



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 1

REGULATION OF SOCIAL CARE SERVICES

CHAPTER 2

REGISTRATION ETC. OF SERVICE PROVIDERS

Responsible individuals

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- (1) In this Part, “responsible individual” means an individual—
- (a) who is eligible to be a responsible individual under subsection (2),
 - (b) who the Welsh Ministers are satisfied is a fit and proper person to be a responsible individual (see section 9), and
 - (c) designated by a service provider in respect of a place at, from or in relation to which the provider provides a regulated service and specified as such in the service provider’s registration.
- (2) To be eligible to be a responsible individual the individual must—
- (a) where the service provider is an individual, be the service provider;
 - (b) where the service provider is a partnership, be one of the partners;
 - (c) where the service provider is a body corporate other than a local authority—
 - (i) be a director or similar officer of the body,
 - (ii) in the case of a public limited company, be a director or company secretary, or

Status: This is the original version (as it was originally enacted).

- (iii) in the case of a body corporate whose affairs are managed by its members, be a member of the body;
 - (d) where the service provider is an unincorporated body, be a member of the body;
 - (e) where the service provider is a local authority, be an officer of the local authority designated by the authority's director of social services.
- (3) For the purposes of subsection (2)(e), a local authority's director of social services may designate an officer only if the director thinks that the officer has the necessary experience and expertise to be a responsible individual.
- (4) The same responsible individual may be designated in relation to more than one place at, from or in relation to which a regulated service is provided.
- (5) The Welsh Ministers may, by regulations—
 - (a) specify circumstances in which the Welsh Ministers (instead of a service provider) may designate an individual to be a responsible individual despite the requirements of subsection (2) not being met in respect of the individual, and
 - (b) make provision for this Part to apply with prescribed modifications to such a responsible individual.