



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 1

REGULATION OF SOCIAL CARE SERVICES

CHAPTER 2

REGISTRATION ETC. OF SERVICE PROVIDERS

Notice requirements

17 Notice of decision following improvement notice

- (1) If the Welsh Ministers are satisfied that—
 - (a) action specified in an improvement notice has been taken, or
 - (b) information so specified has been provided,within the time limit specified in the notice they must notify the service provider that they have decided not to cancel or vary the provider's registration on the ground specified in the improvement notice.
- (2) If the Welsh Ministers are not satisfied that information specified in an improvement notice has been provided within the time limit specified in the notice they must give the service provider a decision notice stating that the provider's registration is to be cancelled or varied on the ground specified in the improvement notice.
- (3) If the Welsh Ministers are not satisfied that action specified in an improvement notice has been taken within the time limit specified in the notice they must either—
 - (a) give the service provider a decision notice stating that the provider's registration is to be cancelled or varied on the ground specified in the improvement notice, or

Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Section 17. (See end of Document for details)

- (b) notify the provider—
 - (i) that the action has not been taken,
 - (ii) of a new date by which the action must be taken,
 - (iii) that, following that date, an inspection under section 33 of the regulated service or place to which the improvement notice relates will be carried out, and
 - (iv) that, following that inspection, if the action has not been taken they will proceed to cancel or vary the provider's registration on the ground specified in the improvement notice.
- (4) If, after the inspection, the Welsh Ministers are satisfied that the action specified in the improvement notice has been taken they must notify the service provider that they have decided not to cancel or vary the provider's registration on the ground specified in the improvement notice.
- (5) If, after the inspection, the Welsh Ministers are still not satisfied that the action specified in the improvement notice has been taken they must give the service provider a decision notice stating that the provider's registration is to be cancelled or varied on the ground specified in the improvement notice.
- (6) A decision notice given under subsection (2), (3)(a) or (5) must—
 - (a) state the reasons for the decision (including the grounds for cancellation or variation), and
 - (b) explain the right of appeal conferred by section 26.
- (7) A decision stated in a notice given under subsection (2), (3)(a) or (5) takes effect—
 - (a) if no appeal is made against the decision, on the day after the last day of the 28 day period referred to in section 26(2), or
 - (b) if an appeal is made, on the day specified by the tribunal in determining the appeal or on the day the appeal is withdrawn.

Commencement Information

II S. 17 in force at 2.4.2018 by [S.I. 2017/1326](#), [art. 2\(3\)\(d\)](#)

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