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Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol
Minister for Health and Social Services



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MD/05115/14

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4 October 2014

Dear David,

Thank you for your letter of 17 September regarding the Welsh Government approach to implementing the subordinate legislation made under the Social Services and Well-being (Wales) Act 2014.

The consultation on and laying of the regulations to be made under the Act will be conducted principally in two tranches.

I intend that the first tranche will be made available for a 12-week public consultation in November 2014. I then anticipate undertaking a consultation exercise on the second tranche between May and July 2015.

The first of the tranches deals with core provisions around eligibility, assessment, care and support planning and direct payments in parts 2 to 4 of the Act, together with provisions in part 7, around safeguarding. I intend to lay these regulations before the Assembly in May 2015, with a view to giving the sector the maximum amount of time to adjust to the new requirements ahead of implementation in 6 April 2016. I attach, at annex A, additional information on the regulations to be made in this tranche.

The second tranche will focus on part 6 of the Act, dealing with looked-after and accommodated children, and part 5 dealing with paying for care, together with part 9 on collaboration and partnership. Following consultation, my current intention is to lay the regulations in relation to this tranche in November 2015.

I hope this helps to clarify the current position.

Best wishes,
Mark

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Annex A

Regulations to be made under the Social Services and Well-being (Wales) Act 2014 – Tranche 1

Tranche 1 Key Timings (all regulations)

Consultation (*November 2014 – January 2014*)

Regulations Laid before the NAFW (*May 2014*)

CIF (*6 April 2016*)

Regulations

Part	Section	Subject	Title (proposed)	Procedure
2 <i>(General Functions)</i>	14	Assessment of needs for care, and support for carers and preventative services	The Care and Support (population assessment) (Wales) Regulations 201...	Negative
2	16	Promoting social enterprises	The Social Services and Well-being (Wales) Act 2014 (Social Enterprise, Co-operative and Third Sector) (Wales) Regulations 201...	Affirmative
3 <i>(Assessing the needs of individuals)</i>	30	Regulations about assessment	The Care and Support (Assessment) (Wales) Regulations 201...	Negative
4 <i>(Meeting needs)</i>	32	Determination of eligibility and consideration of what to do to meet needs	The Care and Support (Eligibility) (Wales) Regulations 201...	Super Affirmative
4	50,51,52,53	Direct Payments	The Care and Support (Direct Payments) (Wales) Regulations 201...	Negative
5 <i>(Charging and Financial assessment)</i>	64(4) and 55	Care and support plans and support plans	The Care and Support (Care Planning) (Wales) Regulations 201...	Negative
7 <i>(Safeguarding)</i>	127(9)	Officers authorised to apply for Adult Protection and Support Orders	The Adult Protection and Support Orders (Authorised Officer) (Wales) Regulations 201...	Affirmative

7	133	Regulations about the National Board	National Independent Safeguarding Board Regulations 201...	Negative
7	134(1), (3) and (6) 135(4), 136(3), 138 and 139	Prescribing areas for new Safeguarding Boards and related matters concerning Board operations	The Safeguarding Boards (Functions and Procedures) (Wales) Regulations 201... The Safeguarding Boards (General) (Wales) Regulations 201...	Negative 135(4) - Affirmative
9 <i>(Co-operation and partnership)</i>	166	Partnership arrangements	<u>The Care and Support (Partnership arrangement for population assessments (Wales) Regulations 201...</u>	Affirmative
11 <i>(Miscellaneous and General)</i>	194 and 195	Ordinary residence and disputes about ordinary residence	The Care and Support (Ordinary Residence) (Specified Accommodation) (Wales) Regulations 201... The Care and Support (Disputes about Ordinary Residence, etc.) (Wales) Regulations 201...	Negative