for a specific case, the same obligation to provide the information as it had as the person responsible for the file before taking it into custody. *Act (2012:944)* .

Section 6 An irregularity or a significant risk of an irregularity, which has been reported in accordance with Chapter 14, Section 3, shall, in a professionally conducted individual activity, be investigated by the person conducting the activity.

The report, investigation and other documentation pursuant to Chapter 14, Section 6 shall be preserved and then discarded five years after the last entry was made.

The social welfare committee that has decided on an intervention that is carried out in a professionally run individual business may enter into an

agreement with the person who runs the business that such documents as referred to in the second paragraph shall be handed over to the committee when the obligation to cull occurs. *Act (2010:429)* .

Chapter 8. Fees

Section 1 Support and assistance measures of a treatment nature do not entail cost responsibility for the individual care recipient. However, the municipality may, except in the case of children, charge compensation for the maintenance of a person who, due to abuse of alcohol, drugs or comparable substances, receives care or treatment in a home for care or accommodation or in a family home. The Government shall issue regulations on the maximum compensation that may be charged for each day. For other support and assistance measures, the municipality may charge reasonable compensation.

If a child receives care in a home other than their own through the social welfare board, the parents are obliged to contribute to the municipality's costs to a reasonable extent according to grounds prescribed by the government. In such cases, the social welfare board may receive maintenance allowances relating to the child.

The provisions of the first paragraph do not apply to services for which a fee has been determined in accordance with Section 2.

The provisions in the second paragraph do not apply to children who are placed in sheltered housing pursuant to this Act or the Act (2024:79) on the Placement of Children in Sheltered Housing.

Act (2024:85) .

Section 2 The municipality may, on grounds determined by the municipality, charge reasonable fees that do not exceed the municipality's own costs in the following cases:

1. family counselling,
2. activities for children and young people according to Chapter 5, Section 1 that are not support and assistance measures of a treatment nature,
3. parent education for adoption,
4. home care,
5. day care,

6. accommodation in such special accommodation as referred to in Chapter 5, Section 5, second and third paragraphs or Section 7, third paragraph and which is not covered by Chapter 12 of the Land Code, and
7. other similar social services.

Regarding fees for home care, day care and special housing, there are further provisions in Sections 3-9.

Act (2018:1724) .

Section 3 In this chapter, the price base amount refers to the price base amount according to Chapter 2, Sections 6 and 7 of the Social Insurance Code. *Act (2010:1284) .*

Section 4 Contribution basis refers to the income that the individual can be expected to receive over the next twelve months, divided into equal amounts per month.

The income shall be calculated by applying Chapter 102, Section 29, Section 1, 2, 4 and 5 of the Social Insurance Code. However, when applying Chapter 102, Section 29, Section 4 of the Code, only income referred to in Chapter 97, Section 13, first paragraph 1 shall be included. Housing allowances pursuant to Chapters 96-98, in particular housing supplements pursuant to Chapter 102, Section 26 and accommodation supplements pursuant to Chapters 103 a-103 e of the same Code, shall also be counted as income. A municipality may decide in its tax assessment decision that the income shall be calculated in a manner that is more advantageous for the individual.

In the case of spouses, the individual's income shall be considered to constitute half of the spouses' combined income. *Law (2011:1518) .*

Section 5 The individual's fees may

1. for home care and day care, together with fees referred to in Chapter 17, Section 8, first paragraph, 1 and 2 of the Health and Medical Services Act (2017:30), amount per month to a maximum of one twelfth of 0.5392 price base amount,
2. for housing in special housing per month amount to a maximum of one twelfth of 0.5539 price base amount. *Act (2017:613) .*

Section 6 The fees under Section 5 may not amount to such a large amount that the individual is not left with sufficient funds from his/her fee base for his/her personal needs and other normal living expenses (reserved amount).

When setting the fees, the municipality shall also ensure that the spouse or cohabitant of the care recipient is not unreasonably disadvantaged financially. If the fees are based on the individual's ability to pay, the fee base shall be calculated in accordance with Section 4. *Act (2001:847)* .

Section 7 The municipality shall determine the individual's reservation amount by calculating the individual's living expenses, excluding housing costs, based on a minimum amount. Housing costs shall be calculated separately and added to the minimum amount. However, no reservation shall be made for housing costs as specified in Section 5.

The minimum amount shall, unless otherwise provided for in Section 8, always constitute per month at least one twelfth of

1. 1.4789 price base amount for single persons, or
2. 1.2066 price base amount for each of cohabiting spouses and cohabiting partners.

The minimum amount according to the first paragraph shall cover normal costs for food, clothing, shoes, leisure, hygiene, daily newspaper, telephone, home insurance, outpatient health care, dental care, household electricity, consumables, travel, furniture, household utensils and medicines. *Act (2022:1034)* .

Section 8 The municipality shall increase the minimum amount to a reasonable extent if, due to special circumstances, the individual has a permanent need for a not insignificantly higher amount than that specified in Section 7, second paragraph.

The municipality may reduce the minimum amount to a reasonable extent if the individual does not have a cost for such an item as specified in Section 7, third paragraph, because

1. the cost is included in the fee for home care and day care,
2. the cost is included in the fee or rent for housing in special housing, or
3. the item is provided free of charge.

However, the municipality may not reduce the minimum amount on the grounds that the individual is covered by such exemption from fees as referred to in Chapter 17, Section 3 of the Health and Medical Services Act (2017:30).

Act (2017:47) .

Section 9 The municipality shall change a fee if any circumstance affecting the amount of the fee has changed. The fee may be changed without prior notice if the change is due to changes in the price base amount.

A change in the fee shall apply from the month following the month in which the reason for the change has arisen. However, a change in the fee shall apply from the month in which the circumstances giving rise to the change have arisen, if the circumstances relate to the entire month. *Act (2001:847)* .

Chapter 9. Recovery etc.

Section 1 If someone, through incorrect information or failure to provide information or in any other way, has caused financial assistance under Chapter 4, Section 1 to be paid out without authorization or in an amount that is too high, the social welfare committee may reclaim what has been paid out in excess.

If someone, in a case other than that referred to in the first paragraph, has received such financial assistance without authorization or in an amount that is too high and should reasonably have realized this, the social welfare committee may reclaim what has been paid out in excess. *Act (2015:970)* .

