
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 186 of the Regulation and Inspection of Social Care (Wales) Act 2016 (“the Act”).

The Act introduces a new system of regulation for care and support services in Wales, replacing that established by the Care Standards Act 2000 (“the 2000 Act”).

Part 1 of the Act replaces the system of registration for providers of social care services, set out in Parts 1 and 2 of the 2000 Act, which require the registration of establishments and agencies and necessitates a separate registration for each location where a service was provided.

The Act takes a different approach which is service based. A provider must register with the Welsh Ministers in order to provide any care and support service which is regulated under the Act and that registration will contain the details of all the locations at which the provider provides the regulated service.

These Regulations make consequential amendments to secondary legislation in England and Wales which refer for various purposes to one of the categories of establishment or agency which were regulated under the 2000 Act in order to replace such references with services regulated under the Act.

Part 1 of the Act was commenced on 2 April 2018 in relation to the following regulated services—

- (a) care home services;
- (b) secure accommodation services;
- (c) residential family centre services;
- (d) domiciliary support services.

On 29 April 2019 Part 1 of the Act is commenced in relation to the remaining regulated services—

- (a) adoption services;
- (b) fostering services;
- (c) adult placement services;
- (d) advocacy services.

Advocacy services are not currently regulated under the 2000 Act.

Regulation 2 and Schedule 1 make consequential amendments to secondary legislation.

Regulation 3 and Schedule 2 specify the secondary legislation revoked by these Regulations.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.