

WELSH STATUTORY INSTRUMENTS

2019 No. 163

The Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

PART 11

Other requirements on service providers

Records

40.—(1) The service provider must keep and maintain the records specified in Schedule 2 in respect of each place from which the service is provided.

(2) The service provider must—

- (a) ensure that records relating to individuals are accurate and up to date;
- (b) keep all records securely;
- (c) make suitable arrangements for the records to continue to be kept securely in the event the service closes;
- (d) make the records available to the service regulator on request;
- (e) retain records relating to individuals for three years from the date of the last entry;
- (f) ensure that individuals who use the service—
 - (i) can have access to their records; and
 - (ii) are made aware they can access their records.

Commencement Information

I1 [Reg. 40](#) in force at 29.4.2019, see [reg. 1\(2\)](#)

Notifications

41.—(1) The service provider must notify the service regulator of the events specified in Schedule 3.

- (2) The notification must include details of the event.
- (3) Unless otherwise stated, notifications must be made without delay and in writing.
- (4) Notifications must be made in such manner and in such form as may be required by the service regulator.

Commencement Information

I2 [Reg. 41](#) in force at 29.4.2019, see [reg. 1\(2\)](#)

Conflicts of interest

42. The service provider must have effective arrangements in place to identify, record and manage potential conflicts of interest.

Commencement Information

I3 [Reg. 42](#) in force at 29.4.2019, see [reg. 1\(2\)](#)

Complaints policy and procedures

43.—(1) The service provider must have a complaints policy in place and ensure that the service is operated in accordance with that policy.

(2) The complaints policy must include procedures for considering complaints made to the service provider by adult placement carers about—

- (a) the provider, and
- (b) any other matter considered by the provider to be relevant.

(3) The service provider must have effective arrangements in place for dealing with complaints including arrangements for—

- (a) identifying and investigating complaints;
- (b) giving an appropriate response to a person who makes a complaint, if it is reasonably practicable to contact that person;
- (c) ensuring that appropriate action is taken following an investigation;
- (d) keeping records relating to the matters in sub-paragraphs (a) to (c).

(4) The service provider must provide a summary of complaints, responses and subsequent action to the service regulator within 28 days of being requested to do so.

(5) The service provider must—

- (a) analyse information relating to complaints and concerns; and
- (b) having regard to that analysis, identify any areas for improvement.

Commencement Information

I4 [Reg. 43](#) in force at 29.4.2019, see [reg. 1\(2\)](#)

Whistleblowing

44.—(1) The service provider must have arrangements in place to ensure that all persons working at the service (including any person allowed to work as a volunteer) are able to raise concerns about matters that may adversely affect the health, safety or well-being of individuals for whom the service is provided.

(2) These arrangements must include—

- (a) having a whistleblowing policy in place and a requirement to act in accordance with that policy, and
- (b) establishing arrangements to enable and support people working at the service to raise such concerns.

(3) The service provider must ensure that the arrangements required under this regulation are operated effectively.

- (4) When a concern is raised, the service provider must ensure that—
- (a) the concern is investigated;
 - (b) appropriate steps are taken following an investigation;
 - (c) a record is kept of each of these steps.

Commencement Information

I5 [Reg. 44](#) in force at 29.4.2019, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019, PART 11.