

Regulation and Inspection of Social Care (Wales) Act 2016

Guidance on completing an Annual Return

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.

This document is also available in [Welsh](#) .

OGI © Crown copyright 2022 WG46627 Digital ISBN 978-1-80535-160-3

CIW-DR-0173-E

Contents

Introduction	2
Legal context.....	2
The Annual Return	3
Access, submission, and publication of the annual returns	5
Further advice and guidance	7
Annex A - List of core questions to be contained within the Annual Return	8
Annex B - Frequently Asked Questions.....	15

Introduction

1. This document offers guidance for service providers on completing and submitting an annual return (AR) as required under section 10 of the Regulation and Inspection of Social Care (Wales) Act 2016 (“the 2016 Act”).
2. This guidance is for service providers who operate services regulated under the 2016 Act. These include:
 - care home services
 - secure accommodation services
 - residential family centre services
 - domiciliary support services
 - regulated adoption services
 - regulated fostering services
 - adult placement services
 - regulated advocacy services

Legal context

3. The 2016 Act requires registered service providers to submit an AR to the Welsh Ministers following the end of each financial year. The AR must include the information set out in section 10¹ of the 2016 Act.
4. The AR must also include the information set out in the Regulated Services (Annual Returns) Wales Regulations 2017² (“the Regulations”), as amended by the Regulated Services (Annual Returns and Registration) (Wales) (Amendment) Regulations 2019³.
5. The 2016 Act requires Welsh Ministers to publish each AR submitted.
6. The Regulations also require the AR to be in the form of an online return and be submitted to the Welsh Ministers within 56 days of the end of the financial year to which it relates (i.e. 26 May)

¹ <http://www.legislation.gov.uk/anaw/2016/2/section/10/enacted>

² <https://www.legislation.gov.uk/wsi/2017/1097/contents/made>

³ <http://www.legislation.gov.uk/wsi/2019/233/contents/made>

Failure to submit an Annual Return

7. Under section 48⁴ of the 2016 Act, it is an offence for a service provider to fail to submit an annual return within the timescales set out by the Regulations. If a service provider fails to submit an annual return within the required timescales, they could be subject to enforcement action⁵ deemed appropriate by Care Inspectorate Wales (CIW).

The Annual Return

8. The AR will include questions about the service provider. There will also be questions about each of the regulated services operated by the service provider. The questions will consist of three types of information.
 - Information required by the service provider (and the regulated services they operate) as defined by the 2016 Act and the Regulations.
 - Information which CIW requires to inform its regulatory functions, such as in relation to food hygiene, etc.
 - Information pertaining to the service provider's registration. This will allow CIW to systematically check the provider's registration data on an annual basis to ensure it remains accurate.
9. The AR should reflect the position of the service provider and the regulated services it operates as at the 31 March of that financial year. The online AR will be prepopulated (where possible) with the information CIW holds about the service provider and the services they operate. The service provider will be required to check the information is up to date and indicate accordingly. Where the information needs to change, the service provider will be prompted to submit the relevant online profile update, notification or variation. **It is the responsibility of the service provider to ensure the information held by CIW on the legal register is accurate and up to date.**
10. The online AR has been designed so that whoever accesses it will only see the sections that are relevant to them. Introductory text and help text have also been provided to help explain what is needed in each section.
11. The majority of the AR will require the input of numerical data entries, i.e. numbers of full-time staff, etc. However, some areas will require the input of free

⁴ <https://www.legislation.gov.uk/anaw/2016/2/section/48/enacted>

⁵ <https://careinspectorate.wales/providing-a-care-service/how-we-enforce>

text, such as the statement of compliance. Whoever is completing the AR will be able to navigate through the online system 'saving as you go'.

12. The service provider is not required to upload any documentation as evidence to support what it has included within the AR. Each question stated within the online AR will be supported by a corresponding numerical or free text field for the service provider to input its response. Therefore, the online AR does not provide a facility to upload documents.

13. Before completing the AR it will help to have the following information:

- A copy of the latest Quality of Care Review⁶ report
- Copies of any Responsible Individual (RI) visit reports
- The latest Statement of Purpose

14. A list of the questions to be included within the AR is set out in Annex A. We recommend these questions are considered before starting the AR so that the necessary information is available.

