

2019 No. (W.)

SOCIAL CARE, WALES

**The Regulated Services (Annual
Returns and Registration) (Wales)
(Amendment) Regulations 2019**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Regulated Services (Annual Returns) (Wales) Regulations 2017 (“the Annual Returns Regulations”) and the Regulated Services (Registration) (Wales) Regulations 2017 (“the Registration Regulations”).

Regulation 6 (other information) of the Annual Returns Regulations is amended to incorporate those service providers who are registered to provide an adoption service, a fostering service, an adult placement service or an advocacy service, to submit additional information, as specified within the Schedule, as part of their annual return.

Regulation 9A (time for submission of first annual returns) is inserted to specify the year the first set of annual returns is to be submitted by respective service providers.

The Schedule (information about staffing), paragraph 5 is amended to distinguish the categories of filled and vacant posts that are required to be contained in the annual return by respective service providers.

Schedule 1 (information required about the service to be provided) of the Registration Regulations is amended to incorporate those service providers who are registered to provide an adoption service, a fostering service, an adult placement service or an advocacy service.

Schedule 2 (information required to be contained in a statement of purpose) is amended to incorporate those service providers who are registered to provide an adoption service, a fostering service, an adult placement service or an advocacy service.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2019 No. (W.)

SOCIAL CARE, WALES

The Regulated Services (Annual Returns and Registration) (Wales) (Amendment) Regulations 2019

Made 12 February 2019

Laid before the National Assembly for Wales
13 February 2019

Coming into force 29 April 2019

The Welsh Ministers, in exercise of the powers conferred by sections 6(1)(d), 10(4), 11(3)(a)(iii) and 187(1) of the Regulation and Inspection of Social Care (Wales) Act 2016(1), make the following Regulations.

Title, commencement and interpretation

1.—(1) The title of these Regulations is the Regulated Services (Annual Returns and Registration) (Wales) (Amendment) Regulations 2019.

(2) These Regulations come into force on 29 April 2019.

(3) In these Regulations—

“the Annual Returns Regulations” (“*y Rheoliadau Datganiadau Blynyddol*”) means the Regulated Services (Annual Returns) (Wales) Regulations 2017(2);

“the Registration Regulations” (“*y Rheoliadau Cofrestru*”) means the Regulated Services (Registration) (Wales) Regulations 2017(3).

Amendments to the Annual Returns Regulations

2. The Annual Returns Regulations are amended in accordance with regulations 3 to 5.

(1) 2016 anaw 2; *see* the definition of “prescribed” in section 189.

(2) S.I. 2017/1097 (W. 277).

(3) S.I. 2017/1098 (W. 278).

Other information

3. In regulation 6, after “domiciliary support service” insert “, an adoption service, a fostering service, an adult placement service or an advocacy service”.

Time for submission of first annual returns

4. After regulation 9 insert—

“Time for submission of first annual returns

9A.—(1) The first set of annual returns by service providers who are registered to provide a care home service, a secure accommodation service, a residential family centre service or a domiciliary support service, must be submitted in 2020.

(2) The first set of annual returns by service providers who are registered to provide an adoption service, a fostering service, an adult placement service or an advocacy service, must be submitted in 2021.

(3) If a service provider is registered to provide services listed in both paragraphs (1) and (2), an annual return does not need to contain information in relation to those services listed in paragraph (2) until 2021.”

Schedule

5. In the Schedule, in paragraph 5—

(a) in sub-paragraph (j), for “.” substitute “;”;

(b) after sub-paragraph (j) insert the following—

“but sub-paragraphs (d), (e), (h), and (i) do not apply if a service provider is registered only to provide an adoption service, a fostering service, an adult placement service or an advocacy service.”

Amendments to the Registration Regulations

6. The Registration Regulations are amended in accordance with regulations 7 to 11.

Information to be provided by an applicant

7. In regulation 3(c), for “from” substitute “in relation to”.

Information to be provided by a service provider for variation of registration – section 11(1)(a)(i) and (ii)

8. In regulation 6(c), for “from” substitute “in relation to”.

9. In regulation 7(c), for “from” substitute “in relation to”.

Schedule 1 – information required about the service to be provided

10. In Schedule 1, after paragraph 31 insert—

“31A. In the case of an adoption service, a fostering service, an adult placement service or an advocacy service, the date on which it is intended to begin providing the service in relation to each place specified in the application.”

Schedule 2 – information required to be contained in a statement of purpose

11. In Schedule 2, after paragraph (e) insert—

- “(ea) in the case of an adoption service, a fostering service, an adult placement service or an advocacy service—
- (i) the name of the service;
 - (ii) the area in relation to which the service is provided;
 - (iii) the addresses of the office or offices from which the service will be provided;
 - (iv) the addresses of any other office or offices which are used in connection with the provision of the service;”.

Julie Morgan

Deputy Minister for Health and Social Services under authority of the Minister for Health and Social Services, one of the Welsh Ministers
12 February 2019