Section 2 The social welfare committee may, in cases other than those referred to in Section 1, reclaim assistance that the individual has received in accordance with Chapter 4, Section 1, only if it has been provided

1. as an advance on a benefit or compensation,
2. to a person who is involved in a labor dispute, or
3. to a person who, due to circumstances beyond his or her control, has been prevented from disposing of his or her income and assets.

If financial assistance has been provided in a case other than that referred to in Chapter 4, Section 1, the social welfare committee may reclaim the assistance if it has been provided under conditions of repayment.

A decision concerning financial assistance that may be reclaimed under this section shall be in writing.

The decision shall contain information about the circumstances or circumstances that, according to this section, constitute the basis for the obligation to repay. The decision shall be notified to the individual.

Section 3 If the social welfare committee wishes to bring an action for compensation that an individual does not repay voluntarily for financial assistance referred to in Section 1 or 2 or for costs that the municipality has incurred in accordance with Chapter 8, Section 1, first or second paragraph, the action shall be brought before the administrative court within three years of the municipality's costs arising. The action shall be brought before the administrative court in whose jurisdiction the individual resides.

The claim for compensation may not be accepted if the person liable for compensation, by repaying the cost or part thereof, can be assumed to be unable to manage his/her livelihood or his/her daily life in general, or if there are other exceptional reasons that speak against accepting the claim for compensation. *Act (2009:836)* .

Section 4 The social welfare committee may fully or partially waive the liability for compensation referred to in Sections 1 and 2 and in Chapter 8, Section 1, first and second paragraphs.

Chapter 10. Committee organization

Social Welfare Committee

Section 1 The provisions on committees in the Local Government Act (2017:725) apply to a social welfare committee. *Act (2017:742)* .

Section 2 The social welfare committee shall itself or through a representative conduct the municipality's proceedings in cases and matters that, according to this Act or other statute, fall within the jurisdiction of the social welfare committee.

Section 3 The Social Welfare Committee shall make such representations to the council, the municipal board and other committees and to other authorities as the committee deems necessary.

The social welfare committee may obtain opinions and information from the municipal executive board and other committees and from committees and officials in its own municipality, when necessary for the committee's activities.

Delegation

Section 4 Assignments to make decisions on behalf of the social welfare committee may only be given to a special department consisting of members or substitutes of the committee in matters that are a task for the committee according to Chapter 6, Sections 6, 8-8 b and 11 a-13 of this Act, Sections 4, 6 and 6 a, Section 11, first and second paragraphs, Sections 13, 13 b and 13 c, Section 14, third paragraph, Sections 21, 22, 24, 26, 27, 31 b, 31 d, 31 i, 32 a, 32 b and 43 of the Act (1990:52) containing special provisions on the care of young people, Chapter 3, Section 3, Chapter 4, Section 1, Chapter 5, Sections 1, 3 and 6, Chapter 7, Section 1 and Chapter 8 Section 7 of the Act (2024:79) on the placement of children in sheltered housing and Sections 11 and 13 of the Act (1988:870) on the care of drug addicts in certain cases.

The first paragraph also applies in cases pursuant to Chapter 6, Section 14, where consent is refused and decisions pursuant to Chapter 9, Section 3 to bring an action for recovery pursuant to Chapter 9, Section 1. *Act (2024:85)* .

Section 5 Assignments to decide on behalf of the social welfare board may, with regard to the Parental Code, only relate to information specified in the following sections of law

- Chapter 1, Sections 4, 9, 13 and 14 of the Parental Code,
- Chapter 2, Sections 1, 4-6 and 8-9 of the Parental Code, however not the authority under Section 9 to decide not to commence an investigation or to discontinue an investigation that has already commenced,
- Chapter 3, Sections 5, 6 and 8 of the Parental Code,
- Chapter 4, Section 14 of the Parental Code,
- Chapter 6, Section 6, Section 14 a, second paragraph and Section 15 a, third paragraph of the Parental Code,
- Chapter 6, Section 13 a, third paragraph of the Parental Code, however only for a special department consisting of members or substitutes of the board,
- Chapter 6, Section 15 c, third
- Chapter 6, Section 15 c, third paragraph of the Parental Code
- , Section 19 of the Parental Code regarding decisions to appoint investigators in cases and matters concerning custody, residence or access,
- Chapter 7, Section 7 of the Parental Code regarding approval of agreements that maintenance allowance shall be paid for periods longer than three months,
- Chapter 11, Section 16, second paragraph of the Parental Code.

Assignments to decide on behalf of the social welfare board may not include the authority to issue decisions on matters referred to in Chapter 5, Section 2 of this Act or to carry out the board's tasks pursuant to Chapter 16, Section 18 or Chapter 18, Section 19 of the Social Insurance Code.

Act (2018:1282) .

Section 6 Provisions on the right to make decisions in certain cases on behalf of the social welfare board are contained in the Act (1990:52) with special provisions on the care of young people, the Act (2024:79) on the placement of children in sheltered housing and the Act (1988:870) on the care of drug addicts in certain cases. *Act (2024:85) .*

Chapter 11. Handling of cases

Section 1 The Social Welfare Committee shall, without delay, initiate an investigation into what has come to the attention of the Committee through an application, notification or otherwise and which may give rise to any action by the Committee.

What has emerged during an investigation and which is of significance for the decision of a case shall be safeguarded in a satisfactory manner. *Law (2012:776) .*

Section 1 a When a report pursuant to Section 1 concerns a child or young person, the social welfare committee shall immediately make an assessment of whether the child or young person is in need of immediate protection. Such an assessment shall be documented.

A decision to initiate or not initiate an investigation shall, unless there are exceptional reasons, be made within fourteen days of the report being received. However, such a decision need not be made if an investigation is already underway regarding the child or young person to whom the report relates. *Act (2012:776) .*

Section 2 In an investigation into whether the social welfare committee needs to intervene to protect or support a child, the committee may, in order to assess the need for intervention, consult experts and otherwise make the necessary contacts. The investigation shall be conducted in such a way that no

one is unnecessarily exposed to harm or inconvenience. The investigation shall not be made more extensive than is justified by the circumstances of the case.

The investigation must be conducted promptly and be completed within four months at the latest. If there are special reasons, the social welfare committee may decide to extend the investigation for a certain period.

Anyone affected by such an investigation shall, unless there are special reasons to the contrary, be immediately notified that an investigation has been initiated. *Act (2012:776)* .

Section 3 When someone needs care in a home for care or accommodation, supported housing, sheltered accommodation or family home, a plan shall be drawn up for the care that the social welfare committee intends to arrange (care plan).

