

2015 No. 1358 (W. 132)

SOCIAL CARE, WALES

**The National Independent
Safeguarding Board (Wales)
Regulations 2015**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations relate to the National Independent Safeguarding Board which was established under section 132 of the Social Services and Well-being (Wales) Act 2014.

Regulation 3 provides that the National Board is to consist of up to 6 members appointed by the Welsh Ministers.

Regulation 4 provides for proceedings at National Board meetings.

Regulation 5 provides for the National Board to set up supplementary groups to consider certain matters.

Regulation 6 requires the National Board to arrange to meet the chairs of Safeguarding Boards at least twice every year.

Regulation 7 requires the National Board to hold annual consultation meetings.

Regulation 8 provides for the information to be included in the National Board's annual report and the times for making and publishing the report.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained by contacting the Department for Health and Social Services, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

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**The National Independent
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Regulations 2015**

Made 4 June 2015

Laid before the National Assembly for Wales
9 June 2015

Coming into force 1 October 2015

The Welsh Ministers, in exercise of the powers conferred by section 133(1) and (2) of the Social Services and Well-being (Wales) Act 2014⁽¹⁾, make the following Regulations.

Title, Commencement and Application

1.—(1) The title of these Regulations is The National Independent Safeguarding Board (Wales) Regulations 2015.

(2) These Regulations come into force on 1 October 2015.

(3) These Regulations apply in relation to Wales.

Interpretation

2. In these Regulations—

“the Act” (“*y Ddeddf*”) means the Social Services and Well-being (Wales) Act 2014;

“Board member” (“*aelod o’r Bwrdd*”) means a member of the National Board;

“National Board” (“*Bwrdd Cenedlaethol*”) means the National Independent Safeguarding Board;

⁽¹⁾ 2014 anaw 4.

“Safeguarding Board” (“*Bwrdd Diogelu*”) means a safeguarding board established under section 134 of the Act.

Constitution

3.—(1) The National Board is to consist of up to six members appointed by the Welsh Ministers.

(2) The Welsh Ministers must appoint one of the Board members as chair of the National Board.

(3) The Welsh Ministers must determine the terms under which Board members will be appointed.

(4) The Welsh Ministers may provide staff and other resources to assist the National Board to carry out its functions.

Proceedings at meetings

4.—(1) The National Board must elect one of its members as vice-chair.

(2) The chair or the vice-chair is to preside at National Board meetings.

(3) The National Board is to take decisions by a simple majority vote of the Board members present; the person presiding is to have a second or casting vote in the event of a tie.

(4) The quorum for National Board meetings is 3 Board members, including the person presiding.

(5) The National Board must keep minutes of its meetings and a register of Board members’ interests.

Supplementary groups set up by the National Board

5.—(1) The National Board may set up supplementary groups to consider—

- (a) specific matters,
- (b) matters concerning only the safeguarding of children, or
- (c) matters concerning only the safeguarding of adults

and report back to the National Board.

(2) Such a group may consist of—

- (a) Board members only,
- (b) non-members and one or more Board members, or
- (c) non-members only.

Meetings between members of the National Board and chairs of Safeguarding Boards

6. One or more Board members must invite, and make arrangements to meet, the chairs of the Safeguarding Boards at least twice a year.

Consultation with people affected

7. The National Board must arrange to meet, at least once a year, a group of persons representative of those who may be affected by arrangements to safeguard children and adults in Wales.

Annual Report

8.—(1) The National Board must make its annual report to the Welsh Ministers no later than 31 October each year, in respect of the year ending with the preceding 31 March.

(2) The annual report must contain information about—

- (a) any support and advice provided by the National Board to Safeguarding Boards;
- (b) any other work undertaken by the National Board, or by supplementary groups set up by the National Board, and the outcomes achieved;
- (c) the adequacy and effectiveness of arrangements made by Safeguarding Boards to safeguard children and adults in Wales, including —
 - (i) lessons learnt from child practice reviews and adult practice reviews carried out by Safeguarding Boards and from other reviews and investigations;
 - (ii) examples where learning, information and resources have been shared between Safeguarding Boards within a Safeguarding Board area or between Safeguarding Boards across Wales;
 - (iii) examples of effective measures which Safeguarding Boards have taken to give affected children and adults the opportunity to participate in a Safeguarding Board's work.
- (d) any recommendations which the National Board wishes to make to the Welsh Ministers.

(3) The National Board must make the annual report publicly available no later than 31 December in the year in which it was made.

(4) In this regulation—

- (a) “child practice review” (“*adolygiad ymarfer plant*”) means a review carried out by a Safeguarding Board in accordance with regulation 4 of The Safeguarding Boards (Functions and Procedures) (Wales) Regulations 2015⁽¹⁾ which relates to a child; and
- (b) “adult practice review” (“*adolygiad ymarfer oedolion*”) means a review carried out by a Safeguarding Board in accordance with regulation 4 of The Safeguarding Boards (Functions and Procedures) (Wales) Regulations 2015 which relates to an adult.

Mark Drakeford

Minister for Health and Social Services, one of the
Welsh Ministers

4 June 2015

⁽¹⁾ SI 2015/1357 (W. 131)