

Changes to legislation: Education and Inspections Act 2006, Cross Heading: Care Standards Act 2000 (c. 14) is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 14

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PART 8

Care Standards Act 2000 (c. 14)

38 The Care Standards Act 2000 has effect subject to the following amendments.

Commencement Information

II Sch. 14 para. 38 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

39 In section 5(1) (registration authorities) for paragraph (a)(ii) substitute—
“(ii) the CSCI, in the case of care homes, domiciliary care agencies and nurses agencies;
(iii) Her Majesty's Chief Inspector of Education, Children's Services and Skills (referred to in this Act as “the CIECSS”), in the case of children's homes, residential family centres, fostering agencies, voluntary adoption agencies and adoption support agencies;”.

Commencement Information

I2 Sch. 14 para. 39 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

40 (1) Section 8 (general functions of the Assembly) is amended as follows.
(2) For subsection (3) substitute—
“(3) The Assembly shall have such additional functions in relation to Part II services provided in Wales as may be specified in regulations made by the Assembly.
(3A) But the only functions which may be so specified in relation to a particular Part II service are functions which—
(a) by virtue of section 5A(7) are exercisable by the CHAI;
(b) by virtue of section 5B(7) are exercisable by the CSCI; or
(c) by virtue of section 118(4) of the Education and Inspections Act 2006 are exercisable by the CIECSS,
in relation to the corresponding Part II service provided in England.”
(3) In the subsection (6) inserted by section 109 of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) for paragraph (b) substitute—
“(b) any other functions exercisable by the Assembly corresponding to functions exercisable—

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- (i) by the CSCI in relation to England; or
- (ii) by the CIECSS under section 147 of the Education and Inspections Act 2006.”

(4) The subsection (6) inserted by paragraph 18(3) of Schedule 9 to the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) is renumbered as subsection (7).

Commencement Information

I3 Sch. 14 para. 40 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 41 In section 10(6) (inquiries relating to exercise of functions by Assembly) for paragraph (b) substitute—
- “(b) any other functions exercisable by the Assembly corresponding to functions exercisable—
 - (i) by the CHAI, the CSCI or the CIECSS under this Act in relation to England; or
 - (ii) by the CIECSS under section 147 of the Education and Inspections Act 2006.”

Commencement Information

I4 Sch. 14 para. 41 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 42 In section 11(4) (keeping of registers) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

Commencement Information

I5 Sch. 14 para. 42 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 43 In section 12(2) (applications for registration) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

Commencement Information

I6 Sch. 14 para. 43 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 44 In section 15(3)(a) (fees for applications by registered persons) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

Commencement Information

I7 Sch. 14 para. 44 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 45 In section 16(3)(a) (annual fee payable by persons registered under Part 2) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

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Commencement Information

I8 Sch. 14 para. 45 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 46 In section 22(7)(i)(i) (fees in respect of notifications) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

Commencement Information

I9 Sch. 14 para. 46 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 47 In section 29(1)(a) (proceedings for offences) for “or the CSCI” (in the first place) substitute “ , the CSCI or the CIECSS ”.

Commencement Information

I10 Sch. 14 para. 47 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 48 In section 31(7) (requirement to arrange for inspection of premises) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

Commencement Information

I11 Sch. 14 para. 48 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 49 In section 36A (voluntary adoption agencies: distribution of functions) for “the CSCI” (in each place) substitute “ the CIECSS ”.

Commencement Information

I12 Sch. 14 para. 49 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 50 In section 42(5) (power to extend application of Part 2) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.

Commencement Information

I13 Sch. 14 para. 50 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 51 Omit section 45(4) (inspection of premises used in discharge of adoption and fostering functions).

Commencement Information

I14 Sch. 14 para. 51 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 52 In section 55(3)(e) (persons who may be treated as social care workers)—
(a) after “the CSCI” insert “ , the Office for Standards in Education, Children's Services and Skills ”,
(b) for “or section 88” substitute “ , section 88 ”, and

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- (c) after “Act 2003” insert “ or section 139 of the Education and Inspections Act 2006 ”.

Commencement Information

I15 Sch. 14 para. 52 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 53 (1) Section 113A (fees payable under Part 2) is amended as follows.
- (2) In subsection (1)—
- (a) for “and the CSCI” substitute “ , the CSCI and the CIECSS ”, and
 - (b) after “to it” insert “ or him ”.
- (3) For subsection (3) substitute—
- “(3) Before making any provision under subsection (1), the CHAI, the CSCI or the CIECSS must consult such bodies as appear to it or him to be representative of the persons liable to pay the fee.”
- (4) In subsection (5) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”.
- (5) In subsection (6)—
- (a) for “or the CSCI” substitute “ , the CSCI or the CIECSS ”, and
 - (b) after “body” insert “ or person ”.

Commencement Information

I16 Sch. 14 para. 53 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

- 54 In section 121(13) (interpretation), at the appropriate place in the Table insert— “ the CIECSS Section 5. ”

Commencement Information

I17 Sch. 14 para. 54 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(gg\)](#)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)