A care plan for a child shall be revised no later than when the child has been placed for two years. At that time, the care plan shall, unless it encounters special obstacles, specifically address the child's long-term accommodation. Thereafter, the care plan shall be revised as necessary.

For children and young people who are cared for in a home for care or accommodation, supported housing, sheltered accommodation or family home, a plan must be drawn up on how the care will be implemented (implementation plan).

A care plan and an implementation plan shall also include measures and interventions for which other principals are responsible. *Act (2024:85)* .

Section 3 a The social welfare committee shall, unless it is unnecessary, notify the region that a child or young person aged 18-20 years, in connection with the commencement of care outside their own home, shall be offered a health examination as referred to in the Act (2017:209) on health examinations of children and young people who are cared for outside their own home.

The same applies in connection with the commencement of placement of a child or young person aged 18-20 in a sheltered accommodation. *Act (2024:85)* .

Section 4 The social welfare committee is obliged to complete an investigation pursuant to Section 2 and make a decision in the case even if the child changes municipality of residence. The same applies if an investigation

has been initiated pursuant to Section 1 and the case concerns the care of drug addicts. The new municipality of residence is obliged to assist, upon request, with any investigation that the social welfare committee may need to make a decision in the case.

The first paragraph does not apply if the new municipality of residence agrees to take over the investigation of the case or if the case is otherwise transferred. *Law (2003:407)* .

Section 4 a The social welfare committee may decide to follow up on a child's situation when an investigation concerning the child's need for support or protection has been concluded without a decision on intervention.

Such follow-up may take place if the child, without the conditions referred to in the Act (1990:52) with special provisions on the care of young people, is deemed to be in particular need of the committee's support or protection but consent to such action is lacking.

Act (2012:776) .

Section 4 b The social welfare committee may decide to follow up on a child's situation after a placement based on this Act in a family home, a sheltered accommodation or a home for care or accommodation has ended. The same applies when a placement decided on the basis of the Act (2024:79) on the Placement of Children in Sheltered Accommodation has ended.

Such follow-up may take place if the child, without the existence of circumstances referred to in the Act (1990:52) with special provisions on the care of young people, is deemed to be in particular need of the committee's support or protection but consent to such action is lacking.

Provisions on follow-up when care under the Act with special provisions on care for young people ends are found in sections 21 b and 21 c of that Act. *Act (2024:85)* .

Section 4 c In the event of a follow-up pursuant to Section 4 a or Section 4 b, the committee may make the contacts specified in Section 2, first paragraph, and speak with the child in accordance with Section 10, third paragraph.

The follow-up shall be concluded no later than two months from the date on which the investigation concerning a child's need for support and protection has been concluded or the placement has ended, or when the committee

finds reason to initiate an investigation pursuant to Chapter 11, Section 1, first paragraph.

The committee shall notify children who have reached the age of 15 and guardians concerned of the decision to initiate or terminate the follow-up. *Act (2012:776)* .

Section 5 The handling of cases concerning individuals and the implementation of decisions on support measures, care and treatment shall be documented. The documentation shall indicate decisions and measures taken in the case as well as factual circumstances and events of significance.

Documents relating to individuals' personal circumstances must be stored so that unauthorized persons do not have access to them.

Section 6 The documentation shall be designed with respect for the individual's privacy. The individual should be kept informed of the journal entries and other notes kept about him or her. If the individual believes that any information in the documentation is incorrect, this shall be noted.

Section 7 The Social Welfare Committee shall apply Section 26 of the Administrative Procedure Act (2017:900) in all matters. *Act (2018:812)* .

Section 8 In cases before the social welfare board that concern the exercise of authority against an individual, the following provisions of the Administrative Procedure Act (2017:900) apply:

- Section 10 on party transparency,
- Sections 11 and 12 on measures if the processing is delayed,
- Section 23 on the responsibility for the investigation,
- Section 24 on when information may be provided orally,
- Section 25 on communication,
- Section 31 on documentation of decisions,
- Section 32 on justification of decisions,
- Sections 33 and 34 on notification of the content of decisions and how an appeal is made, and
- Section 36 on correction of clerical errors and the like.

The provisions of sections 10 and 25 of the Administrative Procedure Act do not, however, apply to information concerning any other applicant in a matter concerning such accommodation as referred to in Chapter 5, section 5, second

and third paragraphs or section 7, third paragraph, or concerning any other similar social service.

What is stated in the first paragraph also applies when it comes to an application or statement to another authority in a case or matter that concerns the exercise of authority against an individual by that authority. *Act (2018:1724)* .

Section 9 Anyone who, according to Section 8, must be notified and given the opportunity to express their views pursuant to Section 25 of the Administrative Procedure Act (2017:900), has the right to priority before the committee, unless special reasons dictate otherwise.

Anyone who is given the opportunity to speak shall be informed of their right to be heard before the committee. *Act (2018:812)* .

Section 10 When a measure concerns a child, the child shall be provided with relevant information. A child shall be given the opportunity to express his or her views on matters concerning the child. If the child does not express his or her views, his or her views shall, as far as possible, be made clear in another way. The child's views and views shall be given weight in relation to his or her age and maturity.

A child who has reached the age of 15 has the right to present his or her own case in cases and matters under this Act. A child who is younger may be heard in court if the child cannot be expected to suffer harm as a result.

In an investigation referred to in Section 2 concerning the need for intervention for the protection or support of a child, the child may be heard without the consent of the guardian and without the guardian being present. The same applies in an investigation on the initiative of the social welfare board concerning the transfer of custody pursuant to Chapter 6, Section 7 or Section 8 of the Parental Code. *Act (2012:776)* .

Section 11 The Social Welfare Board has the right to access information about benefits, compensation or other support for individuals from the Central Student Financial Aid Board, the Swedish Social Insurance Agency, the Swedish Pensions Agency and the unemployment funds. If there are grounds for this, these authorities and the unemployment funds shall, on their own initiative, provide such information to the Social Welfare Board.

The Government shall issue further regulations regarding the information to be disclosed pursuant to the first paragraph.

Act (2009:1005) .

Section 11 a The Social Welfare Board has the right to access information about individuals held by the Public Employment Service. If there are grounds for doing so, the Public Employment Service shall, on its own initiative, provide such information to the Social Welfare Board.

