
WELSH STATUTORY INSTRUMENTS

2004 No. 219

The Domiciliary Care Agencies (Wales) Regulations 2004

PART III

CONDUCT OF DOMICILIARY CARE AGENCIES

Fitness of workers

15.—(1) The registered person shall ensure that no person works as a domiciliary care worker for the purposes of the agency unless —

- (a) the person is fit to work for the purposes of the agency;
- (b) there is available in respect of that person full and satisfactory information or (as the case may be) documentation in respect of each of the matters specified in Schedule 3; and
- (c) the registered person is satisfied on reasonable grounds as to the authenticity of the references referred to in paragraph 5 of Schedule 3 in respect of that person.

(2) The registered person shall ensure that a person who is not a domiciliary care worker but who otherwise is required for the purposes of the agency to visit a service user in their home shall not work for the agency unless there is available in respect of that person full and satisfactory information or (as the case may be) documentation in respect of the matters specified in paragraphs 1 to 6 and 9 of Schedule 3.

(3) A person is not fit to work for the purposes of the agency unless —

- (a) the person has the qualifications, experience and skills necessary for the work which he or she is to perform; and
- (b) the person is physically and mentally fit for the purposes of the work which he or she is to perform.

(4) Paragraphs (1)(b) and (2), in so far as they relate to paragraph 4 of Schedule 3, shall not apply until 31st October 2004 in respect of a worker who has been supplied by or worked for the agency at any time during the period from 1st June 2003 to 31st May 2004.