



Service Providers

December 2019

Dear Service Providers,

Amendment to list of notifications that service providers must make to Care Inspectorate Wales

I am writing to make you aware of Welsh Government's proposal to amend schedule 3 of the suite of regulations¹ which place requirements on service providers and responsible individuals of regulated care services in Wales.

Schedule 3 of these regulations lists the notifications that service providers must make to Care Inspectorate Wales (CIW). We have identified an unintended omission from the list of notifications in relation to service providers which are unincorporated organisations.

Whilst service providers which are corporate organisations or partnerships must notify CIW of any changes in the directors or partners of that organisation, there is currently no equivalent for changes in individuals acting as the main decision-making body of unincorporated organisations. These individuals may be trustees or members of boards or committees, for example.

The proposal to amend schedule 3 of these regulations arose during the recent consultation on amending the *Regulated Services (Registration) (Wales) Regulations 2017* ("The

¹ These are:

- The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulation 2017;
- The Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019;
- The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019;
- The Adult Placement (Service Providers and Responsible Individuals) (Wales) Regulations 2019; and
- The Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019.

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Llywodraeth Cymru
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registration regulations”) and creating regulations under section 9(9) of the Regulation and Inspection of Social Care (Wales) Act 2016. This related to obtaining information from individuals who represent the main decision-making body of organisations applying to become service providers, such as directors, trustees and members of boards and committees, at the point of registration, and enabling CIW to use this information as part of the determination of the fitness of the service provider. This information is set out in paragraphs 13 to 23 of the registration regulations and relates to the individual’s background in running regulated services.

The consultation summary of responses will be published shortly on the Welsh Government website.

We intend to amend the list of schedule 3 notifications to require unincorporated organisations to notify CIW of any change of trustees or committee members (if these individuals constitute the main decision-making body of the organisation). As part of making this notification CIW intend to request information about the new director or equivalent’s history in running regulated services, as set out in paragraphs 13 to 23 of the registration regulations.

This proposed change will allow CIW to maintain an effective overview of those running regulated services and will ensure consistency in the requirements placed on the range of organisations registered as service providers in Wales.

We propose that the intended change to schedule 3 of the regulations will come into force on 1 April 2020.

If you wish to comment on these proposals you can email the Regulation and Inspection mailbox at: RISCAct2016@gov.wales. Should you wish to respond, I would be grateful if you could do so by 17 January 2020.

Yours sincerely

ALBERT HEANEY
DIRECTOR OF SOCIAL SERVICES AND INTEGRATION