

SCHEDULE 1

REGULATED SERVICES: DEFINITIONS

Care home services

- 1 (1) A “care home service” is the provision of accommodation, together with nursing or care at a place in Wales, to persons because of their vulnerability or need.
- (2) But accommodation together with nursing or care provided at the following places does not constitute a care home service—
 - (a) a hospital;
 - (b) a school (but see sub-paragraph (3));
 - (c) a residential family centre;
 - (d) a place providing a secure accommodation service;
 - (e) a place providing accommodation for an adult arranged as part of an adult placement service.
- (3) Accommodation together with nursing or care provided at a school does constitute a care home service if, at the time accommodation is provided for children at the school—
 - (a) accommodation has been provided at the school or under arrangements made by the school’s proprietor for at least one child for more than 295 days in any period of 12 months falling within the previous 24 months, or
 - (b) such accommodation is intended to be provided for at least one child for more than 295 days in any period of 12 months falling within the following 24 months.
- (4) The provision of accommodation and care to a child by a parent, relative or foster parent does not constitute a care home service.
- (5) In sub-paragraph (2)(b), “school” has the meaning given by section 4 of the [Education Act 1996 \(c.56\)](#).
- (6) In sub-paragraph (4), “parent” means a person who has parental responsibility for a child (within the meaning given by section 3 of the [Children Act 1989 \(c.41\)](#)).
- (7) For the purposes of sub-paragraph (4) a person is a foster parent in relation to a child if the person—
 - (a) is a local authority foster parent, or
 - (b) fosters the child privately.