
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Carers Strategies (Wales) Measure 2010.

They apply to Local Health Boards and local authorities and in part to the Velindre NHS Trust and to the Welsh Ambulance Services NHS Trust. These are referred to as “designated authorities”. The regulations require each Local Health Board in Wales and the local authorities which fall within their area to work together in preparing and publishing a strategy setting out how they will work together to assist and include carers in the arrangements made for those they care for.

Regulation 3 provides that Local Health Boards in Wales are the “lead authority” in the preparation and publication of the joint strategy which they must prepare with local authorities. Local authorities must participate in the preparation of the strategy and both Local Health Boards and local authorities must implement the strategy. NHS Trusts must prepare and publish a strategy and they can discharge the duty by participating in the preparation of the Local Health Boards' strategies.

Regulation 4 makes requirements on those preparing strategies to consult with voluntary organisations.

Regulation 5 makes specific requirements about matters to be contained in a strategy.

Regulation 6 prescribes particular sorts of information as “appropriate information and advice” to be provided to carers.

Regulation 7 makes further provision about the coverage which a strategy needs to give to issues in relation to consultation both with carers and those they care for.

Regulation 8 provides that strategies must be submitted in draft for approval by the Welsh Ministers. If approval is not given then designated authorities must comply with any directions about the content of the strategy or the timing of its re-submission.

Regulation 9 provides that strategies are to be prepared to cover a 3 year period and must be reviewed after 18 months and prior to preparation of the next strategy. Designated authorities must provide an annual report on how they are implementing and monitoring the strategy along with the local authorities. Where the authorities wish to make substantial amendments to the strategy, it must be re-submitted for approval. A strategy must be published in English and in Welsh unless it is not reasonably practicable to do so.

Regulation 10 specifies, in the case of strategies prepared jointly by a Local Health Board and local authorities, that the responsibility for certain duties arising under regulation 9 falls on the Local Health Board.

The Welsh Ministers Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff CF10 3NQ.