Provider section of the AR

15. The provider section of the AR will be largely prepopulated by information held by CIW. The service provider will need to review this information and indicate if it is accurate.

16. The service provider will also be required to complete two questions about the arrangements in place during the reporting period for identifying, planning and meeting training needs of staff employed and the arrangements for the recruitment and retention of staff.

Service section of the AR

17. The service provider will need to provide information about each of the services it is currently registered to provide.

⁶ <https://careinspectorate.wales/sites/default/files/2019-06/190627-guidance-on-completing-the-quality-of-care-review-en.pdf>

18. Some of the service section information contained within the AR will be prepopulated by information held by CIW. The service provider will need to review this information and indicate if it is accurate.
19. A large proportion of the service level information required for the AR (see Annex A) will need to be input by the service provider.
20. The AR must include a statement of compliance for each service operated by the service provider. This sets out how a service is meeting the requirements as to the standards of care and support set out within the relevant service regulations. The RI will be responsible for preparing this statement of compliance. When preparing the statement the RI must have regard to the latest quality of care review, thereby establishing a clear link between the quality of care review and the service provider's annual return.
21. The RI is required to ensure the section of the AR relating to the service they are designated for has been completed. The RI will be required to provide a declaration confirming they have read and agree with the information contained in the AR relating to their service.
22. If there is no designated RI in place or the RI is expected to be absent for more than 28 days, then the service provider must provide a reason why the RI is unable to sign the declaration. The online system will provide a facility for this.
23. Where a service provider operates more than one service (and has more than one RI), it is the legal responsibility of the designated RI of the service to sign the declaration of truth for that service. An RI cannot sign the declaration for another service he/she is not designated for.

Access, submission, and publication of the annual return

Accessing the AR

24. Service providers will access and submit their online AR via their CIW Online account. The CIW Online system will make clear the reporting period an AR is required for submission. The online system will also identify within the AR (for the stated reporting period) the services operated by the provider for which information is required.
25. The AR will be accessible from **01 April**, every year.

26. RI(s) and/or organisation officer(s) associated to the provider who have activated their CIW Online account can access, complete, and submit the annual return.
27. Any appointed online assistants (within the regulated service) can access and complete the information required within the AR for the service they have been appointed for. However, online assistants cannot submit the annual return.
28. Service providers, RIs and any appointed online assistants (within the regulated service) should check they are able to access their online account before the AR becomes available on the 01 April. This will help avoid any potential delays in completing and submitting the AR.

Submitting the AR

29. The service provider must ensure all the information within the AR for the reporting period required has been completed. The online system will prevent a service provider from submitting an incomplete AR.
30. Under the 2016 Act, it is the responsibility of the service provider to submit the AR. Before an AR can be submitted it must contain a signed declaration by the service provider. The declaration confirms that they have read and agree with the information contained within the AR
31. We would expect the service provider to have arrangements in place to agree the content of the AR, such as a board meeting discussion, prior to submission. We may request the minutes of the meeting as evidence the service provider has discussed and agreed the AR.
32. The service provider has until **midnight on 26 May**, of each year, to submit their AR. Any difficulties the service provider has with submitting their AR by the deadline should be raised with us as soon as possible. Once the deadline has passed, the online AR system will close and service providers may no longer be able to submit.

Publishing the AR

33. Only the information required of the service provider (and the regulated services they operate) as defined by the 2016 Act and the associated regulations will be contained within the published AR. The online AR system will make it clear which information will or will not be published.

34. Service providers must ensure their completed AR does not include any personally identifiable information or inflammatory language, prior to submission. Service providers should keep in mind their own legal responsibilities in respect to data protection legislation and the “processing” of personal data.
35. Upon submitting the AR to CIW, a pdf document will be systematically generated and accessible through the service provider’s CIW online account, which includes all the information contained with the service provider’s online AR. This document is for the service provider’s records and will not be published.
36. Following submission of the AR by the service provider, CIW will review the AR to ensure it contains no personally identifiable information or inflammatory language. Once the submission has been reviewed, our system will extract the necessary information required by regulation for the web version of the AR to be published on CIW’s website. If a submission contains any personally identifiable information or inflammatory language, the service provider will be asked to remove it and resubmit.
37. CIW will not publish information contained within the service provider’s AR relating to a care home service operated by the provider to accommodate children. This information will only be available in hardcopy upon request.

