

Summary: Proposed changes to primary legislation – Amendments to the Regulation and Inspection of Social Care



Llywodraeth Cymru
Welsh Government

What is this consultation about?

We want your views on proposed changes to primary legislation in relation to social care and Continuing NHS Healthcare.

We have published a consultation that sets out the detail of several proposals and asks related questions.

Chapters 4, 5 and 6 – Amendments to the Regulation and Inspection of Social Care (Wales) Act 2016

Implemented in three phases between April 2017 and April 2019, the 2016 Act introduced a new registration and regulatory regime for providers of care and support services ('regulated services') in Wales. It also reformed the system of registration and regulation of the social care workforce.

As a result, we are beginning to see the benefits of more flexible systems that prioritise continual improvement over minimum standards; place greater emphasis on outcomes for people who need care and support; and contribute to professionalising our vital social care workforce.

However, working in conjunction with Care Inspectorate Wales (CIW) and Social Care Wales (SCW), we have identified some amendments to the 2016 Act that will either serve to achieve the policy intent; to resolve weaknesses within systems that have become apparent in practice; and/or to assist CIW or SCW in their processes and activities.

What are we proposing?

Chapters 4 and 5 set out proposed changes and their effects, on a range of matters, including:

- Publication of provider annual returns
- Publication of inspection reports
- Improvement notices and cancellation of registration with CIW

- Responsible individuals
- Definition of 'care' for children and young people
- Duration of SCW members' terms of office
- Registration of social care workers with SCW
- Interim orders, whilst Fitness to Practice investigations are made
- Revocation of interim orders.

In chapter 6, we propose to amend the 2016 Act to enable the extension of the definition of 'social care worker', to include all childcare and play workers. This will provide a clear mandate for SCW to carry out its functions in order to support this sector as a whole.

The consultation invites views on all proposed amendments and their likely impacts, benefits, costs and risks.

How can I share my views with Welsh Government?

You can submit your response **by midnight on 7 November 2022**, in the following ways:

- Complete our online form, **or**
- Download, complete our form and email it to: SocialCareConsultation@gov.wales **or** post it to the address noted in the consultation document.

Please read the consultation document before considering your response. This is available at: gov.wales/proposed-changes-legislation-social-care-and-continuing-health-care