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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made under the Care Standards Act 2000 (“the Act”), and apply in relation to nurses agencies in Wales only. Parts I and II of the Act provide for the National Assembly for Wales, in relation to Wales, to register and inspect establishments and agencies, including nurses agencies. The Act also provides for the Assembly to make regulations governing the conduct of establishments and agencies.

By regulation 4, each agency must prepare a statement of purpose in relation to the matters set out in Schedule 1 and a service user’s guide to the agency (regulation 5). The agency must be carried on in a manner which is consistent with the statement of purpose.

Regulations 7 to 11 make provision about the fitness of the persons carrying on and managing an agency and require satisfactory information to be obtained in relation to the matters specified in Schedule 2. Where the provider is an organisation, it must nominate a responsible individual in respect of whom this information must be available (regulation 7). Regulation 8 prescribes the circumstances where a manager must be appointed in respect of the agency, and regulation 9 makes provision concerning the fitness of the manager. Regulation 10 imposes general requirements in relation to the proper conduct of the agency, and the need for appropriate training.

Part III makes provision in relation to the conduct of agencies, in particular about the quality of services to be provided by an agency. Regulation 12 makes provision about the fitness of all nurses supplied by an agency. Regulation 13 sets out the policies and procedures which must be prepared and implemented by the registered person where the agency is acting as an employment business. In addition, provision is made as to staffing (regulation 14), the provision of information to service users (regulation 16), record keeping (regulation 17 and Schedule 4) and complaints (regulation 18). Provision is also made about the suitability of premises (regulation 20) and the financial management of the agency (regulation 21). Regulations 22 to 25 deal with the giving of notices to the Assembly.

Part IV deals with miscellaneous matters. In particular, regulation 27 provides for offences. A breach of regulations 4 to 23 may found an offence on the part of the registered person. Regulation 28 amends the Regulation of Social Care and Independent Healthcare (Fees) (Wales) Regulations 2002 by prescribing the annual fee in respect of the registration of nurses agencies. Regulation 29 makes amendments to the Registration of Social Care and Independent Health Care (Wales) Regulations 2002 to include nurses agencies and regulation 30 deals with transitional arrangements.