

SL(5)545 – The Regulated Services (Annual Returns) (Wales) (Amendment) (Coronavirus) Regulations 2020

Background and Purpose

These Regulations are made under powers given to the Welsh Ministers by the Regulation and Inspection of Social Care (Wales) Act 2016 (“the Act”).

They amend a particular requirement placed on registered providers of social care and are made in response to the spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in Wales.

Part 1 of the Act places requirements on providers of the social care services that are regulated by the Act. They include a requirement in section 10 to submit an annual return to the Welsh Ministers. The Regulated Services (Annual Returns) (Wales) Regulations 2017 (“the Annual Returns Regulations”) provide further details about the annual returns. They include provision made under section 10(4) about the dates by which the returns must be submitted.

These Regulations amend regulations 9A and 10 of the Annual Returns Regulations. Those regulations relate to the date by which annual returns have to be submitted. The effect of the amendments is that providers of all types of regulated services must now submit annual returns relating to financial years 2018-19, 2019-20 and 2020-21 no later than 26 May 2021.

Procedure

Negative.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

One point is identified for reporting under Standing Order 21.3 in respect of this instrument.

Standing Order 21.3(ii) - that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd

We note that the Welsh Government has not formally consulted on these Regulations, but that there has been a short consultation with key stakeholders (listed in paragraph 5 of the Explanatory Memorandum).

We also note that, according to paragraph 5 of the Explanatory Memorandum, “Those stakeholders who chose to comment were favourable towards the intention to defer the deadline for annual returns”.

Implications arising from exiting the European Union

None.

Government Response

A Welsh Government response is not required.

Legal Advisers



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