



# Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

## PART 1

### REGULATION OF SOCIAL CARE SERVICES

#### CHAPTER 2

##### REGISTRATION ETC. OF SERVICE PROVIDERS

###### *Application for, variation of and cancellation of registration*

#### **8 Duration of domiciliary support visits**

- (1) The undertaking mentioned in section 7(1)(a)(ii) and 11(3)(a)(ii) is that a domiciliary support service will not be provided by way of a visit which is shorter than 30 minutes unless either condition A, B or C is met.
- (2) Condition A applies where—
  - (a) a local authority is required—
    - (i) by virtue of section 35 or 37 of the 2014 Act, to meet the needs of the person being visited, or
    - (ii) by virtue of section 40 or 42 of that Act, to meet the needs of that person's carer, and
  - (b) the authority meets those needs by providing or arranging the provision of a domiciliary support service to the person being visited.
- (3) Condition A is that—
  - (a) the individual carrying out the visit has previously carried out a visit during the period for which the local authority maintains—

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**Changes to legislation:** *There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Section 8. (See end of Document for details)*

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- (i) a care and support plan under section 54(1) of the 2014 Act in respect of the person being visited, or
  - (ii) a support plan under that section in respect of the person's carer, and
- (b) either—
  - (i) the visit is conducted for the sole purpose of checking whether the person is safe and well, or
  - (ii) the tasks to be performed during the visit can reasonably be, and are, completed to a standard which satisfies any requirements specified in regulations made under section 27 that are relevant to the visit.
- (4) Condition B applies where a domiciliary support service is provided in circumstances where Condition A does not apply.
- (5) Condition B is that—
  - (a) a visit of less than 30 minutes is consistent with the terms of any arrangement to provide the service made between the service provider and the person being visited (or another person acting on behalf of the person being visited),
  - (b) the visit is conducted for the sole purpose of checking whether the person is safe and well, or
  - (c) the tasks to be performed during the visit can reasonably be, and are, completed to a standard which satisfies any requirements specified in regulations made under section 27 that are relevant to the visit.
- (6) Condition C applies in any case where a domiciliary support service is provided by way of a visit to a person.
- (7) Condition C is that the visit is curtailed at the request of the person being visited.

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**Commencement Information**

**II** S. 8 in force at 2.4.2018 by [S.I. 2017/1326](#), **art. 2(3)(d)**

**Changes to legislation:**

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