



Welsh Government

Consultation Document

Implementation of the Regulation and Inspection of Social Care (Wales) Act 2016 –

- to mandate the registration of domiciliary care workers from 1 April 2020 and placing a requirement on service providers to employ and/or engage under a contract for services individuals who are registered with Social Care Wales (SCW);
- to open the register to workers in care home services wholly or mainly for adults and residential family centre services from 1 April 2020; and
- to amend the Regulated Services (Registration) (Wales) Regulations 2017 to enable Care Inspectorate Wales (CIW), acting on behalf of the Welsh Ministers, to obtain information from directors, trustees and members of boards or committees (other than a local authority or Local Health Board) when registering as providers of regulated services.
- to use the regulation making power under section 9(9) of the 2016 Act to vary the evidence which CIW (acting on behalf of the Welsh Ministers) should have regard to in deciding whether a person is fit and proper to be a service provider.

Date of issue: **24 July 2019**

Responses by: **16 October 2019**

Overview This consultation seeks your views on registering the social care workforce, specifically the mandatory registration of domiciliary care workers and opening of the workforce register for the voluntary registration of workers employed or engaged under a contract for services in regulated care home services provided wholly or mainly for adults (i.e. adult residential care workers) and residential family centres from 2020.

It also seeks your views on enabling CIW, acting on behalf of the Welsh Ministers, to obtain additional information from directors, trustees and members of boards or committees (other than a local authority or Local Health Board) when registering as providers of regulated services.

It also seeks your views on using the regulation making power under section 9(9) of the 2016 Act to vary the evidence which CIW, acting on behalf of the Welsh Ministers, must have regard to in deciding whether a person is fit and proper to be a service provider.

How to respond You can respond to this consultation by completing and returning, by midnight on the closing date, the consultation response form at the back of this document. The response should be sent to:

Workforce Policy Branch
Social Services and Improvement Directorate
Welsh Government
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Alternatively, you can return your completed form to us, by midnight on the closing date, via e-mail to:
RISCAct2016@gov.wales or RISCAct2016@llyw.cymru

Further information and related documents **MS Word, Large print, Braille and alternative language versions of this document are available on request.**

The Regulation and Inspection of Social Care (Wales) Act 2016
<https://www.legislation.gov.uk/anaw/2016/2/contents>

Phase 2 implementation of the Regulation and Inspection of Social Care (Wales) Act 2016 – workforce aspects
<https://gov.wales/sites/default/files/consultations/2018-02/170612consultation-documenten.pdf>

Phase 2 implementation of the Regulation and Inspection of Social Care (Wales) Act 2016 – workforce aspects – summary of responses
<https://gov.wales/phase-2-implementation-regulation-and->

[inspection-social-care-wales-act-2016-workforce-aspects](#)

Transforming care in the 21st century – SCW consultation on registration

<https://socialcare.wales/consultations/transforming-care-in-the-21st-century>

The Social Care Wales (Specification of Social Care Workers) (Registration) Regulations 2016

<https://www.legislation.gov.uk/wsi/2016/1235/contents/made>

The Regulated Services (Registered Persons and Responsible Individuals)(Wales) Regulations 2017

<https://www.legislation.gov.uk/wsi/2017/1264/contents/made>

The Social Care Wales (Specification of Social Care Workers) (Registration) (Amendment) Regulations 2018

<https://www.legislation.gov.uk/wsi/2018/192/contents/made>

Contact details

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Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have

withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Consultation on implementation of the Regulation and Inspection of Social Care (Wales) Act 2016 – Registering the Social Care Workforce

1. Background

The Regulation and Inspection of Social Care (Wales) Act 2016

The Regulation and Inspection of Social Care (Wales) Act 2016 (“the 2016 Act”) was passed by the National Assembly for Wales on 24 November 2015 and received Royal Assent on 18 January 2016. It provides the statutory framework for the regulation and inspection of social care services and the social care workforce, including the establishment of Social Care Wales (SCW) – the workforce regulator.

