
WELSH STATUTORY INSTRUMENTS

2004 No. 1756

The Adult Placement Schemes (Wales) Regulations 2004

**PART I —
GENERAL**

Interpretation

2.—(1) In these Regulations —

“the Act” (“*y Ddeddf*”) means the Care Standards Act 2000;

“adult placement agreement” (“*cytundeb lleoli oedolion*”) shall be construed in accordance with regulation 13;

“adult placement carer” (“*gofalwr lleoliad oedolion*”) means a person in whose home an adult is or may be accommodated and provided with personal care under an adult placement agreement entered into or proposed to be entered into by the carer;

“adult placement scheme guide” (“*arweiniad i'r cynllun lleoli oedolion*”) shall be construed in accordance with regulation 5;

“adult placement scheme” (“*cynllun lleoli oedolion*”) means a scheme under which arrangements are made or proposed to be made for not more than two adults to be accommodated and provided with personal care in the home of a person who is not their relative;

“adult’s plan” (“*cynllun oedolyn*”) shall be construed in accordance with regulation 18 and includes that plan as amended from time to time;

“appropriate office of the National Assembly” (“*swyddfa briodol y Cynulliad Cenedlaethol*”) means in relation to an adult placement scheme —

- (a) if an office of the National Assembly has been specified under regulation 33 for the area in which the principal office of the scheme is situated, that office; or
- (b) in any other case, any office of the National Assembly;

“care services” (“*gwasanaethau gofal*”) has the same meaning as in Schedule 1 to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975⁽¹⁾;

“complaints procedure” (“*trefn gwyno*”) shall be construed in accordance with regulation 21;

“home”, (“*cartref*”) where a person has more than one home, means the home where the person ordinarily resides;

“National Assembly” (“*Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

“organisation” (“*corff*”) means a body corporate;

“placement” (“*lleoliad*”) means an arrangement whereby an adult is accommodated in the home of an adult placement carer;

⁽¹⁾ S.I.1975/1023; the definition of “care services” was inserted in the 1975 Order by S.I. 2002/441.

- “placed” (*“lleoli”*) must be construed in accordance with the definition of “placement”;
- “principal office of the scheme” (*“prif swyddfa'r cynllun”*) means the office from which the scheme is mainly administered;
- “registered manager” (*“rheolwr cofrestredig”*) means a person who is registered under Part II of the Act as the manager of the adult placement scheme;
- “registered person” (*“person cofrestredig”*) means any person who is the registered provider or the registered manager of the adult placement scheme;
- “registered provider” (*“darparwr cofrestredig”*) means the person who is registered under Part II of the Act as the provider of the adult placement scheme;
- “relative” (*“perthynas”*) in relation to a relevant adult means —
- (a) the adult’s spouse;
 - (b) any parent, grandparent, great-grandparent, child, grandchild, great-grandchild, brother, sister, uncle, aunt, nephew or niece of the adult or of the adult’s spouse;
 - (c) the spouse of any relative within sub-paragraph (b) of this definition;
 - (d) a person with whom the adult was accommodated for more than 28 days between the ages of sixteen and eighteen under fostering arrangements, or the person’s spouse;
- and for the purpose of determining any such relationship a person’s step child shall be treated as his or her child, and references to “spouse” include a former spouse and a person who is living with the person as if they were husband and wife;
- “relevant adult” (*“oedolyn perthnasol”*) in relation to a scheme, means an adult who may be or is placed under the scheme;
- “representative” (*“cynrychiolydd”*) in relation to a relevant adult, means a person (other than the registered provider or manager, member of staff or adult placement carer) who with the adult’s express or implied consent takes an interest in the adult’s health and welfare;
- “responsible individual” (*“unigolyn cyfrifol”*) shall be construed in accordance with regulation 8(2);
- “scheme premises” (*“mangre cynllun”*) means premises from which the management of the adult placement scheme takes place;
- “staff” (*“staff”*) in relation to a scheme, means persons, other than adult placement carers, who work for the purposes of the scheme;
- “statement of purpose” (*“datganiad o ddiben”*) shall be construed in accordance with regulation 4;
- “vulnerable adult” (*“oedolyn hawdd ei niweidio”*) has the same meaning as in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(2); and
- “work” (*“gwaith”*) includes work of any kind, whether paid or unpaid, and whether under a contract of apprenticeship, under a contract for services, or otherwise than under a contract.

- (2) In these Regulations a reference —
- (a) to a numbered regulation or Schedule is to the regulation in or Schedule to these Regulations bearing that number;
 - (b) in a regulation or Schedule to a numbered paragraph is to the paragraph in that regulation or Schedule bearing that number;
 - (c) in a paragraph to a lettered or numbered sub-paragraph is to the sub-paragraph in that paragraph bearing that letter or number.

(2) S.I. 1975/1023; the definition of “vulnerable adult” was inserted in the 1975 Order by S.I. 2002/441.

(3) In regulations 2(1) and 7 and in Schedule 1, a reference to Part II of the Act is to Part II of the Act as applied by regulation 3 and Schedule 1.