The Government shall issue further regulations regarding the information to be disclosed pursuant to the first paragraph. *Act (2008:971) .*

Section 11 b The Social Welfare Board has the right to obtain information from the Swedish Tax Agency about individuals that relates to the income type capital according to the Income Tax Act (1999:1229) or tax refund according to the Tax Procedure Act (2011:1244). If there are grounds for this, the Swedish Tax Agency shall, on its own initiative, provide such information to the Social Welfare Board.

The Government shall issue further regulations regarding the information to be disclosed pursuant to the first paragraph.

Act (2011:1407) .

Section 11 c Has been repealed by *law (2017:590) .*

Section 12 When serving a notice on an individual in a case or matter under this Act that concerns the exercise of authority, Sections 34-38 and 47-51 of the Service of Documents Act (2010:1932) may not be applied. *Act (2010:1972) .*

Chapter 12. Processing of data

Thinning

Section 1 Notes and other information in a personal file at the social welfare board that belong to such a compilation of information as referred to in the Act (2001:454) on the processing of personal data within the social services shall be deleted five years after the last note was made in the file. However, the information shall not be deleted as long as information about the same

person has not been deleted by the board in accordance with the second paragraph.

Data in a compilation referred to in the Act on the Processing of Personal Data in Social Services shall be deleted five years after the circumstances to which the data relates have ceased.

Thinning shall be completed no later than the calendar year after the thinning obligation occurred. *Act (2003:135)* .

Section 2 The following documents may not be rejected on the basis of the provisions of Section 1, first paragraph:

1. documents received or prepared in connection with an investigation into paternity or parenthood pursuant to Chapter 1, Section 9 of the Parental Code,
2. documents received or prepared in connection with an investigation into adoption,
3. documents received or prepared in connection with a child being placed or received in a home for care or accommodation, family home, supported housing, sheltered housing, such accommodation as referred to in Chapter 5, Section 7, third paragraph or other individual home that does not belong to either of the parents or someone else who has custody of the child.

Agreements pursuant to Chapter 6, Section 6, Section 14 a, second paragraph, or Section 15 a, third paragraph, of the Parental Code that have been approved by the social welfare committee may not be terminated until the child has reached the age of eighteen.

Documents shall also be exempted from culling in accordance with the provisions of Section 1 in consideration of the needs of research in a representative selection of municipalities and in other municipalities regarding a representative selection of persons.

Act (2024:85) .

Section 3 Has been repealed by *law (2003:135)* .

Section 4 Has been repealed by *law (2003:135)* .

The Social Welfare Board's duty to provide information, etc.

Section 5 The Social Welfare Committee shall, as further prescribed by the Government, disclose personal data to the National Board of Health and Welfare for urgent statistical purposes.

Section 6 The Social Welfare Board shall disclose personal data to state authorities when this is requested for research purposes and this can be done without risk of harm to the individual or someone close to him or her.

Section 7 The social welfare committee shall, at the request of another authority, provide it with information on financial assistance paid out, if the purpose is to avoid incorrect payments from the public sector or incorrect taxation.

If the municipality's tasks within social services are fulfilled by several committees, each such committee shall, to the extent requested, provide the others with

1. information that a person is involved in a matter within social services, and
2. the information needed to administer the distribution of places within special forms of housing in the municipality.

The obligation to provide information pursuant to the second paragraph does not apply to information that is subject to confidentiality pursuant to Chapter 26, Section 3 of the Public Access and Secrecy Act (2009:400).

Act (2011:1407) .

Section 8 If a court has sentenced someone to youth care or youth service, or if youth service has been ordered through a penal order that has been approved, the social welfare committee shall notify the prosecutor if it can be assumed that there are conditions for action pursuant to Section 30 b of the Act (1964:167) with special provisions on young offenders or Chapter 32, Section 4 of the Criminal Code. *Act (2023:313) .*

Section 9 If the social welfare committee has observed in its activities something that indicates that new substances are being used for abuse purposes or that there are changes in abuse patterns of known substances, the committee shall report this to the Public Health Agency without delay. *Law (2013:633) .*

Section 10 Chapter 10, Section 2 of the Public Access and Secrecy Act (2009:400) states that the social welfare committee may, without prejudice to secrecy, report crimes that hinder the committee's activities to the police. Chapter 10, Sections 21-23 of the same Act states that secrecy also in certain other cases does not prevent information about suspected crimes from being

provided to a prosecutor's office, the Police Authority, the Security Service or another authority tasked with intervening in the crime.

The same applies, according to Chapter 10, Section 19 of the same Act, to information that is needed to prevent an imminent or interrupt an ongoing crime referred to in that section. Chapter 10, Section 18 a of the same Act states that confidentiality also does not prevent information concerning an individual who has not reached the age of twenty-one from being provided to the Police Authority or the Security Service for the purpose of preventing crime under certain specified conditions. Chapter 10, Section 18 b of the same Act states that confidentiality also does not prevent information concerning an individual from being provided to the Police Authority or the Security Service for the purpose of preventing terrorist crime under certain specified conditions. Chapter 10, Section 18 c of the same Act also states that confidentiality also does not prevent information concerning an individual or a close relative of the individual from being provided to the Police Authority for the purpose of preventing violence or other abuse against a close relative under certain specified conditions.

The social services shall, without prejudice to confidentiality, provide

1. information on whether someone is staying in a home for care or accommodation, sheltered accommodation, supported accommodation or family home, if the information is requested in an individual case by a court, a prosecution authority, the Police Authority, the Security Service, the Enforcement Authority, the Swedish Tax Agency or the Swedish Customs,
2. information needed in a case with the Swedish Tax Agency regarding protected population registration pursuant to Section 16 of the Population Registration Act (1991:481), and
3. information about a student needed for the examination of a case regarding the exclusion of the student from higher education or the police programme. *Act (2025:174)* .

Chapter 13 Supervision etc.

Section 1 The Health and Social Care Inspectorate exercises supervision over social services and the activities of homes referred to in Chapter 6, Section 3.

Supervision of individual activities refers to

1. activities for which a permit is required pursuant to Chapter 7, Section 1, first paragraph,
2. activities that a municipality has entrusted to an individual to perform by agreement pursuant to Chapter 2, Section 5, and
3. other individual activities from which the municipality procures services in order to fulfill obligations pursuant to this Act.

Act (2012:944) .

Section 2 Supervision under this Act means examining whether the activities referred to in Section 1 meet the requirements and objectives set out in laws and other regulations, as well as decisions issued on the basis of such regulations.

