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WELSH STATUTORY INSTRUMENTS

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**2002 No. 325 (W.38)**

**PUBLIC HEALTH, WALES**

**Private and Voluntary Health Care (Wales) Regulations 2002**

*Made - - - - 12th February 2002*

*Coming into force 1st April 2002*

**PRIVATE AND VOLUNTARY HEALTH  
CARE (WALES) REGULATIONS 2002**

PART I

**GENERAL**

1. Citation, commencement and application
2. Interpretation
3. Meaning of “independent hospital”
4. Meaning of “independent clinic”
5. Statement of purpose
6. Patients' guide
7. Review of statement of purpose and patients' guide
8. Policies and procedures

PART II

**REGISTERED PERSONS**

9. Fitness of registered provider
10. Appointment of manager
11. Fitness of manager
12. Registered person — general requirements
13. Notification of offences

PART III

**CONDUCT OF HEALTH CARE ESTABLISHMENTS**

CHAPTER 1

**QUALITY OF SERVICE PROVISION**

14. Quality of treatment and other service provision

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15. Care and welfare of patients
16. Review of quality of treatment and other services
17. Staffing
18. Fitness of workers
19. Guidance for health care professionals
20. Records
21. Staff views as to conduct of establishment
22. Complaints
23. Research

## CHAPTER 2

### PREMISES

24. Fitness of premises

## CHAPTER 3

### MANAGEMENT

25. Visits by registered provider
26. Financial position

## CHAPTER 4

### NOTICES TO BE GIVEN TO THE NATIONAL ASSEMBLY

27. Notification of events
28. Notice of absence
29. Notice of changes
30. Appointment of liquidators etc.
31. Death of registered person

## PART IV

### ADDITIONAL REQUIREMENTS APPLYING TO INDEPENDENT HOSPITALS

## CHAPTER 1

### PATHOLOGY SERVICES, RESUSCITATION AND TREATMENT OF CHILDREN IN INDEPENDENT HOSPITALS

32. Application of regulations 33 to 35
33. Pathology services
34. Resuscitation
35. Treatment of children

## CHAPTER 2

### INDEPENDENT HOSPITALS IN WHICH CERTAIN LISTED SERVICES ARE PROVIDED

36. Surgical procedures
37. Dental treatment under general anaesthesia
38. Obstetric services — staffing

- 39. Obstetric services — further requirements
- 40. Termination of pregnancies
- 41. Use of certain techniques or technology

### CHAPTER 3

#### MENTAL HEALTH HOSPITALS

- 42. Application of regulations 43 to 46
- 43. Safety of patients and others
- 44. Management of disturbed behaviour
- 45. Visitors
- 46. Mental health records

### PART V

#### ADDITIONAL REQUIREMENTS APPLYING TO INDEPENDENT CLINICS

- 47. Independent clinics

### PART VI

#### MISCELLANEOUS

- 48. Compliance with regulations
- 49. Offences  
Signature

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- SCHEDULE 1 INFORMATION TO BE INCLUDED IN THE STATEMENT OF PURPOSE
- 1. The aims and objectives of the establishment.
  - 2. The name and address of the registered provider and of...
  - 3. The relevant qualifications and experience of the registered provider and...
  - 4. The number, relevant qualifications and experience of the staff working...
  - 5. The organisational structure of the establishment.
  - 6. The kinds of treatment and any other services provided for...
  - 7. The arrangements made for consultation with patients about the operation...
  - 8. The arrangements made for contact between any in-patients and their...
  - 9. The arrangements for dealing with complaints.
  - 10. The arrangements for respecting the privacy and dignity of patients....
- SCHEDULE 2 INFORMATION REQUIRED IN RESPECT OF PERSONS SEEKING TO CARRY ON, MANAGE OR WORK AT AN ESTABLISHMENT
- 1. Positive proof of identity including a recent photograph.
  - 2. Either— (a) where the certificate is required for a purpose...
  - 3. Written references from each of the person's two most recent...
  - 4. Where a person has previously worked in a position which...
  - 5. Documentary evidence of any relevant qualification.

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6. A full employment history, together with a satisfactory written explanation...
7. Where the person is a health care professional, details of...
8. Details of any criminal offences— (a) of which the person...

SCHEDULE

3

PART I — PERIOD FOR WHICH MEDICAL RECORDS MUST BE RETAINED

PART II — RECORDS TO BE MAINTAINED FOR INSPECTION

1. A register of patients, including— (a) the name, address, telephone...
2. A register of all surgical operations performed in an establishment,...
3. A register of each occasion on which a technique or...
4. A register of all mechanical and technical equipment used for...
5. A register of all events which must be notified to...
6. A record of the rostered shifts for each employee and...
7. A record of each person employed in or for the...

SCHEDULE

4

PART I — DETAILS TO BE RECORDED IN RESPECT OF PATIENTS RECEIVING OBSTETRIC SERVICES

1. The date and time of delivery of each patient, the...
2. The name and qualifications of the person who delivered the...
3. The date and time of any miscarriage occurring in the...
4. The date on which any child born to a patient...
5. If any child born to a patient died in the...

PART II — DETAILS TO BE RECORDED IN RESPECT OF A CHILD BORN IN AN INDEPENDENT HOSPITAL

1. Details of the weight and condition of the child at...
  2. A daily statement of the child's health.
  3. If any paediatric examination is carried out involving any of...
- Explanatory Note