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STATUTORY RULES OF NORTHERN IRELAND

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**2007 No. 221**

**The Adult Placement Agencies  
Regulations (Northern Ireland) 2007**

**NOTICES TO BE GIVEN TO THE REGULATION  
AND IMPROVEMENT AUTHORITY**

**Notification of incidents**

**33.**—(1) The registered person shall notify the Regulation and Improvement Authority and the placing authority if an incident described in paragraph (3) takes place.

(2) That notification must be made within 24 hours of the registered person being informed, or otherwise becoming aware, of the incident.

(3) The incidents are—

- (a) the death of any service user, including the circumstances of his death;
- (b) the outbreak within the adult placement carer's home of any infectious disease which, in the opinion of any medical practitioner attending persons in the home, is sufficiently serious to be so notified;
- (c) any serious injury to a service user;
- (d) any serious illness of a service user;
- (e) any event of which the adult placement carer is aware which adversely affects the care, health, welfare or safety of any service user;
- (f) any theft or burglary at the adult placement carer's home;
- (g) any incident which—
  - (i) occurs in connection with the placement; and
  - (ii) is reported to, or investigated by the police;
- (h) any allegation of misconduct by a service user in relation to the adult placement carer or a member of his family;
- (i) any unexplained absence of more than 12 hours of a service user from the adult placement carer's home.

(4) Any notification under this regulation which is given orally shall be confirmed in writing within 3 working days of the oral report.

(5) The registered person must ensure that members of staff are required to inform the registered person forthwith when they become aware of the occurrence of any of the incidents described in paragraph (3).

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**Commencement Information**

**II** [Reg. 33](#) in operation at 30.4.2007, see [reg. 1](#)

## Notice of absence

34.—(1) Where—

- (a) the registered provider, if he is an individual who manages the agency himself; or
- (b) the registered manager,

proposes to be absent from the agency for a continuous period of 28 days or more, the registered provider shall give notice in writing to the Regulation and Improvement Authority of the proposed absence.

(2) Except in the case of an emergency, the notice referred to in paragraph (1) shall be given no later than 28 days before the proposed absence commences, or within such shorter period as may be agreed with the Regulation and Improvement Authority and the notice shall specify—

- (a) the length or expected length of the absence;
- (b) the reason for the absence;
- (c) the arrangements which have been made for the running of the agency during that absence;
- (d) the name, address and qualifications of the person who will be managing the agency during the absence; and
- (e) in the case of the absence of the registered manager, the arrangements that have been, or are proposed to be, made for appointing another person to manage the agency during that absence, including the proposed date by which the appointment is to be made.

(3) Where the absence arises as the result of an emergency, the registered provider shall give notice of the absence within one week of its occurrence specifying the matters mentioned in subparagraphs (a) to (e) of paragraph (2).

(4) Where—

- (a) the registered provider, if he is an individual who manages the agency himself; or
- (b) the registered manager,

has been absent from the scheme for a continuous period of 28 days or more, and the Regulation and Improvement Authority has not been given notice of the absence, the registered provider shall without delay give notice in writing to the Regulation and Improvement Authority of the absence, specifying the matters mentioned in paragraph (2)(a) to (e).

(5) The registered provider shall notify the Regulation and Improvement Authority of the return to duty of the registered provider or (as the case may be) the registered manager not later than 7 days after the date of his return.

### Commencement Information

**I2** [Reg. 34](#) in operation at 30.4.2007, see [reg. 1](#)

## Notice of changes

35.—(1) The registered person shall give notice in writing to the Regulation and Improvement Authority as soon as it is practicable to do so, if any of the following events is proposed to take place—

- (a) a person other than the registered person carries on or manages the agency;
- (b) a person ceases to carry on or manage the agency;
- (c) where the registered person is an individual, he changes his name;
- (d) the name or address of the principal office of the agency is changed;

- (e) where the registered provider is a partnership, there is any change in the membership of the partnership;
- (f) where the registered provider is an organisation—
  - (i) the name or address of the organisation is changed;
  - (ii) there is any change of director, manager, secretary or other similar officer of the organisation;
  - (iii) there is to be any change of responsible individual;
- (g) where the registered provider is an individual, a trustee in bankruptcy is appointed;
- [<sup>F1</sup>(ga) where the registered provider is an individual, a debt relief order is made in respect of him;]
- (h) where the registered provider is a company or partnership, a receiver, manager, liquidator, or a provisional liquidator is appointed; or
- (i) the premises of the agency are significantly altered or extended or additional premises are acquired for the purposes of the scheme.

**F1** [Reg. 35\(1\)\(ga\)](#) inserted (7.3.2016) by [The Debt Relief Act \(Northern Ireland\) 2010 \(Consequential Amendments\) Order \(Northern Ireland\) 2016 \(S.R. 2016/108\)](#), art. 1, [Sch. para. 47\(4\)](#)

**Commencement Information**

**I3** [Reg. 35](#) in operation at 30.4.2007, see [reg. 1](#)

**Appointment of liquidators etc.**

- 36.**—(1) Any person to whom paragraph (2) applies must—
- (a) forthwith notify the Regulation and Improvement Authority of his appointment, indicating the reasons for it;
  - (b) appoint a manager to take full-time day-to-day charge of the agency in any case where there is no registered manager; and
  - (c) within 28 days of his appointment, notify the Regulation and Improvement Authority of his intentions regarding the future operation of the agency.
- (2) This paragraph applies to any person appointed as—
- (a) the receiver or manager of the property of a company or partnership which is a registered provider in respect of an agency;
  - (b) the liquidator or provisional liquidator of a company which is the registered provider of an agency; or
  - (c) the trustee in bankruptcy of a registered provider of an agency.

**Commencement Information**

**I4** [Reg. 36](#) in operation at 30.4.2007, see [reg. 1](#)

**Death of registered person**

**37.**—(1) If more than one person is registered in respect of an agency, and a registered person dies, the surviving registered person shall without delay notify the Regulation and Improvement Authority of the death in writing.

(2) If only one person is registered in respect of an agency, and he dies, his personal representatives shall notify the Regulation and Improvement Authority in writing—

(a) without delay of the death; and

(b) within 28 days of their intentions regarding the future running of the agency.

(3) The personal representatives of the deceased registered provider may carry on the agency without being registered in respect of it—

(a) for a period not exceeding 28 days; and

(b) for any further period as may be determined in accordance with paragraph (4).

(4) The Regulation and Improvement Authority may extend the period specified in paragraph (3) (a) by such further period, not exceeding one year, as the Regulation and Improvement Authority shall determine, and shall notify any such determination to the personal representatives in writing.

(5) The personal representatives shall appoint a person to take full-time day-to-day charge of the agency during any period in which, in accordance with paragraph (3), they carry on the agency without being registered in respect of it.

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**Commencement Information**

**15** [Reg. 37](#) in operation at 30.4.2007, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Adult Placement Agencies Regulations (Northern Ireland) 2007, NOTICES TO BE GIVEN TO THE REGULATION AND IMPROVEMENT AUTHORITY.