The implementation of the 2016 Act was introduced over three phases:

- **Phase 1 (2016/17)** included regulations relating to the new system of workforce regulation required and these came into force on 3 April 2017. Alongside these, SCW developed the rules and procedures to govern the process of workforce registration and regulation which it has operated since 3 April 2017.
- **Phase 2 (2017/18)** included regulations and statutory guidance relating to the requirements and standards expected of service providers and Responsible Individuals in domiciliary and adult residential care services, children’s residential care settings, children’s secure accommodation and Residential Family Centre Services. It also included workforce-related regulations around the delineation of travel and care time, extension of the register to domiciliary care workers and the limitation of zero hours contracts. These came into force in April 2018.
- **Phase 3 (2018/19)** included regulations and statutory guidance relating to the requirements and standards expected of service providers and Responsible Individuals within Voluntary Adoption Agencies & Adoption Support Agencies; Fostering Services; Adult Placement (Shared Lives) Services; and Advocacy Services. These regulations came into force in April 2019.

Registering the Social Care Workforce

The registration of the social care workforce began with the Care Standards Act 2000 (the 2000 Act), which required the mandatory professional registration of social workers, managers of adult residential care homes and managers and workers of children’s residential care homes with the then workforce regulator, Care Council for Wales. In 2013, the Welsh Government also legislated for the mandatory registration of managers of domiciliary support services, to bring these into line with other managers in the sector.

During the passage of the Regulation and Inspection of Social Care (Wales) Bill through the National Assembly for Wales in 2015, consideration was given to the registration and professionalisation of other groups within the social care workforce to nurture the profile of the sector and improve standards and quality of

care. In light of this discussion, the Welsh Government made several statements¹ that indicated the next groups of the workforce to be registered would be domiciliary care workers and workers in regulated care home services provided wholly or mainly for adults.

In April 2018 regulations came into effect allowing the new workforce regulator, Social Care Wales (SCW), to open the workforce register on a voluntary basis to domiciliary care workers. This was done in order to provide a two year period for SCW to work with the sector to understand and prepare for registration requirements, ahead of mandatory registration from 2020.

As part of these preparations, SCW held a series of workshops with employers and employees across Wales. SCW has also worked closely with key stakeholders in order to respond to concerns raised by the sector and to facilitate the take up of registration. This has included streamlining the confirmed competence process and introducing a third route to registration. These activities will continue throughout 2019-20 to maximise the number of workers registered before it becomes mandatory.

Registering social care providers with Care Inspectorate Wales

The Welsh Ministers have the function of regulating care and support services in Wales. Care Inspectorate Wales (CIW), the service regulator, carries out this function on behalf of the Welsh Ministers. The Regulation and Inspection of Social Care (Wales) Act 2016 established a revised set of processes for registering service providers. This includes the requirement to register in Wales when services are delivered in Wales and the processes associated with the application, variation and cancellation of registration.

Anyone wishing to provide a regulated service in Wales must make an application to register with CIW under the new legislation. Some of the information to be included in the application for registration is set out on the face of the 2016 Act, under Section 6. This includes the services to be provided, the places at, from or in relation to which the services are to be provided, the designation of a responsible individual in respect of each such place and each such individual's name and address.

The Regulated Services (Registration) (Wales) Regulations 2017 (The "Registration Regulations"), made under Sections 6(1)(d) and 6(2) of the 2016 Act, sets out further information required in an application, as well as the form of an application. The draft Registration Regulations were subject to a full public consultation in 2016. The Regulations came into force on 1 February 2018 when the process of re-registering all care home services, domiciliary support services, residential family centres and secure accommodation services in Wales began. Over 80% of these services are now registered under the 2016 Act.

¹ <http://www.senedd.assembly.wales/documents/s45151/15%20October%202015.pdf> - lines 125 and 126.
<http://www.assembly.wales/en/bus-home/pages/rop.aspx?meetingid=3488&assembly=4&c=Record%20of%20Proceedings#C259695>

2. Where are we now?

The Welsh Government has prioritised social care as a sector of national strategic importance and made specific commitments to raising the profile and status of social care workers in “Prosperity for All²,” so that social care becomes a positive career choice, where people are valued and supported responsibly. This is reflected in Social Care Wales’ remit and the “WeCare.Wales” campaign launched in March. This is a multi-year attraction, retention and recruitment campaign for the social care, child care and early years sector which seeks to dispel the myths around employment within the sector and showcase the full range of opportunities available, to attract and to retain people to enjoy a career.

