

SCHEDULE

Articles 2 and 3

1. The full name, and the address and telephone number and any facsimile number and electronic mail address, of the applicant.
2. If the applicant is not an individual—
 - (a) its name;
 - (b) the address, telephone number, and any facsimile number of the applicant's principal office and (where it has one) registered office;
 - (c) the full name, and the address and telephone number and any facsimile number and electronic mail address, of any person to whom the applicant wishes enquiries concerning the care service to be addressed; and
 - (d) the full name, date of birth, address and telephone number of every person who is or purports to act in the capacity of a person who is—
 - (i) where the applicant is a body corporate other than a local authority, a director, manager or secretary of the body corporate;
 - (ii) where the applicant is a firm, a partner in the firm; or
 - (iii) where the applicant is an unincorporated association other than a firm, concerned in the management or control of the association,and in each case whether registration of any care service provided by such a person, or in respect of an activity specified in paragraph 20(a) in which the person has engaged, has ever been cancelled other than at that person's request.
3. Where the applicant is not the person who is to manage the care service, the full name, address and telephone number, and any facsimile number and electronic mail address, of the person who is to manage the service
4. The name of the care service and address of any premises from which the care service is to be provided.
5. The times at and periods during which it is proposed to provide the care service.
6. The date on which the care service was, or is proposed to be, commenced.
7. Specification of the type of care service, in terms of section 2(1) of the Act, which is to be provided.
8. A statement of the aims and objectives of the care service.
9. Where the care service is a care home service or is to be provided either wholly or in part to children, the following information about the persons to whom the care service is to be provided:—
 - (a) their age range;
 - (b) their sex;
 - (c) the maximum number of such persons; and
 - (d) if those persons are to be selected by reference to criteria other than age or sex, those criteria.
10. A statement of the way in which, having regard to the needs of persons using the care service, sufficient suitably qualified and competent employees are to be obtained.
11. Details of the persons proposed to be employed in the care service, specifying the total number and in each case including—
 - (a) job title;

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- (b) duties and responsibilities;
 - (c) age and sex;
 - (d) whether employed on a full-time or part-time basis, and, if part-time, the number of hours;
 - (e) qualifications, skills and experience; and
 - (f) details of any registration which the person is required by any enactment to hold in order to perform the duties for which the person is to be employed in the care service.
- 12.** Proposed ratios of employees to service users during the day and at night.
- 13.** Details of any policy which the applicant has on recruitment, interviewing, selection and checking of references and other documentation for all persons to be employed in the provision of the care service.
- 14.** Details of any proposed programme for induction, development, and continuing training of employees.
- 15.** Except where the applicant is a local authority or proposes to provide only child minding—
- (a) a business plan and details as to cash flow covering all care services provided by the applicant which are of the type in respect of which the application is made; and
 - (b) where available, annual accounts for any part of the three year period preceding the date of application during which the care service was in operation.
- 16.** Where the applicant is an individual—
- (a) a copy of the applicant’s birth certificate, and
 - (b) each address occupied by the applicant in the ten year period preceding the application and the length of time at each such address.
- 17.** A statement that the applicant is (or as the case may be is not) the owner of the care service.
- 18.** Where the applicant is an individual, details of professional or technical qualifications held by the applicant.
- 19.** Where the applicant is an individual who has previously been in employment other than as a volunteer at any time in the previous five years, details of employment history, including the name and address of each employer for that period.
- 20.** A statement whether at any time the applicant—
- (a) is a person who has—
 - (i) provided a care service;
 - (ii) carried on a nursing home within the meaning of the Nursing Homes Registration (Scotland) Act 1938⁽¹⁾;
 - (iii) carried on an agency for the supply of nurses within the meaning of the Nurses (Scotland) Act 1951⁽²⁾;
 - (iv) carried on an establishment within the meaning of the Social Work (Scotland) Act 1968⁽³⁾;
 - (v) acted as a child minder or provided day care for children within the meaning of section 71 of the Children Act 1989⁽⁴⁾; or

(1) 1938 c. 73.
(2) 1951 c. 55.
(3) 1968 c. 49.
(4) 1989 c. 41.

- (vi) been granted approval under section 3 of the Adoption (Scotland) Act 1978⁽⁵⁾, or has engaged in a similar activity under legislation of similar effect in force in England, Wales or Northern Ireland;
 - (b) has been employed by any person specified in sub-paragraph (a); or
 - (c) has, or has had, any interest in any activity which is specified in that sub-paragraph.
- 21.** A statement whether any registration relating—
- (a) to a care service provided by the applicant; or
 - (b) to the applicant in respect of an activity specified in paragraph 20(a), has been cancelled and, if it has, of the reason or reasons for that cancellation.
- 22.** Where the applicant is an individual, the name and address of two persons who are able to provide a reference as to the applicant's good character and competence to provide a care service of the kind which the applicant proposes to provide—
- (a) neither of whom shall be a relative of the applicant;
 - (b) where the applicant has been employed by any person for any period greater than three months in the five years preceding the date of the application, one of whom shall be such a person; and
 - (c) at least one of whom shall be a person who is in a class which is specified by the Adults with Incapacity (Countersignatories of Applications for Authority to Intromit) (Scotland) Regulations 2001⁽⁶⁾.
- 23.** Where the applicant is an individual and is the person who is to manage the care service, a declaration of opinion by the applicant that the applicant is physically and mentally fit to manage the service.
- 24.** A statement as to whether the applicant is a person whose estate has been sequestrated in Scotland or who has been adjudged bankrupt elsewhere than in Scotland or in relation to whose estate a judicial factor has been appointed or who has granted a trust deed for the benefit of the person's creditors.
- 25.** Except where the applicant is a local authority, a statement from a bank as to the applicant's financial standing.
- 26.** In respect of the manager of the care service, the information specified in paragraphs 18 to 23, read in each case as though references to the applicant were references to the person who is to manage the care service.
- 27.** Except where the applicant is a public body a certificate of insurance in respect of liability which may be incurred in relation to the care service in respect of death, injury, public liability, damage or other loss.
- 28.** A description of any premises, facilities and services to be used for the provision of the care service.
- 29.** A statement as to whether any premises to be used for the provision of the care service are or will be capable of being used for the purposes of achieving the aims and objectives of the care service without the need for planning permission, building works or conversion of the premises and, if the premises are not capable of such use at the date the application is made, details of the permission, works or conversion needed.

(5) 1978 c. 28.

(6) S.S.I. 2001/78.

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30. A list of persons who will be residing on a regular basis in any premises from which the care service is provided other than the applicant or any employee or user of the service.

31. Where the care service is a care home service or an independent health care service, details of arrangements for control of infection.

32. Where the care service is an independent health care service—

- (a) a description of the equipment and facilities to be provided;
- (b) details of any arrangements for any supply of blood and blood products;
- (c) details of any arrangements for any provision of pathology and radiology services;
- (d) details of any services which are to be provided to children; and
- (e) where the independent health care service is an independent hospital, details of any arrangements for the attendance at all times of a registered medical practitioner.

33. Where the care service is provided by the managers of an independent school within the meaning of the Education (Scotland) Act 1980(7), confirmation that the school has been registered with the Registrar of Independent Schools in terms of section 98 or that an application for such registration has been lodged.

(7) 1980 c. 44.