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WELSH STATUTORY INSTRUMENTS

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**2015 No. 1494**

**The Care and Support (Disputes about Ordinary Residence, etc.) (Wales) Regulations 2015**

**Referral: disputes about co-operation under section 189 (provider failure: temporary duty on local authority)**

5.—(1) This regulation applies to a dispute which is solely about the application of section 189(7) (a) or (b) of the Act (duty to co-operate).

(2) The referral must include the following documents—

- (a) a letter signed by the lead authority in relation to the dispute, stating that the dispute is being referred,
- (b) a statement of facts signed on behalf of each of the authorities which includes the information specified in paragraph (3), and
- (c) copies of all correspondence between the authorities which relates to the dispute.

(3) The specified information is—

- (a) an explanation of the nature of the dispute,
- (b) a chronology of the events leading up to the referral of the dispute, including the date on which the dispute arose,
- (c) details of the steps that the authorities have taken to resolve the dispute between themselves, and
- (d) any other information which appears to any of the authorities to be relevant to the determination of the dispute.

(4) The authorities must submit any legal arguments they rely on in relation to the dispute within 14 days of the date on which the dispute is referred.

(5) If an authority submits legal arguments it must—

- (a) send a copy of those arguments to the other authorities, and
- (b) provide evidence to the appropriate person that it has done so.

(6) If the appropriate person asks any of the authorities to provide further information, the local authority to which this request is made must comply without delay.