Further advice and guidance

38. Frequently asked questions have been set out within Annex B.
39. If there are any queries about completing or submitting the AR, the service provider can contact CIW by telephone on 0300 7900 126 and selecting option 4, or via email: CIW@gov.wales. This service is available in both Welsh and English.

Annex A - List of questions to be contained within the Annual Return

Areas relating to the registration will be pre-populated with the information held by CIW on the service provider's registration.

Service provider level

All Service Providers	
Service provider registration details	
Name of Service Provider (<i>pre-populated</i>)	This information will be included in the published annual return
Date of registration (<i>pre-populated</i>)	
Registered Company / Charity Number (if applicable) (<i>pre-populated</i>)	This information will not be included in the published annual return
Registered Address (<i>pre-populated</i>)	
Telephone number (<i>pre-populated</i>)	
E-mail address (<i>pre-populated</i>)	
Receive correspondence and legal notices to this e-mail address (Y/N) (<i>pre-populated</i>)	
Preferred language of communication for telephone calls (Welsh / English) (<i>pre-populated</i>)	
Preferred language of written communication (including e-mails and letters) (Welsh / English) (<i>pre-populated</i>)	
Website (if applicable) (<i>pre-populated</i>)	
List of Organisational Officers (<i>pre-populated</i>)	
Name of Holding Company and relevant contact details / Company number (if applicable) (<i>pre-populated</i>)	
Conditions imposed upon the registration (<i>pre-populated</i>)	
List of regulated service registered to the provider (<i>pre-populated</i>)	
Describe the arrangements in place during the last financial year for identifying, planning and meeting training needs of staff employed by the service provider.	
Describe the arrangements in place during the last financial year for the recruitment and retention of staff employed by the service provider.	

Service Level

All Service Types	
Service registration details	
Name of Service (<i>pre-populated</i>)	This information will be included in the published annual return
Date of Approval (<i>pre-populated</i>)	
Address of service (<i>pre-populated</i>)	
Telephone number (<i>pre-populated</i>)	
Service e-mail address (<i>pre-populated</i>)	
Website address (if available) (<i>pre-populated</i>)	This information will not be included in the published annual return
Do you consent to CIW sharing the service telephone number on our website Directory? (Y/N)	
Do you consent to CIW publishing this email address? (Y/N)	

All Service Types	
Language preferences and language provision of the service	
What is the main language(s) through which your service is provided? (Welsh / English) (<i>pre-populated</i>)	This information will be included in the published annual return
Other languages used in the provision of service	
Identify any non-verbal communication methods used in the provision of the service <ul style="list-style-type: none"> • PECS • TEACCH • Makaton • BSL • Other 	
What is your preferred language of inspection? (Welsh / English) (<i>pre-populated</i>)	This information will not be included in the published annual return
What is your preferred language for your published inspection report? (Welsh / English) (<i>pre-populated</i>)	
Do you provide the Welsh Language 'Active Offer'? (<i>Pre-populated</i>)	
Are you working towards providing the Welsh Language 'Active Offer'? (<i>pre-populated</i>)	

All Service Types	
Statement of Purpose	
The age range the service is intended to provide for:	This information will not be included in the published annual return
The service needs provided for:	
The most recent Statement of Purpose was submitted to CIW on (date) (<i>pre-populated</i>)	

All Service Types	
Key people at the service	
List of the designated Responsible Individual(s) for the regulated service (<i>pre-populated</i>)	This information will be included in the published annual return
List of service manager(s) for the regulated service (<i>pre-populated</i>)	

