

---

WELSH STATUTORY INSTRUMENTS

---

**2002 No. 324 (W.37)**

**SOCIAL CARE, WALES  
CHILDREN AND YOUNG PERSONS, WALES**

**The Care Homes (Wales) Regulations 2002**

*Made - - - - 12th February 2002*

*Coming into force 1st April 2002*

**THE CARE HOMES (WALES) REGULATIONS 2002**

**PART I**

**GENERAL**

1. Citation, commencement and application
2. Interpretation
3. Excepted establishments
4. Statement of purpose
5. Service user's guide
- 5A Information about fees
6. Review of statement of purpose and service user's guide

**PART II**

**REGISTERED PERSONS**

7. Fitness of registered provider
8. Appointment of manager
9. Fitness of registered manager
10. Registered person — general requirements
11. Notification of offences

**PART III**

**CONDUCT OF CARE HOME**

12. Health and welfare of service users
13. Further requirements as to health and welfare
14. Assessment of service users
15. Service user's plan
16. Facilities and services

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Care Homes (Wales) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 17. Records
- 18. Staffing
- 19. Fitness of workers
- 20. Restrictions on acting for service user
- 21. Staff views as to conduct of care home
- 22. Staff disciplinary procedure
- 23. Complaints

PART IV  
PREMISES

- 24. Fitness of premises

PART V  
MANAGEMENT

- 25. Review of quality of care
- 26. Financial position
- 27. Visits by registered provider

PART VI  
CHILDREN

- 28. Application of this Part
- 29. Interpretation
- 30. Statement of purpose
- 31. Registered person
- 32. Separate provision for children
- 33. Welfare and protection of children
- 34. Fitness of workers
- 35. Staff disciplinary procedure
- 36. Review of quality of care
- 37. Offences

PART VII  
MISCELLANEOUS

- 38. Notification of death, illness and other events
- 39. Notice of absence
- 40. Notice of changes
- 41. Notice of termination of accommodation
- 42. Appointment of liquidators etc
- 43. Death of registered person
- 44. Offences
- 45. Compliance with regulations
- 46. Adult placements
- 47. Modification of regulations in respect of adult placement carers
- 48. Specification of appropriate offices
- 49. Revocation
- Signature

- 
- SCHEDULE 1 INFORMATION TO BE INCLUDED IN THE STATEMENT OF PURPOSE
1. The name and business address of every registered person.
  2. The relevant qualifications and experience of every registered person.
  3. The number, relevant qualifications and experience of the staff working...
  4. The organisational structure of the care home.
  5. The age-range and sex of the service users for whom...
  6. The range of needs that the care home is intended...
  7. Whether nursing is to be provided.
  8. Any criteria used for admission to the care home, including...
  9. The arrangements for service users to engage in social activities,...
  10. The arrangements made for consultation with services users about the...
  11. The fire precautions and associated emergency procedures in the care...
  12. The arrangements made for service users to attend religious services...
  13. The arrangements made for contact between services users and their...
  14. The arrangements for dealing with complaints.
  15. The arrangements for dealing with reviews of the service user's...
  16. The number and size of rooms in the care home....
  17. Details of any specific therapeutic techniques used in the care...
  18. The arrangements for respecting the privacy and dignity of service...
  19. The arrangements made to discharge the obligation of the registered...
  20. Details of— (a) the care home's policy on behaviour management...
- SCHEDULE 2 INFORMATION AND DOCUMENTS TO BE AVAILABLE IN RESPECT OF PERSONS CARRYING ON, MANAGING, OR WORKING AT, CARE HOMES
1. Proof of identity including a recent photograph.
  2. Either— (a) where the certificate is required for a purpose...
  3. Two written references, including a reference from the last employer,...
  4. Where a person has previously worked in a position whose...
  5. Documentary evidence of any relevant qualification.
  6. A full employment history, together with a satisfactory written explanation...
  7. . . . .
  8. The requirement in paragraph 2 for a certificate to include...
- SCHEDULE 3 RECORDS TO BE KEPT IN A CARE HOME IN RESPECT OF EACH SERVICE USER
1. The following documents in respect of each service user—
  2. A recent photograph of the service user.
  3. A record of the following matters in respect of each...
  4. Copies of the care home's correspondence relating to each service...
- SCHEDULE 4 OTHER RECORDS TO BE KEPT IN A CARE HOME
1. A copy of the statement of purpose.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Care Homes (Wales) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