Injunctions under sections 5 and 8, revocation of permits and prohibitions under sections 9-11 may only be used when the activity does not meet the requirements set out in laws and other regulations. *Act (2009:596) .*

Section 3 The Health and Social Care Inspectorate shall, within the framework of its supervision,

1. provide advice and guidance,
2. check that deficiencies and irregularities are remedied,
3. convey knowledge and experience gained through supervision, and
4. inform and advise the public.

Act (2012:944) .

Section 4 In supervision concerning the conditions of children, the child may be heard if it can be assumed that the child will not be harmed by the conversation.

The child may be heard without the consent of the guardian and without the guardian being present. *Law (2009:596) .*

Section 5 Anyone who conducts activities that are subject to supervision under this Act is obliged, at the request of the Health and Social Care Inspectorate, to hand over documents and other material relating to the activities and to provide the information about the activities that the Inspectorate needs for its supervision.

The Health and Social Care Inspectorate may order the person conducting the activity to provide what is requested in accordance with the first paragraph. A

decision on an injunction may be accompanied by a fine.

Act (2012:944) .

Section 6 The Health and Social Care Inspectorate or the person appointed by the authority has the right to inspect activities under its supervision. The person carrying out the inspection has the right to gain access to premises or other spaces used for the activities. However, access to housing requires the resident(s) to give their consent to the inspection. The person carrying out the inspection has the right to temporarily take possession of documents and other materials relating to the activities. The person whose activities are being inspected is obliged to provide the assistance needed during the inspection. *Act (2012:944) .*

Section 7 In the event of an inspection as specified in Section 6, the person carrying out the inspection has the right to receive from the Police Authority the assistance necessary to enable the inspection to be carried out.

Act (2014:761) .

Section 8 If the Health and Social Care Inspectorate finds that an irregularity exists in an activity that is subject to supervision under this Act that is significant for individuals' opportunities to receive the services to which they are entitled, the Inspectorate may order the person responsible for the activity to remedy the irregularity. If the Inspectorate finds that the requirements in Chapter 7, Section 2, second, third and fourth paragraphs are not met in an activity that has been granted a permit, or that a change referred to in Chapter 7, Section 2a has not been notified, the Inspectorate may order the person who has been granted the permit to remedy the deficiency. An injunction shall contain information about the measures that the Inspectorate considers necessary to remedy the irregularity or deficiency complained of. A decision on an injunction may be accompanied by a fine.

The Health and Social Care Inspectorate may also order the municipality or region that has not fulfilled its reporting obligation according to Chapter 7, Section 1, second paragraph, to fulfill this obligation. A decision on an injunction may be combined with a fine. *Act (2019:909) .*

Section 9 If a breach pursuant to Section 8, first paragraph, is serious and the Health and Social Care Inspectorate's order has not been complied with, the Inspectorate may decide to revoke the permit for the activity in whole or

in part. If the activity is not subject to a permit, the Inspectorate may instead decide to prohibit continued operations in whole or in part.

If the misconduct poses a danger to the life, health or personal safety of individuals, the Health and Social Care Inspectorate may decide to revoke the permit for the activity in whole or in part without prior notice. If the activity is not subject to a permit, the Inspectorate may instead decide to prohibit continued operations in whole or in part.

A permit to conduct business may also be revoked without prior notice if the permit holder does not meet the requirements in Chapter 7, Section 2, second, third and fourth paragraphs.

Act (2018:1156) .

Section 10 If there are probable grounds for a permit to be revoked in whole or in part or if there are probable grounds for the operation to be prohibited in whole or in part pursuant to Section 9, and such a decision cannot be awaited, the Health and Social Care Inspectorate may decide to prohibit continued operation in whole or in part until further notice.

Decisions pursuant to the first paragraph are valid for a maximum of six months. If there are exceptional reasons, the validity of the decision may be extended by a further six months. *Act (2012:944) .*

Section 11 If failure to comply with the obligations under the Act (2007:171) on register control of personnel at certain facilities that accept children is of a serious nature, the Health and Social Care Inspectorate may decide to revoke the permit for the activity. If the activity is not subject to a permit, the Inspectorate may decide to prohibit continued operations.

Act (2015:982) .

Chapter 14. Reporting and remedying irregularities, etc.

Section 1 The following authorities and professionals are obliged to immediately report to the social welfare committee if, in the course of their activities, they become aware of or suspect that a child is being harmed:

1. authorities whose activities concern children and young people,
2. other authorities within the health and medical services, other forensic

psychiatric examination activities, social services, the Swedish Prison and Probation Service, the Swedish Police Authority and the Swedish Security Service,

3. employees of such authorities as referred to in 1 and 2, and

4. those who are active in professionally conducted individual activities and perform tasks that concern children and young people or in other such activities within the health and medical services or in the field of social services.

Those who work in family counseling are required to immediately report to the social welfare board if, in the course of their work, they become aware that a child is being sexually exploited or subjected to physical or psychological abuse in the home.

Authorities, executives and professionals specified in the first paragraph are obliged to provide the social welfare committee with all information that may be of importance for investigating a child's need for support and protection.

If a report is made by the Ombudsman for Children, the provisions of Section 7 of the Ombudsman for Children Act (1993:335) apply. *Act (2015:982)* .

Section 1 a The social welfare committee should offer the child, the guardian and the person who made the report in accordance with Section 1 a meeting if it is appropriate in the best interests of the child. *Act (2012:776)* .

Section 1 b The social welfare committee may inform the person who has made the report in accordance with Section 1 that an investigation has been initiated, has not been initiated or is already ongoing. Such information shall be provided to the reporter upon request if it is not inappropriate to do so in view of the circumstances. *Act (2012:776)* .

Section 1 c Anyone who becomes aware of or suspects that a child is being harmed should report this to the social welfare committee.
Law (2012:776) .

Section 2 Everyone who performs duties within the social services or at the State Institution Board shall contribute to ensuring that the activities carried out and the interventions implemented are of good quality. *Law (2010:429)* .

Section 3 Anyone who performs duties within the social services or at the State Institution Board shall immediately report if he or she notices or becomes aware of an irregularity or a significant risk of an irregularity, which

concerns a person who receives, or may be considered for, interventions within the activities.

The reporting obligation is fulfilled

1. in professionally conducted individual activities to the person conducting the activity,
2. in activities at the State Institutions Board to the management, and
3. in other cases to the relevant social welfare committee. *Act (2010:429)* .

Section 4 The person who, according to Section 3, is to receive reports shall inform the person who performs tasks within the respective activity of the obligations that he or she has according to Sections 2 and 3.
Law (2010:429) .