Care home services, secure accommodation services and residential family centre services only	
Service provision	
The number of persons you are registered to provide care and support for? (<i>pre-populated</i>)	This information will be included in the published annual return
How many people in total did the service provide care and support to during the past financial year.	
How many people were resident at the service on 31 March?	This information will not be included in the published annual return
How many registered places were available / unavailable for placement on 31 March?	
Number of people assessed as requiring 24hr nursing care during the past financial year	
The number of people subject to Deprivation of Liberty Safeguards (DoLS) as at 31 st March, where the authorisation has been granted?	
Accommodation	
How many bedrooms at the service are single rooms?	This information will be included in the published annual return
How many bedrooms at the service are shared rooms?	
How many of these bedrooms have en-suite facilities?	
How many bathrooms have assisted bathing facilities?	
How many communal lounges at the service?	
How many dining rooms at the service?	
Provide details of any outside space which the residents have access	
Provide details of any other facilities to which the residents have access	
Total number of bedrooms at the service is:	

How many bedrooms at the service are currently being used by more than one person?	This information will not be included in the published annual return
How many single bedrooms at the service are vacant?	
How many shared bedrooms at the service are vacant?	
Food Hygiene	
Do you provide food to people at your service? (Y/N)	This information will not be included in the published annual return
Do you have a food safety management system / recording system in place? (Y/N)	
Are you registered as a food business with your local authority? (Y/N)	
Have you been inspected by the local authority during the past financial year? (Y/N)	
Has your business received a food hygiene rating by the Food Standards Agency (FSA)?	
What FSA rating has been obtained by the service?	

Care home services and domiciliary support services only	
Service provision - fees	
The minimum weekly fee payable during the past financial year? (Care home services only)	This information will be included in the published annual return
The maximum weekly fee payable during the past financial year? (Care home services only)	
The minimum hourly rate payable during the past financial year? (Domiciliary support services only)	
The maximum hourly rate payable during the past financial year? (Domiciliary support services only)	

Domiciliary support services, fostering services, adoption services, adult placement services and advocacy services only	
Service provision	
How many people in total did the service provide care and support to during the past financial year?	This information will be included in the published annual return
How many people were being provided care and support by the service as at 31 March?	This information will not be included in the published annual return
How many hours of care and support was provided in the last week of the financial year?	

All Service Types	
Complaints and consultation	
What was the total number of formal complaints during the last financial year? <ul style="list-style-type: none"> • Total number of complaints • No. of active complaints outstanding • No. of complaints upheld • No. of complaints partially upheld • No. of complaints not upheld 	This information will be included in the published annual return
What arrangements were made for consulting people who use the service about the operation of the service during the last financial year?	

All Service Types	
Staffing	
The total number of Full Time Equivalent (FTE) posts (as at 31 March)	This information will be included in the published annual return
The rate of staff turnover (as at 31 March)	
Numbers of staff (by staff type as set out in the Regulations). <ul style="list-style-type: none"> • No. of staff in post (as at 31 March) • No. of vacancies to be filled (as at 31 March) • No of vacancies being held (as at 31 March) 	
The total number of people in post (as at 31 March)	This information will not be included in the published annual return
Numbers of staff (by staff type as set out in the Regulations). <ul style="list-style-type: none"> • No. of joiners (during the last financial year) • No. of leavers (during the last financial year) 	

<p>The number of staff (employed by the service provider) who have undertaken relevant training in relation to the categories below (by staff type as set out in the Regulations).</p> <ul style="list-style-type: none"> • Induction • Health & Safety • Equality, Diversity & Human Rights • Manual Handling • Safeguarding • Medicine Management • Dementia (not applicable to children's services) • Positive Behaviour Management • Food Hygiene training • Additional training undertaken 	<p>This information will be included in the published annual return</p>
<p>Type of contractual arrangements in operation for employed staff as at 31 March (by staff type as set out in the Regulations).</p> <ul style="list-style-type: none"> • Permanent contract • Fixed-term contract • Volunteer • Agency / Bank • Non-guaranteed hours contract (zero hours) • Full-time (35 hours or more) • Part-time (17-34 hours) • Part-time (16 hours or under) 	
<p>Qualifications of staff employed as at 31 March (by staff type as set out in the Regulations).</p> <ul style="list-style-type: none"> • Has required qualification to be registered with SCW (where relevant) • Is working toward required/recommended qualification to be registered with Social Care Wales (where relevant) <p>For staff type 'catering staff' and 'domestic staff'</p> <ul style="list-style-type: none"> • Has required qualification (as required by the provider) • Is working toward required/recommended qualification (as required by the provider) 	

