
WELSH STATUTORY INSTRUMENTS

2015 No. 1494

The Care and Support (Disputes about Ordinary Residence, etc.) (Wales) Regulations 2015

Steps to be taken prior to referral of a dispute

3.—(1) The authorities must, prior to the referral of the dispute, take the steps specified in this regulation.

- (2) As soon as reasonably practicable after the date on which the dispute arises—
- (a) the lead authority must seek to identify all the other authorities concerned in the dispute and co-ordinate discussions between those authorities in an attempt to resolve the dispute, and
 - (b) each of the authorities must nominate an individual who will act as the point of contact within that authority in relation to the dispute, and provide the other authorities with the contact details of that individual.
- (3) The lead authority must—
- (a) co-ordinate the discharge, by the authorities, of their duties under this regulation,
 - (b) take steps to obtain from the other authorities information which may be relevant to the determination of the dispute,
 - (c) disclose that information to any other authority, and
 - (d) disclose to the other authorities any information the lead authority itself holds that may help to resolve the dispute.
- (4) The authorities must—
- (a) take all reasonable steps to resolve the dispute between themselves, and
 - (b) co-operate with each other in the discharge of their duties under this regulation.
- (5) Each of the authorities must—
- (a) engage in a constructive dialogue with the other authorities, with a view to bringing about the speedy resolution of the dispute,
 - (b) comply, without delay, with any reasonable request for relevant information made by the lead authority, and
 - (c) keep the other authorities informed of any developments which appear to it to be relevant to the determination of the dispute.
- (6) The lead authority must provide to the persons to whom paragraph (7) applies such information as appears to it to be appropriate about progress in resolving the dispute.
- (7) This paragraph applies to the following persons—
- (a) the person to whom the dispute relates,
 - (b) the carer of that person (if the dispute is about which authority is to meet the needs of a carer), and
 - (c) a representative of the person or carer.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(8) If the authorities cannot resolve the dispute between themselves within four months of the date on which it arose, the lead authority must refer it to the appropriate person.