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STATUTORY INSTRUMENTS

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**2001 No. 3965**

**The Care Homes Regulations 2001**

**PART V**

**MANAGEMENT**

**Review of quality of care**

**24.**—(1) The registered person shall establish and maintain a system for—

- (a) reviewing at appropriate intervals; and
- (b) improving,

the quality of care provided at the care home, including the quality of nursing where nursing is provided at the care home.

(2) The registered person shall supply to the Commission a report in respect of any review conducted by him for the purposes of paragraph (1), and make a copy of the report available to service users.

(3) The system referred to in paragraph (1) shall provide for consultation with service users and their representatives.

**Financial position**

**25.**—(1) The registered provider shall carry on the care home in such manner as is likely to ensure that the care home will be financially viable for the purpose of achieving the aims and objectives set out in the statement of purpose.

(2) The registered person shall, if the Commission so requests, provide the Commission with such information and documents as it may require for the purpose of considering the financial viability of the care home, including—

- (a) the annual accounts of the care home certified by an accountant;
  - (b) a reference from a bank expressing an opinion as to the registered provider's financial standing;
  - (c) information as to the financing and financial resources of the care home;
  - (d) where the registered provider is a company, information as to any of its associated companies;
  - (e) a certificate of insurance for the registered provider in respect of liability which may be incurred by him in relation to the care home in respect of death, injury, public liability, damage or other loss.
- (3) The registered person shall—
- (a) ensure that adequate accounts are maintained in respect of the care home and kept up to date;

- (b) ensure that the accounts give details of the running costs of the care home, including rent, payments under a mortgage and expenditure on food, heating and salaries and wages of staff; and
  - (c) supply a copy of the accounts to the Commission at its request.
- (4) In this regulation a company is an associated company of another if one of them has control of the other or both are under the control of the same person.

### **Visits by registered provider**

26.—(1) Where the registered provider is an individual, but not in day to day charge of the care home, he shall visit the care home in accordance with this regulation.

(2) Where the registered provider is an organisation or partnership, the care home shall be visited in accordance with this regulation by—

- (a) the responsible individual or one of the partners, as the case may be;
- (b) another of the directors or other persons responsible for the management of the organisation or partnership; or
- (c) an employee of the organisation or the partnership who is not directly concerned with the conduct of the care home.

(3) Visits under paragraph (1) or (2) shall take place at least once a month and shall be unannounced.

(4) The person carrying out the visit shall—

- (a) interview, with their consent and in private, such of the service users and their representatives and persons working at the care home as appears necessary in order to form an opinion of the standard of care provided in the care home;
- (b) inspect the premises of the care home, its record of events and records of any complaints; and
- (c) prepare a written report on the conduct of the care home.

(5) The registered provider shall supply a copy of the report required to be made under paragraph (4)(c) to—

- (a) the Commission;
- (b) the registered manager; and
- (c) in the case of a visit under paragraph (2)—
  - (i) where the registered provider is an organisation, to each of the directors or other persons responsible for the management of the organisation; and
  - (ii) where the registered provider is a partnership, to each of the partners.