

SCHEDULE 1

Amendments consequential upon the commencement of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016

Representations Procedure (Wales) Regulations 2014

- 30.**—(1) The Representations Procedure (Wales) Regulations 2014⁽¹⁾ are amended as follows.
- (2) In regulation 12(5) (matters subject to concurrent consideration), for “22” substitute “22A”.
- (3) In regulation 15(3) (representations made by “other persons” under section 174(1)(b) or (c), (3)(f), (4)(d) and (5)(b) of the Social Services and Well-being (Wales) Act 2014), for “22” substitute “22A”.
- (4) After regulation 22 (handling of care standards representations), insert—

“Handling of regulated services representations

22A.—(1) Except where paragraph (2) applies, in any case where representations relate wholly or partly to a regulated service, within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016, the local authority receiving such representations must, within 2 working days of receipt—

- (a) send details of the whole of the representations or that part of any representation which relates to the regulated service to the person registered by the Welsh Ministers as the service provider in respect of that regulated service;
- (b) request the service provider to whom the details are sent under sub-paragraph (a) to notify the authority within 10 working days of receipt of the outcome of its consideration of the representations; and
- (c) inform the person making the representations of the action taken under sub-paragraphs (a) and (b).
- (2) This paragraph applies where—
- (a) representations have already been considered by the service provider; or
- (b) the local authority is of the opinion that to proceed under paragraph (1) would be likely to compromise or prejudice an investigation by the Welsh Ministers.

(3) In any case where representations relate wholly or partly to services provided by a regulated service in respect of which a person is registered by the Welsh Ministers, the local authority must notify the Welsh Ministers if it has not been possible to resolve the representations under regulation 17.”

(1) S.I. 2014/1795 (W. 188), as amended by S.I. 2016/211 (W. 84); there are other amending instruments but none are relevant.