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WELSH STATUTORY INSTRUMENTS

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**2017 No. 1264**

**The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017**

**PART 12**

Requirements on service providers as to premises, facilities and equipment

**Overarching requirement**

**43.** The service provider must ensure that the premises, facilities and equipment are suitable for the service, having regard to the statement of purpose for the service.

**Premises – accommodation-based services only**

**44.—(1)** The requirements in this regulation only apply to service providers who are registered to provide a care home service, secure accommodation service or residential family centre service.

(2) The service provider must ensure that the physical design, layout and location of the premises used for the provision of the service is suitable to—

- (a) achieve the aims and objectives set out in the statement of purpose;
- (b) meet the care and support needs of the individuals;
- (c) support individuals to achieve their personal outcomes.

(3) In particular, the service provider must ensure that the premises used for the provision of the service meet the requirements of paragraphs (4) to (6) of this regulation.

(4) Premises must be—

- (a) accessible, adequately lit, heated and ventilated;
- (b) secure from unauthorised access;
- (c) suitably furnished and equipped;
- (d) of sound construction and kept in good structural repair externally and internally;
- (e) fitted and adapted as necessary, in order to meet the needs of individuals;
- (f) organised so that equipment used for the provision of the service is appropriately located;
- (g) free from hazards to the health and safety of individuals and any other persons who may be at risk, so far as is reasonably practicable;
- (h) properly maintained;
- (i) kept clean to a standard which is appropriate for the purpose for which they are being used.

(5) Premises must have bedrooms which—

- (a) include appropriate facilities to meet the care and support needs of the individual (if the room is single occupancy) or individuals (if the room is shared) occupying the bedroom;
- (b) are of an adequate size, having regard to —

- (i) whether the room is shared or single occupancy;
  - (ii) the layout and furniture;
  - (iii) the equipment required to meet the needs of the individual (if the room is single occupancy) or individuals (if the room is shared);
  - (iv) the number of staff required to meet the needs of the individual (if the room is single occupancy) or individuals (if the room is shared);
  - (c) are comfortable for the individual (if the room is single occupancy) or individuals (if the room is shared);
  - (d) allow the individual (if the room is single occupancy) or individuals (if the room is shared) both freedom of movement and privacy.
- (6) Premises must have sitting, recreational and dining space which is provided separately from the individual's own private rooms and any such space must be—
- (a) suitable and sufficient, having regard to the statement of purpose;
  - (b) located so as to enable all persons using the space to access any such space easily and safely.
- (7) Any communal space used for the provision of the service must be suitable for the provision of social, cultural and religious activities appropriate to the circumstances of the individuals.
- (8) Suitable facilities must be provided for individuals to meet visitors in private in a space which is separate from the individual's own private rooms.
- (9) Premises must have toilets, bathrooms and showers which are—
- (a) of sufficient number and of a suitable type to meet the needs of the individuals;
  - (b) appropriately equipped;
  - (c) located so as to enable all persons to access them easily and safely.
- (10) Premises must have external grounds which are accessible, suitable for, and safe for use by, individuals and appropriately maintained.
- (11) Premises must have suitable facilities for staff which must include—
- (a) suitable storage facilities, and
  - (b) where appropriate, suitable sleeping accommodation and changing facilities.

### **Single occupancy and shared rooms - adults**

- 45.—**(1) Where the service provider is providing a care home service which includes the provision of accommodation for individuals who are adults, the service provider must ensure that all adults are accommodated in single rooms. But this requirement does not apply if either—
- (a) the conditions in paragraph (2) are met, or
  - (b) paragraph (3) applies.
- (2) The conditions are —
- (a) an adult agrees to sharing a room with another adult;
  - (b) sharing a room is consistent with the well-being of both adults;
  - (c) the personal plans of both adults have been reviewed and revised as necessary;
  - (d) the number of adults who are accommodated in shared rooms does not exceed 15% of the total number of adults accommodated by the service.
- (3) This paragraph applies if the following conditions are met—
- (a) the care home service was registered as a care home under the Care Standards Act 2000;

- (b) the number of adults accommodated in shared rooms at the relevant time exceeded 15% of the total number of adults accommodated by the service at the relevant time;
- (c) all the adults who are accommodated in shared rooms were sharing a room with another adult at the relevant time.

(4) In paragraph (3) of this regulation, “the relevant time” means the time the service provider was registered under the Act as the provider of the care home service.

### **Single occupancy and shared rooms – children**

**46.**—(1) This regulation applies where the service provider is providing—

- (a) a care home service which includes the provision of accommodation for individuals who are children, or
- (b) a secure accommodation service.

(2) If this regulation applies, the service provider must ensure that each child is accommodated in a single room. But this requirement does not apply if the conditions in paragraph (3) are met.

(3) The conditions are—

- (a) the accommodation is provided in a care home service which was registered as a children’s home under the Care Standards Act 2000,
- (b) the accommodation provided was occupied at the time the service provider was registered under the Act,
- (c) the child is sharing a room with no more than one other child,
- (d) (except in the case of siblings) the other child is not of the opposite sex or of a significantly different age to him or her, and
- (e) sharing a room will promote the child’s well-being, is provided for in the child’s care and support plan and wherever practicable is agreed with the child.

### **Premises – all services**

**47.** The service provider must ensure that the premises used for the operation of the service have adequate facilities for—

- (a) the supervision of staff;
- (b) the secure storage of records.

### **Facilities and equipment**

**48.** The service provider must ensure that the facilities and equipment used for the provision of the service are—

- (a) suitable and safe for the purpose for which they are intended to be used;
- (b) used in a safe way;
- (c) properly maintained;
- (d) kept clean to a standard which is appropriate for the purpose for which they are being used;
- (e) stored appropriately.