“A Healthier Wales: our Plan for Health and Social Care³” recognises that, as more new seamless models of health and care emerge, we will need a clear and coherent approach to developing and planning the whole workforce so that we deliver high quality care and support across Wales. To do this, the Welsh Government has commissioned Health Education and Improvement Wales (HEIW) and Social Care Wales (SCW) to develop a long-term workforce strategy in partnership with key partners in NHS Wales, local government, the voluntary and independent sectors as well as regulators, professional bodies, and education providers.

The Welsh Government remains committed to recognising the professionalism of the social care workforce, to working with the sector to continue to raise standards of practice and conduct and recognising the value of social care.

Registration of the workforce will help to achieve this and will also provide public assurance that individuals working in the sector are appropriately trained and supported. As such, we have extended the workforce register on a voluntary basis to domiciliary care workers ahead of their intended mandatory registration from April 2020 and propose to do the same for adult residential care workers from 2020 ahead of mandatory registration from 2022. We will also continue to review and consider whether there are additional groups within the social care workforce who should be registered.

In terms of registering services with CIW, over 80% of services are now registered under the new legislation. During this process, however, CIW has identified a gap in relation to the individuals it can request information from in order to make an informed decision about the fitness of those seeking registration to run a regulated service. As such, the intention is to amend the Registration Regulations to require the directors, trustees and members of boards or committees (other than a local authority or Local Health Board) to provide, as part of the application to register, additional information to CIW about any previous applications to register under the 2016 Act, the Care Standards Act 2000 and any other applications or registrations in relation to a regulated service elsewhere in the UK. The information that will be required is consistent with that already required of individuals and organisations seeking registration under paragraphs 13 to 22 of Schedule 1 of the Registration Regulations, plus the information required of responsible individuals under paragraph 23 of that Schedule.

² <https://gov.wales/prosperity-all-national-strategy>

³ <https://gweddiill.gov.wales/topics/health/publications/healthier-wales/?lang=en>

Section 9 of the 2016 Act sets out the test for assessing whether a service provider or responsible individual is a fit and proper person to undertake those roles.

We intend to use the regulation-making power under Section 9(9) of the 2016 Act to vary the evidence which CIW, on behalf of the Welsh Ministers, must have regard to when deciding whether a person is fit and proper to be a service provider. The new evidence would include whether any of the directors, trustees and members of boards or committees of the organisation seeking registration as a service provider have either committed the offences outlined in section 9(4) of the 2016 Act or have been responsible for, contributed to or facilitated misconduct or mismanagement in the provision of a regulated service for the purposes of section 9(6) of that Act.

3. This consultation

This consultation seeks views on the following policies and the associated draft regulations to carry these into effect:

- i. mandating the registration of all domiciliary care workers from 1 April 2020. This places a requirement on service providers of domiciliary care and support services to employ and/or engage under a contract for services individuals who are registered with Social Care Wales. Individuals employed by a domiciliary support service must be registered with Social Care Wales within six months of commencing their employment;
- ii. opening the workforce register on a voluntary basis to social care workers employed or engaged under a contract for services in care home services provided wholly or mainly for adults and residential family centre services from 2020 ahead of the mandatory deadline in 2022. This mirrors the approach taken in introducing the registration of domiciliary care workers to help manage the registration process and allow the workforce regulator to engage with the sector. The Welsh Government will work with Social Care Wales (SCW) to ensure that we learn from the experience of extending registration to domiciliary care workers;
- iii. amending the Regulated Services (Registration) (Wales) Regulations 2017 (“the Registration Regulations”) to require the directors, trustees and members of boards or committees of any applicant organisation (that is not a local authority or Local Health Board) to provide information to CIW about any previous applications to register and registrations of a regulated service in the UK as well as relevant identifying information. This will be the information currently required in paragraphs 13 to 23 of Schedule 1 of the Registration Regulations; and
- iv. using the regulation-making power under Section 9(9) of the 2016 Act to vary the evidence which CIW, on behalf of the Welsh Ministers, must have regard to when deciding whether a person is fit and proper to be a service provider. The new evidence would include whether any of the directors, trustees and members of boards or committees of the organisation seeking registration as a service provider have either committed the offences outlined in section 9(4) or have been responsible for, contributed to or facilitated misconduct or mismanagement in the provision of a regulated service for the purposes of section 9(6).

Your consultation responses will help inform our consideration of the final regulations and any accompanying guidance. Our intention is to analyse your responses over the autumn and consider any changes that may be required before making and laying the regulations by early January 2020 so that they come into force from April 2020.

The detailed proposals are outlined below.

4. The proposals

1. We intend to create a regulation which will require service providers to employ individuals or engage individuals under a contract for services as domiciliary care workers who are registered with Social Care Wales from 2020 [Annex A]

This regulation relates to domiciliary support services only.

The mandatory registration of domiciliary care workers responds to widespread support from the sector for the extension of registration across the workforce and is intended to deliver increased public assurance, assist professionalisation of the workforce and ultimately improve quality of care and support.

Registration with the workforce regulator will provide increased support for workers and afford them access to the range of training and development tools that SCW has created to help workers keep their practise up-to-date, to develop areas of knowledge such as dementia care, or make the move into management.

Registration with a recognised regulatory body also provides those receiving care, and their families and friends, greater confidence that a worker has the skills and qualifications to do their job in a professional, compassionate manner and that they are working to agreed Codes of Conduct and Professional Practice.

Where services are not meeting the requirements of these new regulations, Care Inspectorate Wales (CIW) will act in accordance with its 'Securing Improvement and Enforcement policy' which includes a graduated approach to secure improvement. Any action taken will be proportionate to the circumstances, the outcomes for and risk to individuals accessing the service and the capacity and capability of the provider to respond. Providers who persistently fail to comply with regulations will face escalated enforcement action.

This regulation will amend the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017 ('the 2017 Regulations'), in order to require domiciliary support service providers to employ and/or engage under a contract for services domiciliary care workers registered with Social Care Wales (SCW) from April 2020. This mirrors provisions already in place for the employment of adult care home managers, domiciliary care managers and child care home managers and workers.

Under the proposals, from April 2020, new employees will be required to be registered with SCW within six months of commencing employment and in order to do so they will have had to obtain the qualifications set by SCW as part of the registration requirements. This requirement will not extend to those engaged

under a contract (i.e. agency workers). SCW consulted separately on these qualification requirements before the register was opened to domiciliary care workers in April 2018.

Volunteers will not be required to register. Those who provide care and support on an individual basis without the involvement of any employment agency or employment business (i.e. personal assistants) will not be required to register.

We also intend to avoid the dual registration of any professionals such as nurses or occupational therapists, who are employed by a domiciliary support service in the capacity of their regulated profession. These professionals are already registered with, and held accountable for their conduct, by other workforce regulators such as the Nursing and Midwifery Council and the Health and Care Professionals Council.

The exception to this rule is individuals, including professionals, who are employed as domiciliary care managers who must also register with SCW and hold the appropriate management qualification.

2. A regulation that extends the Social Care Wales register of social care workers to include those individuals employed or engaged under a contract for services to provide care and support in care home services provided wholly or mainly for adults (i.e. adult residential care workers) and residential family centres from 2020 [Annex B]

This regulation relates to care home services for adults and residential family centre services.

The policy aim is for the mandatory registration of adult residential care workers which again responds to support from the sector for the extension of registration across the workforce. This will deliver increased public assurance, assist professionalisation of the workforce and improve quality of care and support. In order to facilitate mandatory registration the register will first be opened on a voluntary basis to adult residential care workers who already meet the specified registration requirements.

The proposed definition includes any individual working within regulated care home services provided wholly or mainly for adults or residential family centre services, including both those directly employed by a regulated service and those who are engaged under a contract for services by a registered service, such as agency and bank staff. It will however, **exclude** any nurses or other health and care professionals who are employed in their professional capacity as a nurse or psychologist, occupational therapists, dieticians, etc.

We are aware that this creates some disparity with the registration requirements for workers employed by a care home service provided wholly or mainly for children or a secure accommodation setting, as individuals engaged as agency or bank staff in either of these settings are not currently required to register with Social Care Wales. In order to ensure consistency across the workforce, we would welcome views from stakeholders on whether we should take this opportunity to include agency workers and bank staff providing services to a care home service provided wholly or mainly for children or a secure accommodation

setting under these regulations or undertake further discussion regarding the impacts. A question on this issue is enclosed in the relevant section below.

We propose to include a practical lead-in time of two years, consistent with what was provided for domiciliary care workers. This will ensure there is sufficient time for workers to familiarise themselves and comply with the registration requirements, including the standards they will need to meet and the qualifications they will need to evidence or acquire. Sufficient time is also required so that workers can be added to the register over a realistic period.

The Social Care Wales (Specification of Social Care Workers) (Registration) Regulations 2016⁴ will be amended to allow Social Care Wales to open the workforce register to workers in care home services for adults and residential family centre services from 2020, a further set of regulations will be made to mandate registration from 2022.

3. Information required in respect of an organisation seeking to register as a service provider.

Paragraphs 13 – 22 of Schedule 1 to the Registration Regulations currently require all applicants registering with CIW to provide the following information:

- Details of any previous applications for registration as a service provider under the 2016 Act.
- Details of any registrations as a service provider under the 2016 Act.
- Details of any previous application for registration under Part 2 of the Care Standards Act 2000
- Details of any registrations under Part 2 of the Care Standards Act 2000.
- Details of any previous applications for registration as a service provider under the Health and Social Care Act 2008
- Details of any registrations as a service provider under the Health and Social Care Act 2008.
- Details of any previous applications for registration as a person providing a care service under Part 5 of the Public Services Reform (Scotland) Act 2010
- Details of any registrations as a person providing a care service under Part 5 of the Public Services Reform (Scotland) Act 2010.
- Details of any previous applications for registration under Part 3 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.
- Details of any registrations under Part 3 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.

In addition, paragraph 23 of Schedule 1 to the Registration Regulations requires the applicant to provide certain identifying information in relation to the designated Responsible Individual. This is:

⁴ http://www.legislation.gov.uk/wsi/2016/1235/pdfs/wsi_20161235_mi.pdf

- Date of birth, telephone number, correspondence address and electronic mail address.

We intend to extend these requirements to directors, trustees and members of boards or committees of the applicant organisation (other than a local authority or Local Health Board), when making an application to register with CIW.

Registered service providers are required to meet important obligations under the 2016 Act and regulations made under that Act. In the case of an organisation, key decisions about its operation may be made collectively, at board level or equivalent, and therefore CIW considers the fitness of the directors, trustees and members of boards or committees of an organisation to be an important factor in determining that organisation's application for registration as a service provider.

Section 9 of the 2016 Act sets out the test for assessing whether a service provider and responsible individual is a fit and proper person to undertake those roles. We therefore intend to make regulations under Section 9(9) to specify that, when assessing fitness, CIW, on behalf of the Welsh Ministers, must also have regard to any evidence which may show that the directors, trustees or members of boards or committees of an organisation seeking registration have either committed any of the offences outlined in section 9(4) of the 2016 Act or been responsible for, contributed to, or facilitated misconduct or mismanagement in the provision of a regulated service.

Your consultation responses will help inform our decision about these proposed changes.

Annex A

Draft wording of the Regulated Services (Service Providers and Responsible Individuals) (Wales) (Amendment) Regulations 2020

Title, commencement and interpretation

1. — (1) The title of these Regulations is the Regulated Services (Service Providers and Responsible Individuals) (Wales) (Amendment) Regulations 2020
- (2) These Regulations come into force on 1 April 2020.
- (3) In these Regulations, “*the 2017 Regulations*” (“*Rheoliadau 2017*”) means the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017⁽⁵⁾.

Amendment of the 2017 Regulations

2. (1) In Regulation 1(3) (Interpretation) of the 2017 Regulations, insert the following in the appropriate place—

“nurse” means a qualified nurse, midwife or nursing associate registered with the nursing and midwifery council in accordance with the Nursing and Midwifery Order 2001⁽⁶⁾.

