

2010 No. 2585 (W.217)

SOCIAL CARE, WALES

**The Adult Placement Schemes
(Wales) (Miscellaneous
Amendments) Regulations 2010**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make two amendments to the Adult Placement Schemes (Wales) Regulations 2004 (“Principal Regulations”).

Firstly, the definition of “adult placement scheme” is amended to increase from two to three the maximum number of adults who may be placed with an adult placement carer under an adult placement scheme.

Secondly, the definition of “relative” in relation to an adult placed under the scheme is amended to remove a former foster carer with whom they were accommodated. The effect of this amendment is to bring placements with former foster carers within the scope of adult placement schemes.

These Regulations also amend the Care Homes (Wales) Regulations 2002 by omitting regulations 46 and 47. The effect of this amendment is that small care homes where the provider is an “adult placement carer” (as defined in regulation 46 of the 2002 Regulations) will no longer be subject to the “lighter touch” regulatory regime (as described in regulation 47 of the 2002 Regulations) and will be subject to the same regulations as other care homes, unless they are excepted from registration by bringing themselves within the scope of the Principal Regulations.

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(Wales) (Miscellaneous
Amendments) Regulations 2010**

Made 21 October 2010

Laid before the National Assembly for Wales
25 October 2010

Coming into force 1 December 2010

The Welsh Ministers, having consulted such persons as they consider appropriate⁽¹⁾, make the following Regulations in exercise of the powers conferred upon them by sections 22(1), 42(1), 118(5) to (7) of the Care Standards Act 2000⁽²⁾:

Title, commencement, interpretation and application

1.—(1) The title of these Regulations is the Adult Placement Schemes (Wales) (Miscellaneous Amendments) Regulations 2010 and they come into force on 1 December 2010.

(2) In these Regulations “the Principal Regulations” means the Adult Placement Schemes (Wales) Regulations 2004⁽³⁾.

(3) These Regulations apply in relation to Wales.

Amendment of the Principal Regulations

2. In these Regulations, unless the context otherwise requires, any reference to a numbered regulation is to

(1) See section 22(9) of the Care Standards Act 2000 for the requirement to consult.

(2) 2000 c.14. Functions of the National Assembly for Wales under these sections of the Care Standards Act 2000 were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

(3) S.I. 2004/1756 (W.188).

the regulation in the Principal Regulations bearing that number and any reference in a regulation to a numbered paragraph is to the paragraph of that regulation bearing that number.

3.—(1) The Principal Regulations are amended as follows.

(2) In regulation 2 (Interpretation) paragraph (1)—

(a) for the definition of “adult placement scheme” substitute—

“adult placement scheme” (“*cynllun lleoli oedolion*”) means a scheme under which arrangements are made or proposed to be made for not more than three adults to be accommodated and provided with personal care in the home of a person who is not their relative;”;

(b) in the definition of “relative”, omit subparagraph (d).

Amendment of the Care Homes (Wales) Regulations 2002

4. Regulations 46 and 47 of the Care Homes (Wales) Regulations 2002⁽¹⁾ are omitted.

Gwenda Thomas

Deputy Minister for Social Services under authority of the Minister for Health and Social Services, one of the Welsh Ministers

21 October 2010

(1) S.I. 2002/324 (W.37).