Section 5 Anyone who, in a professionally conducted individual activity, is required to receive reports in accordance with Section 3 shall inform the relevant social welfare committee of the reports he or she has received.
Law (2010:429) .

Section 6 A misstatement or a significant risk of a misstatement shall be documented, investigated and remedied or eliminated without delay. *Law (2010:429)* .

Section 7 A serious misconduct or a significant risk of a serious misconduct shall be reported to the Inspectorate for Health and Social Care as soon as possible. The investigation carried out in connection with the incident shall be attached to the report. The report shall be made by

1. the social welfare committee,
2. the person carrying out professional individual activities, or
3. the management of the State Institution Board.

Anyone who conducts a professional individual activity must inform the relevant social welfare committee about the notification. *Law (2012:944)* .

Chapter 15. Confidentiality

Section 1 Anyone who is or has been active in professionally conducted individual activities that relate to interventions under this Act may not disclose

without authorization what he or she has learned about the personal circumstances of individuals.

Section 2 Anyone who is or has been active in individual family counseling may not unauthorizedly disclose information that an individual has provided in confidence or that has been obtained in connection with the counseling.

Section 3 The Public Access and Secrecy Act (2009:400) applies to public activities. *Act (2009:496)* .

Chapter 16. Other provisions

Section 1 Has been repealed by *law (2011:328)* .

Section 2 Has been repealed by *law (2011:328)* .

Appeal and enforcement of decisions

Section 3 The decision of the Social Welfare Board may be appealed to a general administrative court if the board has issued a decision regarding

- an application pursuant to Chapter 2 a, Section 8,
- assistance pursuant to Chapter 4, Section 1,
- refusal or reduction of continued support pursuant to Chapter 4, Section 5,
- prohibition or restriction pursuant to Chapter 5, Section 2,
- consent pursuant to Chapter 6, Section 6,
- consent pursuant to Chapter 6, Section 12,
- revocation of consent pursuant to Chapter 6, Section 13,
- consent pursuant to Chapter 6, Section 14, or
- fees or reserved amounts pursuant to Chapter 8, Sections 4-9.

Decisions on matters referred to in the first paragraph shall apply immediately. However, an administrative court or court of appeal may order that its decision shall be enforced only after it has become legally binding.

At the request of the applicant, the execution of a decision on assistance pursuant to Chapter 4, Section 1 may be postponed if the execution takes place within a system of free choice pursuant to the Act (2008:962) on free choice systems. *Act (2015:970)* .

Section 4 The Inspectorate for Health and Social Care's decisions may be appealed to a general administrative court in matters concerning

1. permits pursuant to Chapter 7, Section 1,
2. taking possession of personal files pursuant to Chapter 7, Section 5,
3. injunction pursuant to Chapter 13, Sections 5 and 8,
4. revocation of permits and prohibitions pursuant to Chapter 13, Sections 9-11, and
5. transfer of cases pursuant to Chapter 2a, Section 11.

In the case of an appeal against the decision of the Health and Social Care Inspectorate pursuant to Chapter 7, Section 4, Chapter 6, Sections 7-11 of the Public Access and Secrecy Act (2009:400) apply, *mutatis mutandis*.

Other decisions of the Health and Social Care Inspectorate under this Act may not be appealed.

Decisions by the National Board of Health and Welfare pursuant to Chapter 16, Section 6, second paragraph, may not be appealed.

Decisions of the Health and Social Care Inspectorate and the court in question referred to in the first paragraph 2, 3 and 4 apply immediately. *Act (2013:1146)* .

Section 4 a The police authority shall provide the assistance necessary to execute a decision to take possession of personal files.

However, a request for such assistance may only be made if

1. due to special circumstances it may be feared that the measure cannot be carried out without resorting to the special powers of a police officer under Section 10 of the Police Act (1984:387), or
2. there are other exceptional reasons.

Act (2014:761) .

Section 5 Leave to appeal is required when appealing to the Court of Appeal against decisions under this Act.

Fine

Section 6 A fine shall be imposed on any person who:

1. violates Chapter 3, Section 3, third paragraph,
2. violates a prohibition or restriction issued pursuant to Chapter 5, Section 2,
3. disregards any of the provisions of Chapter 6, Section 6, first paragraph or

Section 12, first paragraph, or, unless the act is punishable by the Act (1997:192) on International Adoption Mediation, Section 10,

4. carries out activities referred to in Chapter 7, Section 1 without a permit,

5. continues the activities in violation of a prohibition issued pursuant to Chapter 13, Section 9 or 10.

General prosecution for crimes referred to in the first paragraph, 2 or 3, may only be brought with the consent of the National Board of Health and Welfare.

General prosecution for crimes referred to in the first paragraph 4 or 5 may only be brought with the consent of the Health and Social Care Inspectorate. *Act (2021:738)* .

Special fee

Section 6 a A municipality that does not provide assistance within a reasonable time pursuant to Chapter 4, Section 1 to which someone is entitled according to a decision of the social welfare committee shall be required to pay a special fee. The same applies to a municipality that does not provide assistance again within a reasonable time after the enforcement of such a decision has been suspended.

A municipality that does not provide assistance within a reasonable time pursuant to Chapter 4, Section 1 to which someone is entitled according to a court decision shall be required to pay a special fee.

The same applies to a municipality that does not provide assistance again within a reasonable time after the enforcement of such a decision has been suspended.

A special fee shall not be imposed if the individual has requested to postpone enforcement in accordance with Section 3, third paragraph.

If a municipality of residence has requested that a municipality of residence enforce a decision pursuant to Chapter 2a, Section 6, Section 2, the municipality of residence shall, in cases referred to in the first and second paragraphs, pay the special fee pursuant to this section.

Fees under this section accrue to the state.

Law (2011:328) .

Section 6 b The special fee is set at a minimum of ten thousand kronor and a maximum of one million kronor.

When determining the amount of the fee, particular consideration shall be given to how long the delay has lasted and how serious it can otherwise be considered to be.

The fee may be waived if there are exceptional reasons for it. In minor cases, no fee shall be charged.

Law (2006:495) .

Section 6 c Questions about special fees are examined upon application by the Health and Social Care Inspectorate by the administrative court within whose jurisdiction the municipality is located. *Law (2012:944) .*

Section 6 d If a municipality, after having been ordered to pay a special fee, still fails to provide the assistance, a new special fee may be imposed in accordance with Section 6 a, first or second paragraph. *Law (2006:495) .*

Section 6 e A special fee pursuant to Section 6 a, first paragraph, may only be imposed if the application pursuant to Section 6 c has been served on the municipality within two years of the date of the favourable decision on the assistance or within two years of the date on which the enforcement of the favourable decision has been suspended.

