



Public Services Ombudsman (Wales) Act 2005

2005 CHAPTER 10

[^{F1}PART 2A

INVESTIGATION OF COMPLAINTS RELATING TO OTHER PERSONS: SOCIAL CARE AND PALLIATIVE CARE

Interpretation

[^{F1}34R Meaning of “care home” and “care home provider”

- (1) This section applies for the purposes of this Act.
- (2) “Care home” [^{F2}means premises at which a care home service, within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016, is provided wholly or mainly to persons aged 18 or over;]
- (3) “Care home provider” means a person who [^{F3}is a service provider of a care home service within the meaning of Part 1 of that Act where the service is provided wholly or mainly to persons aged 18 or over] .
- (4) Action is to be treated as action taken by a care home provider if it is taken by—
 - (a) a person employed by that provider,
 - (b) a person acting on behalf of that provider, or
 - (c) a person to whom that provider has delegated any functions.
- (5) Action is also to be treated as action taken by a care home provider if—
 - (a) that provider provides, by means of an arrangement with another person, accommodation, nursing or [^{F4}care in a care home in Wales for an individual because of the individual's vulnerability or need,] and
 - (b) the action is taken by or on behalf of the other person in carrying out the arrangement.

Changes to legislation: There are currently no known outstanding effects for the Public Services Ombudsman (Wales) Act 2005, Section 34R. (See end of Document for details)

[“Care” has the same meaning as in Part 1 of the Regulation and Inspection of Social
^{F5}(6) Care (Wales) Act 2016.]]

Textual Amendments

- F1** Pts. 2A, 2B inserted (1.11.2014) by [Social Services and Well-being \(Wales\) Act 2014 \(anaw 4\)](#), s. 199(2), **Sch. 3 para. 2** (with [Sch. 3 para. 3](#)); S.I. 2014/2718, art. 2(b)
- F2** Words in s. 34R(2) substituted (2.4.2018) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), **Sch. 3 para. 26(a)**; S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)
- F3** Words in s. 34R(3) substituted (2.4.2018) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), **Sch. 3 para. 26(b)**; S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)
- F4** Words in s. 34R(5) substituted (2.4.2018) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), **Sch. 3 para. 26(c)**; S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)
- F5** S. 34R(6) inserted (2.4.2018) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), **Sch. 3 para. 26(d)**; S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

Changes to legislation:

There are currently no known outstanding effects for the Public Services Ombudsman (Wales) Act 2005, Section 34R.