

Statutory Instruments with Clear Reports

04 March 2019

SL(5)319 – The Arrangements for Assistance for Persons Making Representations (Wales) Regulations 2019

Procedure: Negative

Under section 178(4) and (5) of the Social Services and Well-being (Wales) Act 2014, the Welsh Ministers are required to make regulations to make further provision about a local authority's duty to make arrangements to help children and young persons who want to make representations. This applies to representations by children and young persons about a range of the local authority's social services functions which affect children and young persons.

These Regulations make provision about the categories of persons who, under the local authority's arrangements, may not provide assistance to the child or young person.

When a local authority becomes aware that a child or young person wants to make representations, regulation 3 requires the local authority to provide information about advocacy services and help in obtaining the assistance of an advocate.

Regulation 4 requires a local authority to monitor its compliance with these requirements.

Parent Act: Social Services and Well-being (Wales) Act 2014

Date Made: 06 February 2019

Date Laid: 08 February 2019

Coming into force date: 01 April 2019



SL(5)321 – The Regulated Services (Annual Returns and Registration) (Wales) (Amendment) Regulations 2019

Procedure: Negative

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.

Parent Act: Regulation and Inspection of Social Care (Wales) Act 2016

Date Made: 12 February 2019



Date Laid: 13 February 2019

Coming into force date: 29 April 2019

SL(5)323 – The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2019

Procedure: Negative

The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2019 ('the 2019 Regulations') amend:

- the Education (Fees and Awards) (Wales) Regulations 2007;
- the Education (European University Institute) (Wales) Regulations 2014;
- the Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provisions) (Wales) Regulations 2015;
- the Education (Student Support) (Wales) Regulations 2017;
- the Education (Student Support) (Wales) Regulations 2018; and
- the Education (Postgraduate Doctoral Degree Loans) (Wales) Regulations 2018.

These Regulations make a number of technical amendments and introduce a number of changes to student support related matters and apply to academic years beginning on or after 1 September 2019. Briefly, the amendments made by the 2019 Regulations concern:

An increase to the amount of Disabled Student's Grant;

An increase to the amount of maintenance support available to 2019 cohort students;

An increase to the amount of maintenance support made available to eligible students who began their courses on or after 1 September 2012 but before 1 August 2019 ("2012 Cohort Students") is increased each year in order to reflect cost of living increases;



An adjustment to the balance between tuition fee grant and tuition fee loan for 2012 Cohort Students in line with policy introduced in the 2012/13 academic year;

Student support for unaccompanied children – a new eligibility category in respect of individuals granted leave to remain under section 67 of the Immigration Act 2016;

Revise the conditions of designation concerning courses in England for the purpose of student support;

Consequential amendments as a result of the change from Joint Academic Coding System (JACS) which is being replaced by the Higher Education Classification of Subjects (HECoS).

Parent Act: Education (Fees and Awards) Act 1983; Teaching and Higher Education Act 1998; Higher Education (Wales) Act 2015

Date Made: 12 February 2019

Date Laid: 13 February 2019

Coming into force date: 08 March 2019

SL(5)331 – The Regulation and Inspection of Social Care (Wales) Act 2016 (Consequential Amendments) Regulations 2019

Procedure: Affirmative

These Regulations are made under section 186 of the Regulation and Inspection of Social Care (Wales) Act 2016 (“the Act”).

The Act introduces a new system of registration for care and support services in Wales, replacing that established by the Care Standards Act 2000 (“the 2000 Act”).

Part 1 of the Act replaces the system of registration for providers of social care services set out in Parts 1 and 2 of the 2000 Act, which registers



establishments and agencies. The 2000 Act requires a separate registration for each location at which a social care service is provided.

The Act takes a different approach which is service based. A provider must register with the Welsh Ministers in order to provide any care and support service which is a regulated service under the Act and that registration will contain the details of all the locations at which the provider provides a regulated service.

These Regulations make consequential amendments to primary legislation which refer for various purposes to one of the categories of establishment or agency which were regulated under the 2000 Act in order to replace such references with references to the appropriate “regulated service” under the Act.

Part 1 of the Act was commenced on 2 April 2018 in relation to the following regulated services—

- (a) care home services;
- (b) secure accommodation services;
- (c) residential family centre services;
- (d) domiciliary support services.

On 29 April 2019 Part 1 of the Act is commenced in relation to the remaining regulated services—

- (a) adoption services;
- (b) fostering services;
- (c) adult placement services;
- (d) advocacy services (advocacy services are not currently registered under the 2000 Act).

Parent Act: Regulation and Inspection of Social Care (Wales) Act 2016

Date Made:



Date Laid: 15 February 2019

Coming into force date:

