



Llywodraeth Cymru
Welsh Government

OPEN CONSULTATION, DOCUMENT

Consultation on inspection ratings for care homes and domiciliary support services

We are seeking your views on draft inspection ratings regulations for care home and domiciliary support services.

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Overview

This consultation seeks your views on draft regulations which provide for a system of published inspection ratings for care home services (for both adults and children) and domiciliary support services from April 2025. The draft regulations are entitled The Regulated Services (Inspection Ratings) (Wales) Regulations 2025.

Background

The Regulation and Inspection of Social Care (Wales) Act 2016 (“the 2016 act”) received Royal Assent on 18 January 2016. It reformed the regulation and inspection regime for social care in Wales.

The 2016 act aims to provide greater transparency and comparability across services in Wales, rebalance the accountability within the system so the appropriate agencies or individuals are held responsible in law, and move beyond an approach based on compliance towards one that reflects the quality of provision. The new system of service regulation established by the 2016 act has been operating since providers re-registered their services with Care Inspectorate Wales (CIW) in 2018.

Section 37 of the 2016 act provides for a system of inspection ratings for regulated services as part of the regulator’s inspection activity. Section 37(1) is a regulation-making power which allows the Welsh Ministers to make provision about ratings that may be given in relation to the quality of care and support provided by a service provider who has been inspected. Section 37(2) specifies that regulations may make provision about the display of ratings, may specify the criteria to be applied when arriving at a rating, and must include provision for appealing against a rating included in an inspection report.

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Section 45 of the 2016 act gives the Welsh Ministers the power, by regulations, to make it an offence for a service provider to fail to comply with a specified provision of regulations made under section 37(2)(a) (the display of ratings in such a manner, and at such a place, as the regulations may specify). Sections 52(1) and (2) of the 2016 act enable the Welsh Ministers to give a penalty notice to a person whom they are satisfied has committed an offence prescribed by regulations made under section 45.

We have created regulations under sections 37, 45 and 52 of the 2016 act which place requirements on care home services (for adults and children) and domiciliary support services. These services are defined under schedule 1 of the 2016 act.

The draft regulations place requirements on providers of these services to display inspection ratings, both online and within premises (with some exceptions). The draft regulations provide for a system of appealing against ratings. They also create an offence of failure to display an inspection rating, which may be dealt with by way of a penalty notice. The details of the regulations are included in the sections below. The draft regulations will be subject to the affirmative procedure and, subject to approval by the Senedd, will come into force on 31 March 2025.

Ministerial foreword

“ Inspection ratings are a key component of the regulatory framework in Wales and support a culture of continuous improvement. They will provide organisations with a clear and objective indicator of the quality of their service. They will recognise excellence and good practice and highlight where improvements need to be made.

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“ The draft regulations provide the statutory basis for a system of published inspection ratings. Published inspection ratings will ensure greater transparency about the quality of care in regulated care home services and domiciliary support services. They will inform commissioning practice and help individuals and their families make informed decisions about their choice of care.

“ Care Inspectorate Wales has taken a measured approach to the introduction of inspection ratings, taking care to ensure that the system is consistent, fair, and fully tested at an operational level. The inspectorate has published an action plan to address the recommendations of the independent evaluation of the pilot phase and will continue to engage extensively with the sector.

“ Once inspection ratings have been established successfully for care home services and domiciliary support services, I will consider how they may be applied to other regulated services in Wales.

“ I look forward to receiving your views. ”

Dawn Bowden MS
Minister for Social Care.

Evaluation of silent ratings

In preparation for the draft regulations establishing a system of published inspection ratings, Care Inspectorate Wales (CIW) piloted a system of ‘silent’ or unpublished inspection ratings between June 2023 and April 2024. During the pilot phase ratings were awarded (excellent, good, needs improvement, and poor) across four inspection themes (well-being, care and support, leadership and management, and environment). The ratings awarded following an

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inspection were shared with service providers but not included in the inspection report or published on CIW's website.

CIW commissioned an independent evaluation of silent ratings between January and April 2024 to assess CIW's consistency of practice in applying ratings, as well as the impact on service providers and inspection teams. CIW has published the [evaluation report](#) which includes a number of recommendations setting out how ratings can be improved in preparation for ratings being published from April 2025.

CIW's published [action plan](#) outlines the steps it will take in preparation for published ratings from April 2025. CIW is committed to working with the sector to ensure people receive the best possible care and support and the evaluation report provides a welcome opportunity for further engagement to address the report's recommendations. The action plan includes wide engagement and communication both within CIW and externally and a commitment to significant co-production with stakeholders on key decisions. CIW will continue to engage with service providers and the wider sector during the consultation period and in the coming months.

This public consultation is about the draft regulations. It is not seeking views on CIW's published action plan or the wider operational arrangements for introducing published inspection ratings once the regulations are in place. For questions or comments on CIW's action plan or other operational matters please contact CIW.Ratings@gov.wales.

Guidance on ratings

CIW will publish guidance for service providers to support the introduction of published inspection ratings from 1 April 2025. In the meantime, CIW has published interim guidance to support the pilot phase. The interim guidance

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provides an overview of CIW's approach to the implementation of ratings. It describes the ratings to be awarded (excellent, good, needs improvement, and poor) across 4 inspection themes (well-being, care and support, leadership and management, and environment). It details how ratings will be applied and the criteria inspectors will use to determine which rating to award. The **guidance can be found on the Care Inspectorate Wales's website**.

CIW's responding to inspection reports policy provides further operational details about the appeals process, which service providers may find useful to read alongside the regulations.

Inspection ratings, draft regulations

The Regulated Services (Inspection Ratings) (Wales) Regulations 2025 provide the legal framework for a system of published inspection ratings. The draft regulations deal with three aspects of the system – the display of inspection ratings, appealing against inspection ratings and offences.

The display of inspection ratings

Displaying ratings online

The draft regulations require providers of care home services for adults, care home services for children, and domiciliary support services, to publish their most recent inspection ratings on every website they maintain, or which a third party maintains on their behalf, in relation to that service. Where a provider has more than one service or provides a service at, from or in relation to more than one place, they must make it clear to which place the inspection ratings relate.

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Inspection ratings shown on a provider's website must:

- be displayed without delay after inspection ratings are published in an inspection report by CIW
- be in the specified form designated by the Welsh Ministers
- be legible
- include the date the inspection ratings were given
- be displayed conspicuously

The draft regulations do not place a requirement on service providers to have a website. However, the Health and Social Care (Wales) Bill, which amends the 2016 act, will, if passed, require providers to publish the annual returns required under Section 10 of the 2016 act on their own website. Service providers will therefore need to have a website to meet the requirements in the Health and Social Care (Wales) Bill once the bill becomes an act and the requirement comes into force. This is estimated to be after April 2026.

Displaying ratings at or from service premises

Care home services for adults

The draft regulations require care home providers for adults to display at least one sign showing their most recent inspection ratings at each care home premises at or from where a service is being delivered and to which the ratings relate. Inspection ratings must:

- be displayed without delay after inspection ratings are published in an inspection report
- be in the specified form designated by the Welsh Ministers
- be legible
- include the date the inspection ratings were given

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- be displayed conspicuously
- be displayed in a location accessible to individuals who are in receipt of the service and visitors to the place at or from which the relevant regulated service is provided

The requirement to display the inspection ratings at care home premises will not apply to providers of smaller care homes with four or fewer individuals living at the service. These services are more akin to family homes, and displaying inspection ratings may not be appropriate and may detract from the homeliness of the service. Providers of these smaller services may use their own judgement and can still display the inspection ratings voluntarily if they consider it to be appropriate.

The threshold of “four or fewer individuals” aligns with the approach we have taken in the Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017 (as amended). These regulations place requirements on service providers and responsible individuals of care home services and domiciliary support services in relation to the quality of care and support to be provided. The regulations contain an exemption which disapplies the requirements in Part 13 of the regulations (such as the requirement for bedrooms to have en-suite facilities) for homes with four or fewer individuals.

We welcome views on whether disapplying the requirement to display inspection ratings at care home premises for adults with four or fewer individuals is proportionate or if there could be any unintended consequences.

Care home services for children

The requirement to display tangible signs of inspection ratings at care home premises will not apply to care homes for children. This exemption has been determined on the basis of feedback provided by care experienced children as part of a report commissioned by CIW to seek the views of children and young

people about what makes an excellent quality care home. Those that took part said that a children's home shouldn't look any different to any other child's family home. Children wanted homes that do not stand out as children's homes and did not want any signs (corporate signage) identifying their home as a children's home, which may have an associated stigma of being 'looked after.'

Domiciliary support services

The draft regulations require providers of domiciliary support services to display at least one sign of their most recent inspection ratings in each office at or from which a service operates and to which the ratings relate unless the office is inaccessible to members of the public. This recognises that there is no legal requirement for a domiciliary support service to have a physical office.

Inspection ratings displayed must:

- be displayed without delay after inspection ratings are published in an inspection report
- be in the specified form designated by the Welsh Ministers
- be legible
- include the date the inspection ratings were given
- be displayed conspicuously
- be displayed in a location accessible to individuals who are in receipt of the service and visitors to the place at or from which the relevant regulated service is provided

The regulations make it clear that there is no requirement for inspection ratings to be displayed in the homes of people receiving domiciliary support services, as this would not be appropriate. This includes supported living accommodation. People living in supported living services receive domiciliary support within their own self-contained flats. As such, there is no requirement to display inspection ratings within these settings.

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Providing inspection ratings on request

The draft regulations require providers of both domiciliary support services and care home services to provide their inspection ratings to any individual on request, in an appropriate format. The format should be suitable for the needs, age and level of understanding of the person requesting it. This aligns with the intention in the 2016 act to ensure there is accessible, objective information about regulated services available to the public.

Appealing against inspection ratings

The 2016 act states that regulations made under section 37 must include provision for a service provider to appeal against a rating included in an inspection report. Including an appeals process within the regulations provides a mechanism for providers to challenge ratings decisions made by inspectors in certain circumstances.

The draft regulations state that providers may appeal against ratings contained in an inspection report on the grounds that they are based on factual inaccuracy or incomplete evidence. Providers can therefore appeal against ratings considered to be determined on the basis of findings containing errors or incomplete evidence.

Should a provider wish to appeal on the grounds stated above, they must first request that the inspectorate undertakes a review of the ratings by writing to CIW within 10 working days of the draft inspection report being provided. If dissatisfied with the outcome of a review, the provider can then lodge an appeal by writing to CIW within 5 working days from receiving notification of the outcome of the review. The appeal must be made on the same grounds as those relied on to seek the review. The appeal will be considered by a person independent of the inspector's team. CIW will consider the appeal and confirm

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the final inspection ratings determined by sending the service provider a final inspection report and publishing it on their website.

This process aligns with CIW's current two-stage process for providers to challenge inspection reports, set out in [CIW's Responding to Inspection Reports Policy](#).

Offences

The regulations create an offence of failure to display an inspection rating in accordance with the requirements of the relevant regulations. This will apply if a provider fails to display the rating on their website (if they have one), or at the premises at or from which they provide a service (unless they fall within the exemption).

The regulations enable CIW to deal with this offence by way of a penalty notice. This gives the provider the opportunity to pay a fine instead of proceedings being brought in relation to the offence. The penalty payable for the offence is an amount corresponding to level 4 on the standard scale which is £2,500.

This is comparable to the level of fine which may be issued if a provider fails to comply with requirements to make notifications or to have in place specific policies and procedures.

How to respond

You can submit your response by midnight on 14 October 2024, in any of the following ways:

- complete our online form
- download, complete our consultation response form and email it to:

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CareHomeTeam@gov.wales (please include the reference WG49540 in the subject of your email)

- download, complete our consultation response form and post to the address stated below

Care Home Team
Social Services Improvement Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

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- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the UK GDPR, please see contact details below.

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Data Protection Officer:

Welsh Government
Cathays Park
CARDIFF
CF10 3NQ
Email: dataprotectionofficer@gov.wales

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF
Telephone: 0303 123 1113
[Information Commissioner's website.](#)

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The Welsh Government will be data controller for Welsh Government consultations and for any personal data you provide as part of your response to the consultation.

Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. The lawful basis for processing information in this data collection exercise is our public task; that is, exercising our official authority to undertake the core role and functions of the Welsh Government. (Art 6(1)(e)).

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Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. In the case of joint consultations this may also include other public authorities. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (such as a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, 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. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under freedom of information legislation and that the Welsh Government may be under a legal obligation to disclose some information.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

Further information and related documents

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