

---

WELSH STATUTORY INSTRUMENTS

---

**2024 No. 388**

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

**PART 21**

Amendments to related regulations

**Amendment of the Regulated Services (Annual Returns) (Wales) Regulations 2017**

**81.** In regulation 5 of the Regulated Services (Annual Returns) (Wales) Regulations 2017(1), after “secure accommodation service” insert “, special school residential service”.

**Amendment of the Regulated Services (Penalty Notices) (Wales) Regulations 2019**

**82.** The Regulated Services (Penalty Notices) (Wales) Regulations 2019(2) are amended as follows—

- (a) in regulation 2, after the definition of “the Fostering Services Regulations” insert “the Special School Residential Services Regulations (“*y Rheoliadau Gwasanaethau Preswyl Ysgolion Arbennig*”) means the Special School Residential Services (Service Providers and Responsible Individuals) (Wales) Regulations 2024;”;
- (b) after regulation 9, insert—

**“Offences under the Special School Residential Services Regulations**

**9A.**—(1) The offences under the provisions of the Special School Residential Services Regulations listed in the first column of the table in Schedule 6 are prescribed as offences for the purposes of section 52(1) of the Act.

(2) The second column of the table in Schedule 6 contains a description of the general nature of the prescribed offence.

(3) The amount of the penalty to be paid for each offence is specified in the third column of the table in Schedule 6.”;

- (c) after Schedule 5, insert—

---

(1) S.I. 2017/1097 (W. 277), amended by S.I. 2019/233 (W. 52), S.I. 2020/486 (W. 111), S.I. 2021/395 (W. 126) and S.I. 2022/476 (W. 118).  
(2) S.I. 2019/887 (W. 159).

*Status: This is the original version (as it was originally made).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

## “SCHEDULE 6

Regulation 9A

## Prescribed offences - special school residential services

<i>Provision creating offence</i>	<i>General nature of the offence</i>	<i>Amount of penalty</i>
Regulation 3(3) and (5) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to the statement of purpose	An amount corresponding to two and a half times level 4 on the standard scale
Regulation 7(3) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to the financial sustainability of the service	An amount corresponding to level 4 on the standard scale
Regulation 8(1) and (2) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements to have in place specified policies and procedures	An amount corresponding to level 4 on the standard scale
Regulation 15(1), (2) and (3) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to the provision of information about the service	An amount corresponding to two times level 4 on the standard scale
Regulation 16(1) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to the provision of a service agreement	An amount corresponding to level 4 on the standard scale
Regulation 31(1) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to the fitness of staff	An amount corresponding to two and a half times level 4 on the standard scale
Regulation 34(1) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to the provision of information for staff	An amount corresponding to two times level 4 on the standard scale
Regulation 51(1) and (2) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to records	An amount corresponding to two times level 4 on the standard scale
Regulation 52(1), (2) and (4) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to notifications	An amount corresponding to two times level 4 on the standard scale
Regulation 58(1) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to the duty of a responsible individual to appoint a manager	An amount corresponding to two and a half times level 4 on the standard scale
Regulation 65(1) and (2) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to the duty of a responsible	An amount corresponding to two times level 4 on the standard scale

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

<i>Provision creating offence</i>	<i>General nature of the offence</i>	<i>Amount of penalty</i>
	individual to report on the adequacy of resources	
Regulation 66(1) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to the making by a responsible individual of other reports to the service provider	An amount corresponding to two times level 4 on the standard scale
Regulation 71(4) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to the preparation by a responsible individual of a report in respect of a quality of care review	An amount corresponding to two times level 4 on the standard scale
Regulation 72(1) of the Special School Residential Services Regulations	Contravention of, or failure to comply with, requirements in relation to the preparation by a responsible individual of a statement of compliance with the requirements as to standards of care and support	An amount corresponding to two times level 4 on the standard scale
Regulation 75(1) and (3) of the Special School Residential Services Regulations	Contravention of, or failure to comply with requirements in relation to the responsible individual's duty to make notifications to the service regulator	An amount corresponding to two times level 4 on the standard scale"