WELSH STATUTORY INSTRUMENTS

2011 No. 734

The Independent Health Care (Wales) Regulations 2011

PART III

Conduct of Health Care Establishments and Agencies

Chapter 2

Premises

Fitness of premises

26.—(1) The registered person must not use premises for the purposes of an establishment or agency unless those premises are in a location and of a physical design and layout, which are suitable for the purpose of achieving the aims and objectives set out in the statement of purpose.

(2) The registered person must ensure that—

(a) the premises provide a clean, safe and secure environment in accordance with current legislation and best practice;

(b) the premises are of sound construction and kept in a good state of repair externally and internally;

(c) the size and layout of the establishment is suitable for the purposes for which they are used and are suitably equipped and furnished;

(d) if surgical procedures are undertaken, life support systems are used, or obstetric services and, in connection with childbirth, medical services, are provided in the establishment, such electrical supply is provided during the interruption of public supply as is needed to safeguard the lives of the patients.

(3) The registered person must provide for employees and medical practitioners with practising privileges —

(a) suitable facilities and accommodation, other than sleeping accommodation, including—

(i) facilities for the purpose of changing; and

(ii) storage facilities; and

(b) where the provision of such accommodation is needed by employees in connection with their work, sleeping accommodation.

(4) Subject to paragraph 5 the registered person must—

(a) take adequate precautions against the risk of fire, including the provision and maintenance of adequate fire prevention and detection equipment;

(b) provide adequate means of escape in the event of a fire;

(c) make arrangements for persons employed in the establishment and medical practitioners to whom practising privileges have been granted to receive suitable training in fire prevention;

(d) ensure, by means of fire drills and practices at suitable intervals, that the persons employed in the establishment and, so far as practicable, patients and medical practitioners to whom practising privileges have been granted, are aware of the procedure to be followed in case of fire;

(e) review fire precautions, the suitability of fire equipment and the procedure to be followed in case of fire at intervals not exceeding twelve months; and

(f) produce a written fire safety risk assessment.

(5) Where the Regulatory Reform (Fire Safety) Order 2005(**1**) applies to the premises—

(a) paragraph (4) does not apply; and

(b) the registered person must ensure that the requirements of that Order and any regulations made under it, except for article 23 (duties of employees), are complied with in respect of those premises.

(**1**) S.I.2005/1541.