“relevant professional” has the meaning given in schedule 3(1) of the Health and Social Work Professions Order 2001⁽⁷⁾.
- (2) In Regulation 35 (fitness of staff)—
 - (a) in paragraph (2)—
 - (i) in sub-paragraph (f), at the beginning insert “subject to paragraph 11 of this regulation”
 - (ii) after sub-paragraph 2(f) insert the following sub-paragraph—
 - (g) subject to paragraph 11 of this regulation where a person is employed (whether as an employee or worker) or is engaged under a contract for services,, to work in a capacity other than as a manager, to provide care and support to any person in connection with a domiciliary support service the person is registered as a social care worker with Social Care Wales, and in the case of

⁽⁵⁾ 2017 No.1264

⁽⁶⁾ 2001 No.253

⁽⁷⁾ 2002 No.254

persons who are employed (whether as an employee or worker) no later than the relevant date (see Paragraph (8) for the meaning of “the relevant date”)

- (b) In paragraph (8) after “(2)(f)” insert “and (g)”.
- (c) after paragraph (10) insert —
 - (11) The requirement that a person is registered as a social care worker with Social Care Wales in accordance with paragraph 35(2)(f) and (g), does not apply where the person is employed (whether as an employee or worker) or engaged under a contract for services to work as a—
 - (a) nurse, or
 - (b) a relevant professional registered with the Health and Care Professions Council.”

Annex B

Draft wording of the Social Care Wales (Specification of Social Care Workers) (Registration) (Amendment) Regulations 2020

Title and Commencement

1. — (1) The title of these Regulations is the Social Care Wales (Specification of Social Care Workers) (Registration) (Amendment) Regulations 2020
- (2) These Regulations come into force on the 1 April 2020.
- (3) In these Regulations, “the 2016 Regulations” (“*Rheoliadau 2016*”) means the Social Care Wales (Specification of Social Care Workers) (Registration) Regulations 2016⁽⁸⁾.

Amendment of the 2016 Regulations

2. (1) The 2016 Regulations are amended as follows.
- (2) In regulation 2 (interpretation) of the 2016 Regulations, in the appropriate place insert—

“*care home service*” (“*gwasanaeth cartref gofal*”) has the same meaning as that given in section 2(1) (a) of and paragraph 1 of Schedule 1 to the Act, subject to regulation 2(1) of the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017.

“*residential family centre service*” (“*gwasanaeth canolfan breswyl i deuluoedd*”) has the same meaning as that given in section 2(1)(c) of and paragraph 3 of Schedule 1 to the Act, subject to regulation 4 of the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017.
- (3) In regulation 3(2) (Specification of social care workers)—
 - (a) In sub-paragraph (b)(i), omit “within the meaning of Part 1 of the Act”;
 - (b) after sub-paragraph (d) insert—
 - (e) who are employed (whether as an employee or a worker), or engaged under a contract for services in order to provide care and support by a service provider that provides—
 - (i) a care home service provided wholly or mainly for adults, or
 - (ii) a residential family centre service.

⁽⁸⁾ 2016 No.1235

Consultation Response Form

Your name:	
Organisation (if applicable):	
Email / Telephone number:	
Your address:	

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please place a tick in the box:

A regulation requiring service providers to employ domiciliary care workers registered with Social Care Wales [Annex A]			
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Q.1. Should agency workers be excluded from having to register as a domiciliary care worker?

Agree	Tend to agree	Tend to disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain:

A regulation requiring service providers to employ domiciliary care workers registered with Social Care Wales [Annex A]			
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Q.2. Should volunteers be excluded from having to register as a domiciliary care worker?

Agree	Tend to agree	Tend to disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain:

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A regulation requiring service providers to employ domiciliary care workers registered with Social Care Wales [Annex A]

Q.3. Should we require the dual registration of professionals who are employed by a domiciliary support service to carry out activities connected with their professional registration, if they are already registered with another workforce regulator?

Agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>
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Please explain:

A regulation requiring service providers to employ domiciliary care workers registered with Social Care Wales [Annex A]

Q.4. Should any guidance be provided to support domiciliary support services in complying with this regulation? If so, what guidance do you think would be required?

Agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>
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Please explain:

A regulation that extends the Social Care Wales register of social care workers to include those employed in care home services for adults (i.e. adult residential care workers) and residential family centres from 2020 [Annex B]

Q.5. Are the attached draft regulations and definitions sufficiently clear and comprehensive to effectively implement the voluntary registration of adult residential care workers and residential family centre workers?

Agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>
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Please explain:

A regulation that extends the Social Care Wales register of social care workers to include those employed in care home services for adults (i.e. adult residential care workers) and residential family centres from 2020 [Annex B]

Q.6. Do you think that two years lead-in time from 2020 for people to join the register voluntarily is sufficient to facilitate the mandatory registration of adult residential care workers and residential family centre workers by 2022?

Agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>
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Please explain:

A regulation that extends the Social Care Wales register of social care workers to include those employed in care home services for adults (i.e. adult residential care workers) and residential family centres from 2020 [Annex B]

Q.7. Should we require the dual registration of professionals who are employed by a care home service for adults or in a residential family centre to carry out activities connected with their professional registration (e.g. a nurse or occupational therapist), if they are already registered with another workforce regulator?

Agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>
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Please explain:

A regulation that extends the Social Care Wales register of social care workers to include those employed in care home services for adults (i.e. adult residential care workers) and residential family centres from 2020 [Annex B]

Q.8. Should we extend the requirement to register as an adult residential care worker or in residential family centres to agency workers in these services?

Agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>
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Please explain:

A regulation that extends the Social Care Wales register of social care workers to include those employed in care home services for adults (i.e. adult residential care workers) and residential family centres from 2020 [Annex B]

Q.9. Should we exclude volunteers from having to register as adult residential care workers or workers in residential family centres?

Agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>
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Please explain:

A regulation that extends the Social Care Wales register of social care workers to include those employed in care home services for adults (i.e. adult residential care workers) and residential family centres from 2020 [Annex B]

Q.10. Should we also extend the proposals to avoid dual registration of professionals who are employed by a care home service for children to ensure consistency?

Agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>
Please explain:			

Q.11. Should we extend the requirement for agency staff employed by a care home service for children and a secure accommodation service to be included on the register to ensure consistency across the register?			
Agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>
Please explain:			

Enabling CIW to request additional information from directors, trustees and members of boards or committees			
Q.12. Do you agree with the proposal to amend the Regulated Services (Registration) (Wales) Regulations 2017 to enable Care Inspectorate Wales (CIW), acting on behalf of the Welsh Ministers, to obtain information from directors, trustees and members of boards or committees (other than a local authority or Local Health Board) when registering as providers of regulated services?			
Agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>
Please explain:			

Making regulations under section 9(9) in relation to evidence of fitness of a service provider

Q.13. Do you agree with the proposal to use the regulation making power under section 9(9) of the 2016 Act to vary the evidence which CIW (acting on behalf of the Welsh Ministers) should have regard to in deciding whether a person is fit and proper to be a service provider?

Agree <input type="checkbox"/>	Tend to agree <input type="checkbox"/>	Tend to disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>
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Please explain:

Other Questions

The Welsh Government is interested in understanding whether the proposals in this consultation document will have an impact on groups with protected characteristics. Protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation.

Q.14. Do you think that the proposals in this consultation will have any positive impacts on groups with protected characteristics? If so, which and why/why not?

Q.15. Do you think that the proposals in this consultation will have any negative impacts on groups with protected characteristics? If so, which and why/why not?

Q.16. We would like to know your views on the effects that these proposals would have on the Welsh language, specifically on

- i) opportunities for people to use Welsh and**
- ii) on treating the Welsh language no less favourably than English.**

Q.17. What effects do you think there would be? How could we increase the positive effects, or mitigate the negative effects?

Q.18. Please also explain how you believe the proposed policy could be formulated or changed so as to have:

- i) positive effects (or increased positive effects) on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and**
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to tell us about them.