<p>Typical shift patterns in operation for stated staff categories. List typical shift patterns for example 12hour shift, 7am - 7pm, Night shift, 10pm - 6am and set out the number of staff in relation to each category (as at 31 March).</p> <ul style="list-style-type: none"> • Nursing care staff • Registered nurses • Senior social care workers providing direct care • Other social care workers providing direct care <p><i>(Accommodation-based⁷ services only)</i></p>	
--	--

All Service Types	
Statement of Compliance	
<p>Set out your statement of compliance with the requirements as to the standards of care and support under the following four well-being areas:</p> <ol style="list-style-type: none"> 1. The extent to which people feel their voices are heard, they have choice about their care and support, and opportunities are made available to them. 2. The extent to which people are happy and supported to maintain their ongoing health, development and overall wellbeing. For children, this will also include intellectual, social and behavioural development. 3. The extent to which people feel safe and protected from abuse and neglect 4. The extent to which people live in accommodation that best supports their wellbeing and achievement of their personal outcomes. <i>(Accommodation-based services only)</i> 	<p>This information will be included in the published annual return</p>

⁷ Care home services, residential family centre services and secure accommodation services

Annex B - Frequently Asked Questions

1. How can the service provider access the CIW Online account?

You must have a user account in order to use CIW Online and access the Online Services. CIW Online is accessible via our CIW website

<https://careinspectorate.wales/online-services>

If you do not have a CIW Online user account: you can apply for a user account by selecting the “Create New Account” button on the login screen of CIW Online. You will be asked to complete the requested information including your activation PIN.

Obtaining your activation PIN: an Activation PIN has been sent to all designated RIs at the address held by CIW for each individual.

If you are a RI and have not received or have lost your activation PIN or your activation PIN has been deactivated you will need to contact CIW on 0300 7900 126 and select option 4.

If you are experiencing any difficulties in accessing the AR form online, please contact CIW on 0300 7900 126 and select option 4 in the first instance.

2. Can more than one person help complete the AR?

Yes, anyone who has been given access to the service provider’s CIW Online account can help to complete the AR. Each service provider has been set up with a designated administrator who can give permissions to individuals within the service provider to access the CIW Online account. Please contact your service provider’s CIW Online administrator for further information.

3. Does the AR need to be completed ‘at one sitting?’

No, whoever is completing the AR will be able to navigate through the system ‘saving as they go’.

4. Does the AR need to be submitted this year if they are a newly registered provider?

If the service provider was registered during the financial year to which the AR relates then the service provider is required to submit an AR.

5. What happens if the legal entity of the service provider has changed?

Where the service providers legal entity has changed, contact CIW registration team immediately to discuss. You will need to contact CIW on 0300 7900 126 and select option 1.

6. Does an AR need to be submitted if the service provider has established a newly regulated service?

If the service was approved (within the service provider's registration) and operational during the financial year to which the AR relates then the service provider is required to include information about that regulated service within the AR.

If the service was approved during the reporting period, but was not operational at any time during that reporting period, the service provider is still required to include information about that regulated service within the AR. However, in response to the question about the number of people provided with care and support by that regulated service, the service provider should enter zero.

The AR will make clear which services the service provider must provide information in relation to.

7. Does the AR need to include information about a regulated service that has been removed from the service provider's registration?

No. If a regulated service has been removed from the service provider's registration then the AR does not need to include information about that service.

8. What period does the information in the AR cover?

The information contained within the AR relates to the previous financial year.

9. When will the AR be available to complete?

The AR for each reporting period will be accessible from the service provider's CIW Online account from the **01 April**, every year.

10. When will the AR need to be submitted?

The AR must be submitted via the service provider's CIW Online account **by midnight, 26 May**, every year.

11. Can I submit the AR after the deadline date?

No. Once the deadline has passed, the online AR system will close and you will no longer be able to be submit your AR.

