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WELSH STATUTORY INSTRUMENTS

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**2004 No. 219**

**The Domiciliary Care Agencies (Wales) Regulations 2004**

**PART III**

**CONDUCT OF DOMICILIARY CARE AGENCIES**

**Notice of absence**

**27.**—(1) Where —

- (a) a registered provider who manages the agency; or
- (b) a registered manager,

is to be absent from the agency for a continuous period of 28 days or more, the registered person shall give notice in writing to the appropriate office of the National Assembly of the absence.

(2) Except in the case of an emergency, the notice referred to in paragraph (1) shall be given no later than one month before the absence commences, or within such shorter period as may be agreed with the National Assembly, and the notice shall specify —

- (a) the length or expected length of the proposed absence;
- (b) the reason for that absence;
- (c) the arrangements which have been made for the running of the agency during that absence;
- (d) the name, address and qualifications of the person who will be responsible for the agency during that absence; and
- (e) the name, address and qualifications of any person appointed or nominated in accordance with regulation 9.

(3) Where an absence referred to in paragraph (1) arises as a result of an emergency, the registered person shall give notice of the absence within one week of the emergency's occurrence specifying the matters in sub-paragraphs (a) to (e) of paragraph (2).

(4) Where —

- (a) a registered provider who manages the agency; or
- (b) a registered manager,

has been absent from the agency for a continuous period of 28 days or more, and the appropriate office of the National Assembly has not been given notice of the absence, the registered person shall forthwith give notice in writing to that office specifying the matters in sub-paragraphs (a) to (e) of paragraph (2).

(5) The registered person shall notify the appropriate office of the National Assembly of the return to duty of the registered provider or (as the case may be) the registered manager no later than 7 days after the date of return.