

*Draft Regulations laid before Senedd Cymru under section 187(2)(h) and (j) of the Regulation and Inspection of Social Care (Wales) Act 2016, for approval by resolution of Senedd Cymru.*

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DRAFT WELSH STATUTORY  
INSTRUMENTS

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**2025 No. (W.)**

**SOCIAL CARE, WALES**

**The Regulated Services (Inspection  
Ratings) (Wales) Regulations 2025**

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations make provision about ratings given by the Welsh Ministers in relation to the quality of care and support provided by a service provider following an inspection under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 (“the Act”).

The ratings with which these Regulations are concerned are those given by the Welsh Ministers in an inspection report in relation to care home services or domiciliary support services under section 36(2)(d) of the Act.

In accordance with the power in section 37(2)(a) of the Act, these Regulations impose requirements on providers of care home services for adults and domiciliary support services to display ratings given by the Welsh Ministers in a specified manner and place.

In accordance with section 37(2)(c) of the Act, these Regulations make provision for a service provider to appeal against a rating given by the Welsh Ministers in certain circumstances.

These Regulations make it an offence for a service provider to fail to comply with specified requirements relating to the display of ratings given by the Welsh Ministers.

Part 1 of these Regulations contains definitions of terms used in the Regulations.

Part 2 of these Regulations makes provision about the ratings given by the Welsh Ministers in inspection reports. Regulation 2 imposes a duty on Welsh Ministers to give a rating when they carry out an inspection of a care home service or a domiciliary support service. Regulation 3 prescribes the places and manner in which ratings must be displayed. It includes requirements for ratings given to be shown on websites, and also for ratings to be displayed at each place at or from which the services are provided. Regulation 4 includes provision for a service provider to appeal against ratings where certain conditions are met.

Part 3 deals with offences. Regulation 5 is made under section 45 of the Act and provides that a service provider's failure to comply with the requirements of specified provisions in these Regulations is an offence.

Part 4 makes amendments to the Regulated Services (Penalty Notices) (Wales) Regulations 2019 and sets out which offences for breaches of requirements imposed by these Regulations can be the subject of a penalty notice issued by the Welsh Ministers under section 52 of the Act.

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 from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff CF10 3NQ and is published on [www.gov.wales](http://www.gov.wales).

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**2025 No. (W.)**

**SOCIAL CARE, WALES**

**The Regulated Services (Inspection  
Ratings) (Wales) Regulations 2025**

*Made*

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*Coming into force*

*31 March 2025*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 37(1) and (2)(a) and (c), 45, 52(1)(1) and (6) and 187(1) of the Regulation and Inspection of Social Care (Wales) Act 2016(2) (“the Act”) and having consulted such persons as they think appropriate, as required by section 37(3) of the Act.

A draft of these Regulations was laid before Senedd Cymru under section 187(2)(h) and (j) of the Act and has been approved by a resolution of Senedd Cymru(3).

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- (1) Section 52(1) refers to offences which are “prescribed”. Section 189 of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) defines “prescribed” as meaning “prescribed by regulations made by the Welsh Ministers”.
- (2) 2016 anaw 2.
- (3) References in the Act to “the National Assembly for Wales” now have effect as references to Senedd Cymru by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).

## PART 1

### General

#### **Title, coming into force and interpretation**

**1.**—(1) The title of these Regulations is the Regulated Services (Inspection Ratings) (Wales) Regulations 2025.

(2) These Regulations come into force on 31 March 2025.

(3) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Regulation and Inspection of Social Care (Wales) Act 2016;

“care home service” (“*gwasanaeth cartref gofal*”) has the meaning given by paragraph 1 of Schedule 1 to the Act;

“domiciliary support service” (“*gwasanaeth cymorth cartref*”) has the meaning given by paragraph 8 of Schedule 1 to the Act;

“inspection rating” (“*gradd arolygu*”) means the rating in respect of a relevant regulated service which the Welsh Ministers must give in accordance with regulation 2 of these Regulations;

“inspection report” (“*adroddiad arolygu*”) means a report prepared by the Welsh Ministers after an inspection in accordance with section 36 of the Act;

“relevant regulated service” (“*gwasanaeth rheoleiddiedig perthnasol*”) means—

(a) a care home service;

(b) a domiciliary support service;

“relevant service provider” (“*darparwr gwasanaeth perthnasol*”) means a person registered by the Welsh Ministers as a provider of a relevant regulated service.

## PART 2

### Inspection ratings

#### **Welsh Ministers’ duty to provide inspection rating for relevant regulated service**

**2.** When the Welsh Ministers carry out an inspection of a relevant regulated service, they must, in respect of the assessments referred to in section 36(2)(a) to (c) of the Act, give such rating as they consider appropriate.

