
WELSH STATUTORY INSTRUMENTS

2019 No. 163

The Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

PART 1

General

Title, commencement and interpretation

1.—(1) The title of these Regulations is the Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019.

(2) These Regulations come into force on 29 April 2019.

(3) In these Regulations—

“the Act” (*“y Ddeddf”*) means the Regulation and Inspection of Social Care (Wales) Act 2016;

“adult placement carer” (*“gofalwr lleoli oedolion”*) means a person who has entered into a carer agreement ^{M1} with a service provider;

“care and support plan” (*“cynllun gofal a chymorth”*) means a plan under section 54 of the 2014 Act ^{M2};

“DBS certificate” (*“tystysgrif GDG”*) means a certificate of a type referred to in paragraph 2 or 3 of Schedule 1;

“employee” (*“cyflogai”*) has the same meaning as in section 230(1) of the Employment Rights Act 1996 ^{M3};

“health care professional” (*“proffesiynolyn gofal iechyd”*) means a person who is registered as a member of any profession to which section 60(2) of the Health Act 1999 ^{M4} applies;

“individual placement agreement” (*“cytundeb lleoli unigolyn”*) means an agreement between a service provider, an adult placement carer and an individual for an adult placement carer to provide accommodation and care and support to that individual;

“personal outcomes” (*“canlyniadau personol”*) means the outcomes that the individual receiving the care and support wishes to achieve in day to day life;

“personal plan” (*“cynllun personol”*) means the plan required to be prepared in accordance with regulation 13(1);

“reasonable adjustments” (*“addasiadau rhesymol”*) means such reasonable adjustments as would be required under the Equality Act 2010 ^{M5};

“representative” (*“cynrychiolydd”*) means any person having legal authority, or the consent of the individual receiving the care and support to act on the individual's behalf;

“service commissioner” (*“comisiynydd y gwasanaeth”*) means the local authority or NHS body which is responsible for making arrangements with the service provider for care and support to be provided to an individual;

“service provider” (“*darparwr gwasanaeth*”) means a person carrying on an adult placement service ^{M6};

“specified area” (“*ardal benodedig*”) means an area specified in a condition to the service provider's registration as a place in relation to which the service is to be provided;

“staff” (“*staff*”) includes—

(a) persons employed by the service provider to work at the service as an employee or a worker, and

(b) persons engaged by the service provider under a contract for services,

but does not include persons who are allowed to work as volunteers or adult placement carers;

“the Disclosure and Barring Service” (“*y Gwasanaeth Datgelu a Gwahardd*”) and “DBS” (“*GDG*”) mean the body formed by section 87(1) of the Protection of Freedoms Act 2012 ^{M7};

“the individual” (“*yr unigolyn*”) means, unless the context indicates otherwise, the adult who is receiving care and support;

“the service” (“*y gwasanaeth*”) means in relation to an adult placement service, the service which is provided in relation to a specified area;

“the service regulator” (“*y rheoleiddiwr gwasanaethau*”) means the Welsh Ministers in the exercise of their regulatory functions ^{M8};

“the statement of purpose” (“*y datganiad o ddiben*”) means the statement of purpose for the place at, from or in relation to which the service is provided ^{M9};

“the workforce regulator” (“*rheoleiddiwr y gweithlu*”) means SCW ^{M10};

“worker” (“*gweithiwr*”) has the same meanings as in section 230(3) of the Employment Rights Act 1996.

Commencement Information

II [Reg. 1](#) in force at 29.4.2019, see [reg. 1\(2\)](#)

Marginal Citations

M1 “Carer agreement” is defined in paragraph 6(2) of Schedule 1 to the Act as “an agreement for the provision by an individual of accommodation at the individual's home together with care and support for up to three adults”.

M2 “The 2014 Act” is defined in section 189 of the Act as the Social Services and Well-Being (Wales) Act 2014 (anaw 4).

M3 [1996 c. 18.](#)

M4 [1999 c. 8.](#)

M5 [2010 c. 15.](#)

M6 “Adult placement service” is defined in paragraph 6(1) of Schedule 1 to the Act as “a service carried on (whether or not for profit) by a local authority or other person for the purposes of placing adults with an individual in wales under a carer agreement (and includes any arrangements for the recruitment, training and supervision of such individuals)”.

M7 [2012 c. 9.](#)

M8 “Regulatory functions” is defined in section 3(1)(b) of the Act.

M9 [Regulation 3](#) of the Regulated Services (Registration) (Wales) Regulations 2017 ([S.I. 2017/1098](#) (W. 278)) requires a person who wants to provide adult placement services to provide a statement of purpose for each place from which the service is to be provided.

M10 See section 67(3) of the Act for the definition of Social Care Wales as “SCW”.

Changes to legislation:

There are currently no known outstanding effects for the The Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019, Section 1.