2. A copy of the service user’s guide.
  3. A record of all accounts kept in the care home....
  4. A copy of all inspection reports.
  5. A copy of any report made under regulation 27(4)(c).
  6. A record of all persons working at the care home,...
  7. A copy of the duty roster of persons working at...
  8. A record of the care home’s charges to service users,...
  9. A record of all money or other valuables deposited by...
  10. A record of furniture brought by a service user into...
  11. A record of all complaints made by service users or...
  12. A record of any of the following events that occur...
  13. Records of the food provided for service users in sufficient...
  14. A record of every fire practice, drill or test of...
  15. A statement of the procedure to be followed in the...
  16. A statement of the procedure to be followed in the...
  17. A record of all visitors to the care home, including...
- SCHEDULE 5  
**ADDITIONAL INFORMATION TO BE INCLUDED IN THE STATEMENT OF PURPOSE WHERE CHILDREN ARE ACCOMMODATED**
1. A statement of the facilities and services to be provided,...
  2. The following details— (a) the age-range, sex and numbers of...
  3. The criteria used for admission to the care home, including...
  4. If the care home provides or is intended to provide...
  5. A description of the care home’s ethos and philosophy, and...
  6. The arrangements made to protect and promote the health of...
  7. The arrangements for the promotion of the education of the...
  8. The arrangements to promote the participation of children in hobbies...
  9. The arrangements made for consultation with the children accommodated in...
  10. The arrangements for child protection and to counter bullying.
  11. The procedure for dealing with any unauthorised absence of a...
  12. The fire precautions and associated emergency procedures made for children...
  13. The arrangements made for the children’s religious instruction and observance....
  14. The arrangements made for contact between any child accommodated in...
  15. The arrangements for dealing with complaints.
  16. The arrangements for dealing with reviews of placement plans.
  17. The type of accommodation and sleeping arrangements provided (including details...
  18. Details of any specific therapeutic techniques used in the care...
  19. Details of the care home’s policy on anti-discriminatory practice in...
- SCHEDULE 6  
**MATTERS TO BE MONITORED AT A CARE HOME WHERE CHILDREN ARE ACCOMMODATED**
1. Compliance with any plan for the care of the child...
  2. The deposit and issue of money and other valuables handed...
  3. Daily menus.
  4. All accidents and injuries sustained in the care home or...
  5. Any illnesses of children accommodated in the care home.
  6. Complaints in relation to children accommodated in the care home...
  7. Any allegations or suspicions of abuse in respect of children...

**Changes to legislation:** *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Care Homes (Wales) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

8. Staff recruitment records and conduct of required checks for new...
  9. Visitors to the care home and to children in the...
  10. Notifications of the events listed in Schedule 5 to the...
  11. Any unauthorised absence from the care home of a child...
  12. The use of any disciplinary measures in respect of children...
  13. The use of physical restraint in respect of children accommodated...
- Explanatory Note

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Care Homes (Wales) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Sch. 2 para. 5 words inserted by S.I. 2011/1016 reg. 3(7)(a)
- Regulations revoked by S.I. 2018/48 Sch. 2
- reg. 2 words inserted by S.I. 2011/1016 reg. 3(2)
- reg. 2(1) words inserted by S.I. 2016/211 Sch. 3 para. 45(b)
- reg. 2(1) words substituted by S.I. 2014/107 Sch. 2 para. 2(1)
- reg. 2(1) words substituted by S.I. 2014/107 Sch. 2 para. 2(2)
- reg. 2(1) words substituted by S.I. 2016/211 Sch. 3 para. 45(a)
- reg. 7(3)(c) substituted by S.I. 2011/1016 reg. 3(3)(a)
- reg. 7(4) inserted by S.I. 2011/1016 reg. 3(3)(c)
- reg. 8(3) substituted by S.I. 2011/1016 reg. 3(4)
- reg. 9(2)(b)(ii) words substituted by S.I. 2011/1016 reg. 3(5)(a)(i)
- reg. 9(2)(c) words substituted by S.I. 2011/1016 reg. 3(5)(a)(ii)
- reg. 19(2)(d)(i) words substituted by S.I. 2011/1016 reg. 3(6)(a)
- reg. 19(2)(d)(ii) words substituted by S.I. 2011/1016 reg. 3(6)(b)
- reg. 19(5)(a) words substituted by S.I. 2011/1016 reg. 3(6)(c)

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

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

- Sch. 2 para. 5A inserted by S.I. 2011/1016 reg. 3(7)(b)
- Sch. 2 para. 5A words substituted by S.I. 2017/52 Sch. 1 para. 4(3)
- reg. 7(5)(6) reg. 7(4)(5) renumbered as reg. 7(5)(6) by S.I. 2011/1016 reg. 3(3)(b)
- reg. 7(6)(a) word substituted by S.I. 2016/481 Sch. 2 para. 15(a) (English text)
- reg. 7(6)(a) words inserted by S.I. 2012/2404 Sch. 3 para. 21(2)(a)
- reg. 7(6)(a) words inserted by S.I. 2012/2404 Sch. 3 para. 21(2)(c)
- reg. 7(6)(a) words inserted by S.I. 2012/2404 Sch. 3 para. 21(3)(a) (amendment to Welsh text)
- reg. 7(6)(a) words inserted by S.I. 2012/2404 Sch. 3 para. 21(3)(c) (amendment to Welsh text)
- reg. 7(6)(a) words omitted by S.I. 2012/2404 Sch. 3 para. 21(2)(b)
- reg. 7(6)(a) words omitted by S.I. 2012/2404 Sch. 3 para. 21(3)(b) (amendment to Welsh text)
- reg. 7(6)(a) words substituted by S.I. 2016/481 Sch. 2 para. 15(b) (Welsh text)
- reg. 9(3)-(6) inserted by S.I. 2011/1016 reg. 3(5)(c)
- reg. 9(6) words substituted by S.I. 2017/52 Sch. 1 para. 4(2)
- reg. 9(7) reg. 9(3) renumbered as reg. 9(7) by S.I. 2011/1016 reg. 3(5)(b)