
WELSH STATUTORY INSTRUMENTS

2001 No. 2186

**The Carers (Services) and Direct Payments
(Amendment) (Wales) Regulations 2001**

Services of an intimate nature and prescribed circumstances

2.—(1) For the purposes of section 2(3) of the Act a service delivered to the person cared for is of an intimate nature if it involves—

- (a) lifting, washing, grooming, feeding, dressing, bathing, toileting, administering medicines, or activities of a similar kind involving physical contact with the person cared for;
- (b) assistance in connection with washing, grooming, feeding, dressing, bathing administration of medicines or using the toilet; or
- (c) supervising the person whilst the person is dressing, bathing, or using the toilet.

(2) Where a service is being delivered to the person cared for the circumstances in which the service may include a service of an intimate nature are where—

- (a) during the delivery of that service the person cared for asks the person delivering the service to provide a service of an intimate nature; or
- (b) the person cared for is in a situation in which he or she is likely to suffer serious personal harm unless a service of an intimate nature is provided to him or her and
 - (i) the person cared for is unable to consent to the provision of that service, or
 - (ii) the person providing the service reasonably believes it is necessary to provide that service because the likelihood of serious personal harm to the person cared for is imminent.