12. Can I provide supporting evidence?

No. The service provider is not required to provide evidence to support what it has included within the AR. Neither does the online AR system provide a facility to upload any supporting documents.

13. What language will the AR be published?

Under the Welsh Language Standards all local authorities are required to provide publicly available information in Welsh and English. Therefore, all Local Authority service providers **must** submit their AR with the required Welsh **and** English text. Local Authority service providers do not have to complete separate ARs in both Welsh and English, the system will automatically generate the questions that must be completed in both languages and systematically extract the responses into a Welsh version of the AR and an English version of the AR upon publication.

All independent service providers can choose to publish the AR in Welsh only, English only or in both languages. The independent service provider will be given the choice upon accessing the AR. Publication will be dependent upon the language in which the AR is completed. For example, if the independent service provider chooses to publish the AR in both languages, the system will automatically generate the questions that will need to be completed in both languages and systematically extract the responses into a Welsh version of the AR and an English version of the AR upon publication. The independent service provider would need to provide the response to these questions in both languages.

14. There is an error with the information prepopulated in my AR, can it be corrected?

If the service provider identifies any registration related information that needs to be corrected they can submit a notification or variation via CIW online. However, the AR must reflect the core registration data held by CIW as at the 31 March. It is the service provider's responsibility to ensure its registration remains up to date and accurate.

Online profile updates, such as change of business telephone number or business email can be made and the AR will update immediately upon a refresh of the system.

15. What happens after the service provider submits the AR?

A pdf document will be systematically generated and accessible through the service provider's CIW online account, which includes all the information contained with the service provider's online AR. This document is for the service provider's records and will not be published.

CIW will review the submission to ensure it contains no personally identifiable information, inflammatory language, etc. Once the submission has been reviewed it will be published on CIW's website. If the submission contains this type of information, the service provider will be asked to remove it and resubmit their AR.

16. Once the AR has been submitted, can it be changed?

CIW expects the service provider to put in place arrangements to check and agree the content of the AR prior to submission.

Once CIW have reviewed a submission and subsequently published it on its website, the AR cannot be changed. If the service provider believes the submitted AR includes an error, they should contact CIW as soon as possible on 0300 7900 126 and select option 4.

17. Can a RI sign the declaration of truth for a service when they are not the designated RI?

No. Only the designated RI can sign the declaration of truth for the service he or she has been designated for. Where a service provider operates more than one service, other RIs designated within the service provider are **not permitted** to sign the declaration of truth for any of the other services they are not designated for.

However, where there is no RI in place or the RI is expected to be absent (for 28 days or more) the AR provides an alternative statement that can be declared by another RI or organisational officer within the service provider.

18. Will the RI's personal profile information be included within the published AR?

No. The RI will be asked to review their personal profile information as part of completing the AR in order to ensure this information remains accurate. However, this information will not be published in the service providers AR.

19. Can I download a copy of my Annual Return?

You can download a copy of the Annual Return in two ways:

- Prior to submission. Once you have entered all the necessary information within your Annual Return, you can select the 'Declaration' page and you will be given the option to download a copy prior to submission. You can use this option should you need to share a copy of your proposed Annual Return for approval via your internal governance processes.

- Following submission. You can access your submitted Annual Return from the Annual Return main page. Just click the download button for the relevant year and a pdf version of your Annual Return will be generated.

20. The Annual Return asks how many people we have provided support to. The number of people we support will fluctuate during the reporting period, so at what point do we take the total from?

The question is asking how many people **in total** you provided care and support to during the year - not how many at any one time.

For example, to calculate how many people you provided care and support to during the year in a care home service, use your starting occupancy for the year, plus how many admissions there have been in the financial period; this equals the "total number of people you have provided care for".

Where you have provided care and support for an individual more than once during the year, each 'episode of care and support' is to be added to your total.

21. I recently became a Responsible Individual. Do I complete the Annual Return from when I took over, or for the whole reporting period?

The AR is a provider return. The service provider is required to submit an AR for the reporting period. The AR is **not** based on when the RI was designated responsibility for a service.

If a new provider has purchased the service and registered it under a new legal entity, you will only complete an Annual Return from the period of that new registration.