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WELSH STATUTORY INSTRUMENTS

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**2016 No. 467 (W. 149) (C. 28)**

**SOCIAL CARE, WALES**

The Regulation and Inspection of Social Care (Wales)  
Act 2016 (Commencement No. 1) Order 2016

Made - - - -

26 March 2016

The Welsh Ministers, in exercise of powers conferred by section 188(1) of the Regulation and Inspection of Social Care (Wales) Act 2016<sup>(1)</sup>, make the following Order:

**Title and interpretation**

1.—(1) The title of this Order is the Regulation and Inspection of Social Care (Wales) Act 2016 (Commencement No. 1) Order 2016.

(2) In this Order, “the Act” (“*y Ddeddf*”) means the Regulation and Inspection of Social Care (Wales) Act 2016.

**Commencement of paragraph 59 of Schedule 3**

2. The appointed day for the coming into force of section 185 of the Act, insofar as it relates to paragraph 59 of Schedule 3 to the Act, is 6 April 2016.

**Commencement of paragraphs 60 to 65 of Schedule 3**

3. The appointed day for the coming into force of section 185 of the Act, insofar as it relates to paragraphs 60 to 65 of Schedule 3 to the Act, is 6 April 2016.

26 March 2016

*Mark Drakeford*  
Minister for Health and Social Services, one of  
the Welsh Ministers

**Status:** This is the original version (as it was originally made).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

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This is the first Commencement Order made by the Welsh Ministers under the Regulation and Inspection of Social Care (Wales) Act 2016 (“the Act”).

Article 2 of this Order brings paragraph 59 of Schedule 3 to the Act into force on 6 April 2016.

Paragraph 59 amends section 33 of Part 2 of the Public Services Ombudsman (Wales) Act 2005 (“the 2005 Act”).

Part 2 of the 2005 Act provides powers for the Public Services Ombudsman for Wales (“PSOW”) to investigate complaints relating to listed authorities (within the meaning of section 28 of the 2005 Act). Part 2 also requires listed authorities to give publicity for complaints procedures (section 33).

Section 179 of the Social Services and Well-being (Wales) Act 2014 inserted a new Part 2A into the 2005 Act. Part 2A provides new powers for the PSOW to investigate complaints relating to new bodies: care home providers, domiciliary care providers and independent palliative care providers.

Section 33 of the 2005 Act sets out the requirements for listed authorities to give publicity to the availability and operation of complaints procedures. Paragraph 59 of Schedule 3 to the Act inserts subsections (8) and (9) into section 33, which extend the application of the provisions of that section to the new bodies that have been made subject to the Ombudsman’s jurisdiction.

Article 3 of this Order brings paragraphs 60 to 65 of Schedule 3 to the Act into force on 6 April 2016.

Paragraphs 60 to 65 make miscellaneous amendments to provisions of the Social Services and Well-being (Wales) Act 2014 which are also being brought into force on 6 April 2016.

The amendments include amendments to the Welsh text only of certain provisions, amendments to certain cross references in section 42 (duty to meet support needs of a child carer) and an amendment to the definition of “voluntary organisation” in section 197(1) (general interpretation).