

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

DRAFT WELSH STATUTORY
INSTRUMENTS

2023 No. (W.)

SOCIAL CARE, WALES

**The Register of Service Providers
(Prescribed Information and
Miscellaneous Amendments)
(Wales) Regulations 2023**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under powers conferred on the Welsh Ministers by the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2) (“the 2016 Act”). The purpose of these Regulations is to prescribe certain additional information which must be shown on each entry in the register of service providers maintained by the Welsh Ministers under section 38(1) of the 2016 Act. These Regulations also require service providers to notify the Welsh Ministers of telephone number and electronic mail address changes for services regulated under the 2016 Act.

Regulation 2 provides that additional information, in the form of an electronic mail address and telephone number for the service, is prescribed under the power conferred by section 38(2)(g) of the 2016 Act. This additional prescribed information must be shown on the register in respect of each place at, from or in relation to which, a service is provided.

Regulations 3 and 4 amend the Regulated Services (Registration) (Wales) Regulations 2017 to impose a requirement on applicants seeking to provide a care home service, a secure accommodation service or a residential family centre service to provide the electronic mail address for the premises at which it is intended to provide the regulated service. This amendment ensures that all applicants must provide this information when making applications for

registration and for variation of registration for all regulated services under the 2016 Act.

Regulations 5 and 6 amend the Regulated Services (Annual Returns) (Wales) Regulations 2017 to include a requirement for the electronic mail address and telephone number in respect of each place at, from or in relation to which, a service is provided to be included as part of a service provider's annual return.

Regulations 7 to 16 amend the following Regulations to add an additional notification requirement on service providers of any change in a regulated service's electronic mail address or telephone number:

- (a) the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017,
- (b) the Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019,
- (c) the Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019,
- (d) the Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019, and
- (e) the Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019.

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.

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(Prescribed Information and
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(Wales) Regulations 2023**

Made

*Coming into force in accordance with regulation
1(2) and (3)*

The Welsh Ministers, in exercise of the powers conferred upon them by sections 6(1)(d), 10(2)(a)(ix), 11(3)(a)(iii), 27(1) and 38(2)(g) of the Regulation and Inspection of Social Care (Wales) Act 2016⁽¹⁾ (the “2016 Act”), make the following Regulations⁽²⁾.

The Welsh Ministers have consulted such persons as they think appropriate as required by section 27(4)(a) of the 2016 Act and have published a statement about the consultation as required by section 27(4)(b) of the 2016 Act. The Welsh Ministers have laid a copy of the statement before Senedd Cymru as required by section 27(5) of the 2016 Act.

A draft of these Regulations was laid before Senedd Cymru under section 187(2)(f) of the 2016 Act and has been approved by a resolution of Senedd Cymru⁽³⁾.

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- (1) 2016 anaw 2; see the definition of “prescribed” in section 189 of the 2016 Act.
- (2) See section 40 of the Legislation (Wales) Act 2019 (anaw 4) for provision about the procedure that applies to this instrument.
- (3) The references in sections 27(5) and 187(2) of the 2016 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 and coming into force

1.—(1) The title of these Regulations is the Register of Service Providers (Prescribed Information and Miscellaneous Amendments) (Wales) Regulations 2023.

(2) These Regulations, other than regulation 2, come into force on 31 December 2023.

(3) Regulation 2 comes into force on 30 September 2024.

PART 2

Prescribed Information

Register of service providers: prescribed information

2. The following information is prescribed under section 38(2)(g) of the Regulation and Inspection of Social Care (Wales) Act 2016 as information which must be shown in an entry in the register of service providers—

- (a) an electronic mail address,
- (b) a telephone number of the service,

in respect of each place at, from or in relation to which, a service is provided.

PART 3

Requirement for Further Information from Service Providers

Amendment of the Regulated Services (Registration) (Wales) Regulations 2017

3. The Regulated Services (Registration) (Wales) Regulations 2017⁽¹⁾ are amended in accordance with regulation 4.

4. In Schedule 1, in paragraph 32(a), after “address” insert “, electronic mail address”.

⁽¹⁾ S.I. 2017/1098 (W. 278).

Amendment of the Regulated Services (Annual Returns) (Wales) Regulations 2017

5. The Regulated Services (Annual Returns) (Wales) Regulations 2017⁽¹⁾ are amended in accordance with regulation 6.

6. In the Schedule, in paragraph 1, after “Contact details”, omit the full stop and insert “including electronic mail address and telephone number.”

Amendment of the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017

7. The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017⁽²⁾ are amended in accordance with regulation 8.

8. In Part 1 of Schedule 3, after paragraph 25 insert the following paragraph—

“25A. Any change of telephone number or electronic mail address for the service.”

Amendment of the Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

9. The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019⁽³⁾ are amended in accordance with regulation 10.

10. In Part 1 of Schedule 3, after paragraph 22, insert the following paragraph—

“22A. Any change of telephone number or electronic mail address for the service.”

Amendment of the Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

11. The Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019⁽⁴⁾ are amended in accordance with regulation 12.

12. In Schedule 3, after paragraph 18, insert the following paragraph—

“18A. Any change of telephone number or electronic mail address for the service.”

(1) S.I. 2017/1097 (W. 277).
(2) S.I. 2017/1264 (W. 295).
(3) S.I. 2019/169 (W. 42).
(4) S.I. 2019/165 (W. 41).

**Amendment of the Adult Placement Services
(Service Providers and Responsible Individuals)
(Wales) Regulations 2019**

13. The Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019(1) are amended in accordance with regulation 14.

14. In Schedule 3, after paragraph 21, insert the following paragraph—

“**22.** Any change of telephone number or electronic mail address for the service.”

**Amendment of the Regulated Adoption Services
(Service Providers and Responsible Individuals)
(Wales) Regulations 2019**

15. The Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019(2) are amended in accordance with regulation 16.

16. In Part 1 of Schedule 3, after paragraph 18, insert the following paragraph—

“**18A.** Any change of telephone number or electronic mail address for the service.”

Name

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

Date

(1) S.I. 2019/163 (W. 40).
(2) S.I. 2019/762 (W. 145).