#### **Requirement as to display of inspection ratings**

**3.**—(1) A relevant service provider must show on every website maintained by it or on its behalf, and

which relates to its relevant regulated service, the most recent inspection rating—

- (a) for each relevant regulated service, and
- (b) for each place at, from or in relation to which the relevant regulated service is provided, and to which the rating applies.

(2) A relevant service provider must ensure that a copy of the information to which paragraph (1) applies is made available upon request.

(3) A relevant service provider must display the most recent inspection rating at the place at which, or from which the service is provided and to which the rating applies.

(4) But paragraph (3) does not apply in relation to—

- (a) a care home service provided at a place where—
  - (i) it is provided wholly or mainly to persons under the age of 18, or
  - (ii) it accommodates four or fewer individuals;
- (b) a place from which a domiciliary support service is provided which is not accessible to members of the public.

(5) An inspection rating required to be displayed in accordance with the requirements of this regulation must—

- (a) be displayed without delay after it is published in an inspection report;
- (b) be in the specified form designated by the Welsh Ministers;
- (c) be legible;
- (d) include the date the inspection rating was given;
- (e) be displayed conspicuously in a location accessible to—
  - (i) individuals who are in receipt of the relevant regulated service;
  - (ii) visitors to the place at or from which the relevant regulated service is provided.

#### **Appealing against inspection ratings**

4.—(1) A relevant service provider may appeal to the Welsh Ministers against an inspection rating given where the conditions set out in paragraph (2) are met.

(2) The conditions are that—

- (a) the relevant service provider has, within 10 working days beginning with the day on

which it receives<sup>(1)</sup> a copy of an inspection report<sup>(2)</sup>, notified the Welsh Ministers in writing that it is seeking a review of the inspection rating on the following grounds—

- (i) factual inaccuracy;
- (ii) incomplete evidence,
- (b) the relevant service provider has received the outcome of the Welsh Ministers' review of the inspection rating,
- (c) the relevant service provider has, within 5 working days beginning with the day on which it receives the outcome of the review, notified the Welsh Ministers in writing that it is seeking to appeal against the outcome of the review, and
- (d) the appeal is made on the same grounds as those relied on to seek the review referred to in sub-paragraph (a).

(3) Where an appeal is made by a relevant service provider, the Welsh Ministers must—

- (a) consider the appeal and confirm the final inspection rating by sending the relevant service provider a final inspection report;
- (b) comply with the duty to publish the inspection report under section 36(3)(a) of the Act.

## PART 3

### Offences

**5.**—(1) It is an offence for a relevant service provider to fail to comply with a requirement of any of the provisions specified in paragraph (2).

(2) The provisions specified for the purposes of paragraph (1) are the provisions of regulation 3(1) and (3).

## PART 4

### Amendments to the Regulated Services (Penalty Notices) (Wales) Regulations 2019

**6.** The Regulated Services (Penalty Notices) (Wales) Regulations 2019<sup>(3)</sup> are amended as follows—

- (a) in regulation 2, in the appropriate position insert—

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(1) See section 184(8) of the Act.  
(2) As soon as reasonably practicable after an inspection has been carried out, the Welsh Ministers must prepare a report of the inspection and send a copy of it to the service provider under section 36(1) of the Act.  
(3) S.I. 2019/887 (W. 159).

““the Inspection Ratings Regulations” (“y Rheoliadau Graddau Arolygu”) means the Regulated Services (Inspection Ratings) (Wales) Regulations 2025;”;

(b) after regulation 9 insert—

**“Offences under the Inspection Ratings Regulations**

**9ZA.**—(1) The offence under the provision of the Inspection Ratings Regulations listed in the first column of the table in Schedule 5A is prescribed as an offence for the purposes of section 52(1) of the Act.

(2) The second column of the table in Schedule 5A contains a description of the general nature of the prescribed offence.

(3) The amount of the penalty to be paid for the offence is specified in the third column of the table in Schedule 5A.”;

(c) after Schedule 5, insert—

“Schedule 5A Regulation 9ZA  
 Prescribed offences - inspection  
 ratings

<i>Provision creating offence</i>	<i>General nature of the offence</i>	<i>Amount of penalty</i>
Regulation 3(1) and (3) of the Inspection Ratings Regulations	Contravention of, or failure to comply with, requirement as to display of inspection ratings	An amount corresponding to level 4 on the standard scale”

*Name*

Minister for Social Care, under the authority of the  
 Cabinet Secretary for Health and Social Services, one  
 of the Welsh Ministers

*Date*