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

**Implications for service providers**

**What’s it all about?**

The Regulation and Inspection of Social Care (Wales) Act 2016 provides a revised, streamlined framework for the regulation and inspection of social care services in Wales. It embeds the aims of the Social Services and Well-being (Wales) Act 2014 and the Well-being of Future Generations (Wales) Act 2015.

The Act is being introduced to improve the **quality of care and support** in Wales.
It will do this by strengthening protection, increasing accountability and giving a stronger voice to people who use care and support services.

**Who will it affect?**

Local authorities, care providers, managers, staff and people who use the following **regulated services**: care homes, secure accommodation, residential family centres, adoption and fostering, adult placements, advocacy, and domiciliary support.

**What’s going to be different?**

The Act marks a shift away from a system of regulation focused on compliance with minimum standards towards a system and culture which takes greater account of the impact that care and support services have on people’s lives and **well-being**.



* Local and national **market stability reports** introduced
* Better **market** **oversight** of important providers by the regulator
* Standardised **reporting** across local authorities
* Local authority inspections **focus on impact** and well-being
* The Care Council and SSIA will become **Social Care Wales**: an agent for change in the sector
* **Duty to co-operate** with CSSIW
* Better **accountability** through ‘responsible individuals’
* New annual **provider returns**
* Changes to CSSIW service **registration**
* Provider inspections **focus on impact** and well-being
* **Mandatory registration** of care workers, as well
as social workers and managers
* **Workforce** registration with **Social Care Wales**
* Regulation of care worker**training**

**What will this mean for service providers?**

The Act will affect the whole care and support sector: local authorities if they provide regulated services, voluntary and community sector providers, not for profit and private sector provider organisations or individuals. It will affect providers offering regulated services for all types of care groups such as learning disabilities, mental health services, children’s services, older people’s services, etc.

Service registration by CSSIW will move from an **establishment-based model
to a service provider one**. This means that a provider who has more than one establishment will no longer need to have separate registrations for each – building in flexibility for providers to register services and expand or vary operations through a less burdensome process. It also allows CSSIW to press for improvement across one care setting, or across a provider’s entire range of services if necessary.

**Registration**

* Existing providers must
re-register with CSSIW
* Registration will be by service provider not establishment
* A ‘responsible individual’ (RI) designated as part of the process
* Providers and RIs must be ‘fit and proper’ persons



**Workforce**

* Care and support staff, as well as managers, must be on the Social Care Wales register
* Includes requirement to be appropriately qualified
* They must all be ‘fit to practise’

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The Act recognises the broad nature of the sector workforce. All care and support staff – such as domiciliary care and adult care home workers – **must** be on the Social Care Wales workforce register, as well as the current groups of registered staff: social workers, social work students, managers and residential childcare workers.

**Inspections**

* Include assessment of how
well services are meeting the well-being outcomes of the people who use them
* Improvement notices and stronger powers for the regulator to take action if needed



**Annual returns**

* Providers to prepare annual returns, which will be published
* Includes staff retention, training and development
* So the public have transparent and comparable information



Service providers will be more accountable for their own standards and continuously improving their own quality. Providers will prepare **annual returns** outlining their performance, which will be publicly available.

Inspections of providers will focus on outcomes, including an assessment of how well services are meeting the **well-being outcomes** of the people who use them. CSSIW will have strengthened powers to take action if there are poor quality services. These changes will create greater transparency, increasing understanding of where and how services are working, and make it easier for people to make well-informed choices about their care and support.

**Good to know**

Workforce regulations come into force in April 2017. Registration of managers, social workers, social work students and residential child care workers will be transferred from the Care Council to Social Care Wales from April 2017 i.e. these staff will not need to re-register. Domiciliary care workers can register from 2018 and it will be mandatory to do so from 2020. Care home workers can register from 2020 and it will be mandatory to do so from 2022.

There will be no impact on service registration until April 2018, with a phased
re-registration process during 2018-19 and full implementation by April 2019. Current regulations and National Minimum Standards remain in force until services are registered under the Regulation and Inspection of Social Care (Wales) Act 2016.

The detailed requirements for all the changes will be set out in regulations developed by Welsh Government. The workforce regulations and some service regulations (registration as a service provider, variation of registration, service provider annual returns, and information to be included in notification to local authorities) are being consulted upon during phase one during June-September 2016. The rest of the regulations will be consulted upon in phase two during late spring to summer 2017.

You can prepare for the changes by making sure your registrations details are accurate and by informing CSSIW if you make any changes to your business which may impact on your registration, for example a change in the legal identity of the organisation.