A special fee pursuant to Section 6a, second paragraph, may only be imposed if the application pursuant to Section 6c has been served on the municipality within two years of the judgment on the assistance becoming final or within two years of the enforcement of the judgment being suspended.

If a municipality of residence pursuant to Section 6 a, fourth paragraph, is required to pay the special fee, the first and second paragraphs shall refer to the municipality of residence. *Act (2011:328) .*

Reporting obligation

Section 6 f The social welfare committee shall report to the Inspectorate for Health and Social Care and to the auditors referred to in Chapter 3, Section 10 of the Local Government Act (2017:725) all favourable committee decisions pursuant to Chapter 4, Section 1 that have not been implemented within three months of the date of the decision. For each decision, the committee shall state the date of the decision and the type of assistance to which the decision applies, and briefly state the reasons for the delay.

The social welfare committee shall also report to the Inspectorate for Health and Social Care and to the auditors all favourable committee decisions

pursuant to Chapter 4, Section 1 that have not been re-enforced within three months of the date on which enforcement was suspended. For each decision, the committee shall state the date of the decision and the type of assistance to which the decision applies, and briefly state the reasons for the delay.

Reporting according to this section shall be done once per quarter. *Act (2017:742)* .

Section 6 g The social welfare committee shall notify the Health and Social Care Inspectorate and the auditors referred to in Chapter 3, Section 10 of the Local Government Act (2017:725) when the committee has implemented a favourable decision that has been reported as not implemented in accordance with Section 6 f. The date of implementation shall then be stated. *Act (2017:742)* .

Section 6 h The Social Welfare Committee shall submit to the General Council a statistical report on how many of the Committee's favourable decisions pursuant to Chapter 4, Section 1 have not been implemented within three months of the date of the respective decision. The Committee shall also state which types of assistance these decisions apply to and how much time has elapsed since the date of the respective decision.

The committee shall also submit to the council a statistical report on how many of the committee's favourable decisions pursuant to Chapter 4, Section 1 have not been re-enforced within three months of the date on which enforcement was suspended. The committee shall also state which types of assistance these decisions apply to and how much time has elapsed since the date of each decision.

Reporting according to this section shall be done once per quarter. *Act (2006:495)* .

6 i § If a municipality of residence has requested enforcement according to Chapter 2 a. 6 § 2, the obligation in 6 f-6 h §§ to report to the Inspectorate for Health and Social Care and to the municipal council shall also apply to the municipality of residence. *Law (2012:944)* .

Section 7 Has been repealed by *law (2018:654)* .

Municipalities outside regions

Section 8 What is stated in this Act regarding regions shall also apply to a municipality that does not belong to any region. *Act (2019:909)* .

Social services in war etc.

Section 9 The Government may issue special regulations on social services under this Act if the realm is at war or at risk of war or if there are extraordinary circumstances caused by war or the threat of war in which the realm has found itself.

Authorizations

Section 10 The Government or the authority designated by the Government may issue such regulations within the social services as are necessary to protect the life, personal safety or health of individuals in activities relating to

1. children and young people,
2. older people,
3. people with disabilities,
4. drug addicts, and
5. people specified in Chapter 5, Sections 11 and 11a.

The Government or the authority designated by the Government may also issue such regulations as are necessary to protect the life, personal safety or health of individuals in operations at such homes as referred to in Chapter 6, Section 3. *Act (2021:645)* .

Section 10 a The Government or the authority designated by the Government may issue regulations on

1. conditions for permits pursuant to Chapter 7, Section 2, second, third and fourth paragraphs, and
2. fees for applications pursuant to Chapter 7, Section 2 b.

Act (2018:1156) .

Prohibition of transformation

Section 11 If an injunction has been combined with a fine under this Act, the fine may not be converted into imprisonment.

Act (2009:596) .

Transitional provisions

2001:453

1. This Act shall enter into force on 1 January 2002, when the Social Services Act (1980:620) shall cease to apply.

2. A permit or prohibition under the old Act shall be considered a permit or prohibition under this Act.

3. An appeal against a decision of a social welfare committee or county administrative board made before the entry into force of this Act shall be examined in accordance with the provisions of the old Act.

4. An application for a permit to conduct such activities as referred to in Chapter 7, Section 1, made before the entry into force of this Act, but which applies after 1 January 2002, shall be examined in accordance with the provisions of this Act.

2001:847

1. This Act shall enter into force on 1 January 2003 in respect of Chapter 8, Section 4 and otherwise on 1 July 2002.

2. In respect of decisions pursuant to Chapter 8, Section 2 that were made before the entry into force but that relate to a period thereafter, the new provisions shall be applied with regard to the period after the entry into force.

3. An appeal against a decision pursuant to Chapter 8, Section 2 that was made before 1 July 2002 shall be heard in accordance with the previous wording of the section in the part that relates to the period before the entry into force. For the part of the decision that relates to the period after the entry into force, the hearing shall be conducted in accordance with the new provisions.

2002:437

1. This Act enters into force on 1 July 2002.

2. Older provisions apply when it comes to delays in the enforcement of decisions issued before the Act entered into force.

2003:737

This Act enters into force on 1 January 2004. If a tax authority has requested information from the social services in accordance with older regulations in Chapter 12, Section 10, second paragraph, the information shall instead be submitted to the Swedish Tax Agency after entry into force.

2004:770

1. This Act enters into force on 1 January 2005.

2. Older regulations shall apply in cases where the application for consent has been submitted to the Social Welfare Board before 1 January 2005.

2004:851

This Act enters into force on 1 January 2005. The provisions of Chapter 2, Section 6, second paragraph, also apply to activities that have been carried out before entry into force.

2006:495

1. This Act shall enter into force on 1 July 2006.
2. In the case of a special fee due to a delay in enforcing a municipality's favourable decision, only the time from the entry into force of the Act may be taken into account in assessing whether a reasonable time has been exceeded. The same applies in the case of a special fee due to a delay in enforcing a municipality's favourable decision or a court's favourable ruling, if the enforcement of the decision or judgment has been suspended.

