

Government Response: *The Regulated Services (Service Providers and Responsible Individuals) (Wales) (Amendment) Regulations 2024*

Technical Scrutiny point 1: Regulation 4(b) of the *Regulated Services (Service Providers and Responsible Individuals) (Wales) (Amendment) (Coronavirus) Regulations 2020* inserted sub-paragraph (k) into regulation 2(1) (care home services) of the Principal Regulations¹ to provide an exception, in certain circumstances, to the requirement to register as a care home service in response to the spread of coronavirus.

Sub-paragraph (k) has been subsequently revoked by the *Regulated Services (Service Providers and Responsible Individuals) (Wales) (Amendment) and (Coronavirus) (Revocation) Regulations 2022*.

Consideration was given, whilst drafting the provision under scrutiny, to paragraph 7.24 of Writing Laws for Wales. Paragraph 7.24 deals with the reuse of numbering that has been previously revoked. Having taken the contents of paragraph 7.24 into account – and given the subject matter of proposed sub-paragraph (l) in the draft Regulations provide for an exception to the requirement to register as a care home service for reasons entirely unrelated to coronavirus - it is considered that adopting a new sub-paragraph in the form of (l) is appropriate and adheres to the guidance in paragraph 7.24 of Writing Laws for Wales.

For these reasons, the Welsh Government does not propose to alter the labelling of sub-paragraph (l) in the draft Regulations.

Merit Scrutiny point 1: The Welsh Government is grateful to the LJCC for highlighting this reporting point and will take steps to correct this non-substantive error prior to the instrument being made.

Merit Scrutiny point 2: The Welsh Government is grateful to the LJCC for raising this point.

The Welsh Government undertook a 12 week public consultation on the proposals underpinning the Regulations between 15 May and 6 August 2023. A summary of responses to the consultation was published in October 2023.

Steps have been taken to ensure that a copy of the statement required in accordance with the requirements of section 27(5) of the Regulation and Inspection of Social Care (Wales) Act 2016 is laid before the Senedd before the draft Regulations are made.

¹ The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017

The Committee may also wish to note that the Welsh Government will update the Explanatory Memorandum to ensure consistency in the references between the Regulations and Explanatory Memorandum.

Technical drafting corrections to be made prior to the making of the Regulations.

CORRECTIONS MADE TO THE WELSH TEXT PRIOR TO MAKING	CORRECTIONS MADE TO THE ENGLISH TEXT PRIOR TO MAKING
The text “ <i>Gosodwyd gerbron Senedd Cymru ***</i> ” in the Approval Text at the beginning of the Regulations will be removed.	The text “ <i>Laid before Senedd Cymru ***</i> ” in the Approval Text at the beginning of the Regulations will be removed.