
STATUTORY INSTRUMENTS

2004 No. 2071

SOCIAL CARE, ENGLAND

The Adult Placement Schemes (England) Regulations 2004

Made - - - - *2nd August 2004*
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Coming into force *31st August 2004*

**THE ADULT PLACEMENT SCHEMES
(ENGLAND) REGULATIONS 2004**

PART 1

GENERAL

1. Citation, commencement and application
2. Interpretation
3. Specification of registration authority
4. Statement of purpose
5. Service user's guide
6. Review of statement of purpose and service user's guide
7. Scheme documents

PART 2

REGISTERED PERSONS

8. Fitness of registered provider
9. Appointment of manager
10. Fitness of manager
11. Registered person – general requirements and training
12. Notification of offences

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART 3

ADULT PLACEMENTS AND ADULT PLACEMENT CARERS

CHAPTER 1

MAKING, MONITORING AND TERMINATION OF PLACEMENTS

13. Making of placements and placement agreements
14. Monitoring and review of placements
15. Termination of placements

CHAPTER 2

ADULT PLACEMENT CARERS

16. Fitness of adult placement carers
17. Carer agreements
18. Adult placement carers – training
19. Adult placement carer handbook

CHAPTER 3

SERVICE USER'S PLAN

20. Service user's plan

PART 4

CONDUCT OF ADULT PLACEMENT SCHEMES

CHAPTER 1

OPERATION OF ADULT PLACEMENT SCHEME

21. General conduct of adult placement scheme
22. Information, documents and records
23. Complaints
24. Review of quality of scheme's operations
25. Visits by registered provider
26. Staff views as to conduct of scheme

CHAPTER 2

PREMISES

27. Fitness of premises

CHAPTER 3

STAFFING

28. Fitness of staff
29. Staffing

- 30. Employment of staff
- 31. Staff handbook

CHAPTER 4

FINANCIAL MATTERS

- 32. Financial position

CHAPTER 5

NOTICES TO BE GIVEN TO THE CSCI

- 33. Notification of incidents
- 34. Notice of absence
- 35. Notice of changes
- 36. Appointment of liquidators etc.
- 37. Death of registered person

PART 5

MISCELLANEOUS

- 38. Compliance with regulations
- 39. Offences
- 40. Application of Part 2 of the Act to persons carrying on or managing an adult placement scheme
- 41. Amendment of the Care Homes Regulations 2001
- 42. Amendment of the National Care Standards Commission (Registration) Regulations 2001
- 43. Amendment of the Commission for Social Care Inspection (Fees and Frequency of Inspections) Regulations 2004
- 44. Amendment of the Domiciliary Care Agencies Regulations 2002
- 45. Transitional and savings Provisions
Signature

SCHEDULE 1 — INFORMATION TO BE INCLUDED IN THE STATEMENT OF PURPOSE

- 1. The name and address of the registered provider and of...
- 2. If the registered provider is not an organisation, his relevant...
- 3. If the registered provider is an organisation, the name and...
- 4. The relevant qualifications and experience of any registered manager.
- 5. The number, relevant qualifications and experience of the staff working...
- 6. The organisational structure of the scheme.
- 7. The age-range and sex of the service users in respect...
- 8. The range of needs that the scheme intends to meet...
- 9. The arrangements made for consultation with service users about the...
- 10. The arrangements made so as to ensure that service users...
- 11. The arrangements for dealing with complaints about the operation of...

SCHEDULE 2 — INFORMATION AND DOCUMENTS IN RESPECT OF PERSONS PROVIDING, MANAGING OR WORKING FOR

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THE PURPOSES OF A SCHEME (EXCLUDING ADULT
PLACEMENT CARERS)

1. Proof of identity including a recent photograph.
2. Either— (a) where the certificate is required for a purpose...
3. Two written references, including a reference from the last employer...
4. Where a person has previously worked in a position whose...
5. Documentary evidence of any relevant qualification.
6. A full employment history, together with a satisfactory written explanation...

SCHEDULE 3 — INFORMATION AND DOCUMENTS IN RESPECT OF ADULT
PLACEMENT CARERS AND OTHERS

1. Proof of identity including a recent photograph.
2. Either— (a) where the position falls within section 115(4) of...
3. Two written personal references from persons (not being relatives of...
4. A written reference from the last employer if any.
5. Details of health record.
6. Details of a check with the local authority in whose...
7. Where a person has previously worked in a position whose...
8. Documentary evidence of any relevant qualification.
9. A full employment history, together with a satisfactory written explanation...
10. A letter from a mortgage lender or landlord (as the...
11. A copy of the assessment report in respect of the...
12. A written statement as to the suitability of a person...

SCHEDULE 4 — RECORDS TO BE KEPT BY A SCHEME

1. Records
2. A record of all persons working for the purposes of...
3. A record of all persons with whom the scheme has...
4. A record of— (a) all accidents that have occurred during...

SCHEDULE 5 — Modification of the Care Standards Act 2000 in respect of persons
carrying on and managing adult placement schemes

1. Modification of section 11 of the Act
2. Modification of section 12 of the Act
3. Modification of section 13 of the Act
4. Modification of section 14 of the Act
5. Modification of section 17 of the Act
6. Modification of section 19
7. Modification of section 20
8. Modification of section 21
9. Modification of section 23
10. Modification of section 24
11. Modification of section 26 of the Act
12. Modification of section 28 of the Act
13. Modification of section 31
14. Modification of section 32
15. Modification of section 34
16. Modification of section 35
17. Modification of section 37

SCHEDULE 6 — AMENDMENT OF THE CARE HOMES REGULATIONS 2001

1. The Care Homes Regulations 2001 are amended in accordance with...
2. In regulation 3(1) (excepted establishments)— (a) at the end of...
3. Regulations 45 (adult placements), 46 (modification of regulations in respect...

SCHEDULE 7 — AMENDMENT OF THE NATIONAL CARE STANDARDS COMMISSION (REGISTRATION) REGULATIONS 2001

1. The National Care Standards Commission (Registration) Regulations 2001 are amended...
2. (1) In regulation 2 (interpretation)— (a) in paragraph (1)—
3. For regulation 8(1) (registers), substitute— (1) The Commission shall keep...
4. In regulation 9 (contents of certificate), in paragraph (e), after...
5. In Schedule 1 (information to be supplied on an application...
6. In Schedule 7 (particulars to be recorded in the registers...

SCHEDULE 8 — AMENDMENT OF THE COMMISSION FOR SOCIAL CARE INSPECTION (FEES AND FREQUENCY OF INSPECTIONS) REGULATIONS 2004

1. The Commission for Social Care Inspection (Fees and Frequency of...
2. In regulation 2(1) (interpretation)— (a) in the definition of “the...
3. In regulation 3 (registration fees)— (a) in paragraph (1)(a), after...
4. In regulation 4 (variation fees)— (a) in paragraph (1)(a), after...
5. In regulation 5 (annual fees)— (a) in paragraph (1)—
6. In regulation 6 (frequency of inspections)— (a) in paragraph (1),...

SCHEDULE 9 — AMENDMENT OF THE DOMICILIARY CARE AGENCIES REGULATIONS 2002

1. For regulation 3 of the Domiciliary Care Agencies Regulations 2002...

SCHEDULE 10 — TRANSITIONAL AND SAVINGS PROVISIONS

1. In this Schedule “relevant date” means the date on which...
2. (1) This paragraph applies to persons who, by virtue of...
3. (1) This paragraph applies where, immediately prior to the relevant...
4. (1) This paragraph applies where— (a) at any time after...
5. Where an appeal under section 21 of the Act (appeals...

Explanatory Note