2007:1315

1. This Act enters into force on 1 April 2008.
2. Thinning based on the provisions of Chapter 7, Section 3 as amended may be carried out no earlier than 1 April 2010.
3. The provisions of Chapter 7, Section 3 a do not apply if the last entry in the documents has been made before the entry into force of this Act.

2007:1429

1. This Act enters into force on 1 January 2008.
2. The provision only applies to income earned after 1 January 2008.

2009:596

1. This Act shall enter into force on 1 July 2009 with regard to the title of Chapter 3 and with regard to Chapter 3, Section 3 and Chapter 11, Section 11 b, and in other respects on 1 January 2010.
2. Applications for permits pursuant to Chapter 7, Section 1 and applications for transfer of cases pursuant to Chapter 16, Section 1 that have not been finally examined at the time of entry into force shall be submitted for processing to the National Board of Health and Welfare. The same applies to uncompleted supervisory cases, cases that have been submitted to the County Administrative Board for examination of disclosure of documents in a personal file, cases where the County Administrative Board has taken charge of a personal file and cases where the County Administrative Board has applied for a special fee.
3. Reports on unexecuted board decisions pursuant to Chapter 16, Section 1 6 f § that have been received by the County Administrative Board before 1 January 2010 shall be transferred to the National Board of Health and Welfare.

The same applies to notifications of enforced decisions according to Chapter 16. 6 g §.

4. Permits to conduct individual activities that have been issued by the County Administrative Board before the entry into force shall be valid as permits that have been issued by the National Board of Health and Welfare.

5. Activities that are subject to notification according to Chapter 7. 1 § third paragraph and that have commenced before 1 January 2010 shall, in cases where the activities have not previously been notified to the County Administrative Board, be notified to the National Board of Health and Welfare no later than 31 December 2010. Notifications that have been made to the County Administrative Board before 1 January 2010 shall be transferred to the National Board of Health and Welfare.

2010:204

1. This Act enters into force on 1 December 2010.

2. Older regulations still apply when handling cases concerning financial compensation to individuals who receive compensation under the Act (1992:1068) on Introduction Compensation for Refugees and Certain Other Foreigners.

2010:429

This law enters into force on 1 July 2011. Older regulations still apply to notifications made before entry into force.

2010:1972

1. This Act enters into force on 1 April 2011.

2. Older provisions apply if a document has been sent or submitted before 1 April 2011.

2011:328

1. This Act enters into force on 1 May 2011.

2. A municipality is obliged to complete an investigation and make a decision in a case that has been received by the municipality before the entry into force, unless the municipality and another municipality that is responsible for the case according to the new regulations agree on the transfer of the case and the individual agrees to it.

3. A municipality that has granted interventions before the entry into force shall retain responsibility for the interventions until the municipality and another municipality that is responsible for the case according to the new

regulations agree on the transfer of the case and the individual agrees to it.

4. The provisions in Chapter 2 a, Sections 6 and 7 shall not apply in cases where decisions have been issued before the entry into force.

2012:944

1. This Act shall enter into force on 1 June 2013.

2. In the application of Section 7 a of the Administrative Procedure Act (1971:291), the Inspectorate for Health and Social Care shall be the individual's counterparty if, after entry into force, the Inspectorate is competent to handle the type of issue that is the subject of review.

3. For acts referred to in Chapter 16, Section 6, first paragraph, 3 and 4 and which have been committed before entry into force, Chapter 7, Section 1 and Chapter 13, Sections 9 and 10 in their older wording apply. *Act (2013:273)* .

2013:421

1. This Act enters into force on 1 July 2013.

2. The new provision in Chapter 4, Section 1 b does not apply to income earned before the end of June 2013.

2013:1146

1. This Act enters into force on 1 July 2014.

2. An administrator who was employed before 1 July 2014 to perform the tasks specified in Chapter 3, Section 3 a, second paragraph, is authorised to perform the specified tasks until 30 June 2022. *Act (2019:312)* .

2015:970

1. This Act enters into force on 1 January 2016.

2. Older regulations still apply to an application for compensation for costs for children's leisure activities that has been received before entry into force.

2017:210

1. This Act enters into force on 15 April 2017.

2. A company, an association, a community, a foundation or an individual who, at the time of entry into force, is conducting such activities as referred to in Chapter 7, Section 1, first paragraph, 1-4 and which is covered by the exemption from the permit requirement in the second paragraph of the same section in its older version, or such activities as referred to in Chapter 7, Section 1, first paragraph, 5, may continue to conduct the activities after entry into force, provided that the application for a permit is submitted no later than

1 April 2018. However, such activities may be conducted without a permit until the permit authority has made a final decision in the permit matter.

2017:590

1. This Act enters into force on 1 January 2018.
2. Older regulations still apply to information in cases of compensation that have been decided under the repealed Act (2010:197) on establishment measures for certain newly arrived immigrants.

2018:1156

1. This Act enters into force on 1 January 2019.
2. Anyone who has commenced home care activities before the entry into force shall apply for a permit under this Act by 1 March 2019 at the latest in order to continue conducting the activities. Activities commenced without a permit may only continue until the final decision in the permit matter has become legally binding.

2021:738

1. This Act enters into force on 1 July 2023.
2. Anyone who is permanently employed with the professional title of assistant nurse at the time of entry into force shall continue to be allowed to use the title even though he or she has not received proof in accordance with Chapter 4, Section 5 a of the Patient Safety Act (2010:659) of the right to use it, however, at the latest until 30 June 2033.

2022:388

1. This Act enters into force on 1 July 2023 with regard to Chapter 3, Section 3 d and otherwise on 1 July 2022.
2. Anyone who, at the time of entry into force of Chapter 3, Section 3 d, is employed permanently with the professional title of assistant nurse may be appointed as a permanent care contact, even though he or she has not received proof in accordance with Chapter 4, Section 5 a of the Patient Safety Act (2010:659) of the right to use the professional title of assistant nurse, however, no later than 30 June 2033.

2022:1034

1. This Act enters into force on 2 August 2022.
2. However, the Act shall apply for the period from and including 1 August 2022.

2024:85

1. This Act enters into force on 1 April 2024.
2. Older regulations still apply to matters and cases of supervision that have been initiated before entry into force.
3. A company, an association, a community, a foundation or an individual who, before entry into force, has commenced operations in the form of such sheltered accommodation as referred to in Chapter 7, Section 1, first paragraph 1, shall apply for a permit under this Act by 1 August 2024 at the latest in order to continue conducting the operations. Operations that have been initiated without a permit may only continue until a final decision in the permit case has become legally binding.