

## SCHEDULE 1

Regulation 4(2)(a) and (5)

### INFORMATION TO BE SUPPLIED ON AN APPLICATION FOR REGISTRATION AS A PERSON WHO CARRIES ON AN ESTABLISHMENT

## PART I

#### *Information about the applicant*

1. Where the applicant is an individual—
  - (a) the applicant's full name, date of birth, address and telephone number;
  - (b) details of the applicant's professional or technical qualifications, and experience of carrying on an establishment, so far as such qualifications and experience are relevant to providing services for persons to whom services are to be provided at the establishment;
  - (c) details of the applicant's employment history, including the name and address of his or her present employer and of any previous employers;
  - (d) details of any business the applicant carries on or has carried on;
  - (e) the name and addresses of two referees—
    - (i) who are not relatives of the applicant;
    - (ii) each of whom is able to provide a reference as to the applicant's competence to carry on an establishment of the same description as the establishment; and
    - (iii) one of whom has employed the applicant for a period of at least 3 months, but the requirement for the name and address of a referee who has employed the applicant for a period of at least 3 months shall not apply where it is impracticable to obtain a reference from a person who fulfils that requirement;
  - (f) where any certificate or information on any matters referred to in paragraph 4 of Schedule 2 is not available to the responsible person because any provision of the Police Act 1997 has not been brought into force, details of any criminal offences—
    - (i) of which the responsible person has been convicted, including details of any convictions which are spent within the meaning of section 1 of the Rehabilitation of Offenders Act 1974 and which may be disclosed by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975; or
    - (ii) in respect of which he or she has been cautioned by a constable and which, at the time the caution was given, he admitted.
2. Where the applicant is an organisation—
  - (a) the name of the organisation and the address of the registered office or principal office of the organisation;
  - (b) the full name, date of birth, address and telephone number of the responsible individual;
  - (c) details of the professional or technical qualifications of the responsible individual and his or her experience of carrying on an establishment of the same description as the establishment, so far as such qualifications and experience are relevant to providing services for persons for whom services are to be provided at the establishment;
  - (d) if the organisation is a subsidiary of a holding company, the name and address of the registered or principal office of the holding company and of any other subsidiary of that holding company.

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

**3.** In every case—

- (a) a reference from a bank expressing an opinion as to the applicant's financial standing;
- (b) a statement as to whether the responsible person has been adjudged bankrupt, or sequestration of his or her estate has been ordered, or he or she has made a composition or arrangement with, or granted a trust deed for, his creditors;
- (c) a statement as to the applicant's ability to ensure the financial viability of the establishment for the purpose of achieving the aims and objectives of the establishment set out in its statement of purpose;
- (d) a business plan in respect of the establishment;
- (e) details as to cash-flow in respect of the establishment.

## **PART II**

### *Information about the establishment*

**4.** The name, address, telephone number, facsimile number, and electronic mail address (if any) of the establishment.

**5.** The description of establishment specified in section 4(8)(a) of the Act in respect of which the applicant seeks to be registered.

**6.** The statement of purpose of the establishment.

**7.** A statement as to the accommodation, facilities and services which are to be provided by the establishment including the extent and, where appropriate, location of such accommodation, facilities and services.

**8.** The date on which the establishment was established or is proposed to be established.

**9.** Details of the scale of charges payable by the service users.

**10.** In respect of the premises to be used by an establishment—

- (a) a description of the premises, including a statement as to whether the premises are purpose-built or have been converted for use as an establishment;
- (b) a description of the area in which the premises are located.

**11.** In respect of the premises to be used by an establishment, a statement as to whether at the date the application is made the premises are capable of being used for the purpose of—

- (a) achieving the aims and objectives set out in the statement of purpose of the establishment; and
- (b) providing facilities and services in accordance with the statement referred to in paragraph 7,

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.

**12.** A statement as to the security arrangements, including arrangements for the purposes of—

- (a) safeguarding access to information held by the establishment; and
- (b) restricting access from adjacent premises or, when the premises form part of a building, from other parts of the building.

**13.** The name and address of any other establishment of a description specified in section 4(8) (a) of the Act in which the applicant has or has had a business or financial interest, or at which he or she is or has been employed, and details of such interest or employment.

**14.** Whether any other business is or will be carried on in the same premises as those of the establishment and, if so, details of such business.

*Information about staff*

**15.** In respect of any person, other than the applicant, who works at, or is intended to work at the establishment—

- (a) the person's name, sex and date of birth;
- (b) the person's duties and responsibilities in relation to his or her work.

## PART III

*Further information about staff*

**16.** In respect of any person, other than the applicant, who works at, or is intended to work at the establishment—

- (a) whether the person is, or is intended to be, resident in the premises used as the establishment;
- (b) if he or she is a relative of any person who has made an application in respect of the establishment, his or her relationship to such person;
- (c) whether the person works or is intended to work, on a full-time basis or on a part-time basis and, if on a part-time basis, the number of hours per week for which it is intended that the person will work;
- (d) the date on which the person commenced, or is intended to commence, working at the establishment;
- (e) information as to the person's qualifications, experience and skills in so far as is relevant to the work that the person is to perform;
- (f) a statement by applicant that he or she is satisfied as to the authenticity of the qualifications, and has verified the experience and skills that are referred in sub-paragraph (e);
- (g) a statement as to—
  - (i) the suitability of the person's qualifications for the work that the person is to perform;
  - (ii) whether the person has the skills necessary for such work;
  - (iii) the person's fitness to work, and have regular contact, with service users;
- (h) a statement by the person as to the state of his or her physical and mental health;
- (i) a statement by the applicant that the person is physically and mentally fit for the purposes of the work which he or she is to perform;
- (j) a statement by the applicant as to whether he or she is satisfied as to the person's identity, the means by which the applicant so satisfied himself or herself and whether the applicant has obtained a copy of the person's birth certificate;
- (k) confirmation by the applicant that he or she has a recent photograph of the person;
- (l) a statement by the applicant that he or she has obtained two references relating to the person and that the applicant is satisfied as to the authenticity of those references;

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

- (m) details of any criminal offences of which the person has been convicted, including details of any convictions which are spent within the meaning of section 1 of the Rehabilitation of Offenders Act 1974 and which may be disclosed by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, and, in relation to each such offence, a statement by the person—
  - (i) as to whether in his or her view the offence is relevant to his or her suitability to care for, train, supervise or be in sole charge of any person and, if so,
  - (ii) as to why he or she considers that he or she is suitable to perform the work in which he or she is to be employed;
- (n) details of any criminal offences in respect of which he or she has been cautioned by a constable and which, at the time the caution was given, he or she admitted.