
WELSH STATUTORY INSTRUMENTS

2024 No. 388

The Special School Residential Services (Service Providers and Responsible Individuals) (Wales) Regulations 2024

PART 18

Offences

Offences - service providers

76.—(1) It is an offence for a service provider to fail to comply with a requirement of any of the provisions specified in paragraph (2).

(2) The provisions specified for the purposes of paragraph (1) are the provisions of regulations 3(3) and (5), 7(3), 8(1) and (2), 15(1) to (3), 16(1), 31(1), 34(1), 51(1) and (2), 52(1), (2) and (4) and 53(1).

(3) A service provider commits an offence if the provider fails to comply with a requirement of any of the provisions specified in paragraph (4) and such failure results in—

- (a) avoidable harm (whether of a physical or psychological nature) to an individual,
- (b) an individual being exposed to a significant risk of such harm occurring, or
- (c) in a case of theft, misuse or misappropriation of money or property, any loss by an individual of the money or property concerned.

(4) The provisions specified for the purposes of paragraph (3) are the provisions of regulations 2, 3(1), 8(5), 10(1) and (3), 11(1) and (3), 12(1) and (5), 14(1), (6) and (7), 17(1) and (2), 18, 22(1), 23 and 30(1) and (2).

Offences - responsible individuals

77.—(1) It is an offence for the responsible individual to fail to comply with a requirement of any of the provisions specified in paragraph (2).

(2) The provisions specified for the purposes of paragraph (1) are the provisions of regulations 58(1), 59(1), 62(1) and (2), 64(1) and (2), 65(1) and (2), 66(1), 71(4), 72(1) and 75(1) and (3).