
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 221

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

PART III

**ADULT PLACEMENTS AND ADULT PLACEMENT CARERS
MAKING, MONITORING AND TERMINATION OF PLACEMENTS**

Making of placements, placement agreements and limitation of placements

12.—(1) The registered provider shall not make a placement of a service user with an adult placement carer unless the provider has entered into a written placement agreement with the carer (in these Regulations referred to as “a placement agreement”) which complies with the conditions specified in paragraph (2).

(2) The conditions are—

(a) that—

- (i) the service user or, where appropriate, his representative; and
- (ii) the placing authority (if any),

are parties to the placement agreement;

- (b) that the placement agreement specifies the number of service users, which shall not in any event exceed 3, that the adult placement carer may have placed with him at any one time under that and any other placement agreement;
- (c) that the placement agreement specifies which elements of the service user’s plan are to be met by the adult placement carer;
- (d) that the placement agreement provides that the specification described in sub-paragraph (c) may be amended as a consequence of an amendment to the service user’s plan;
- (e) that the placement agreement provides that it may be amended as a consequence of a review undertaken under regulation 13 or a care review undertaken under regulation 19;
- (f) that, where possible, the placement agreement names an individual who is neither a member of staff of the agency nor the adult placement carer and whose role is to support the service user in expressing his views and wishes in relation to the placement;
- (g) that the placement agreement reflects the obligations of the registered person under regulation 20;
- (h) that the placement agreement specifies the records to be kept by the adult placement carer in relation to the service user’s plan and requires the adult placement carer to keep those records up to date, in good order and in a secure manner, and to return them to the registered provider if the placement is terminated; and
- (i) that the placement agreement specifies—
 - (i) details of the service user’s plan;

- (ii) the room to be occupied by the service user in the adult placement carer’s home;
 - (iii) the fees payable in respect of the placement, details of who is responsible for the payment of those fees, and the method of payment;
 - (iv) the qualifications (if any) and experience of the adult placement carer;
 - (v) the terms and conditions in respect of the accommodation, care or other services to be provided;
 - (vi) suitable arrangements to assist the service user with mobility in the adult placement carer’s home, where required;
 - (vii) the procedure to be followed where an adult placement carer acts as agent for, or receives money from, the service user.
- (3) The registered person shall not make a placement of a service user unless he has—
- (a) ascertained and taken into account the service user’s wishes and feelings; and
 - (b) whenever practicable, provided the service user with comprehensive information and suitable choice as to the placements that may be available to the service user.
- (4) The registered person shall encourage and take suitable steps to enable service users to make decisions with respect to placements.
- (5) The registered person shall not place any service user in premises in which there is any person living there who is unfit to be in the proximity of the service user.

Commencement Information

11 [Reg. 12](#) in operation at 30.4.2007, see [reg. 1](#)

Monitoring and review of placements

- 13.**—(1) The registered person shall monitor a placement for the purpose of considering whether the adult placement carer is meeting his obligations under the placement agreement.
- (2) The registered person must review the placement agreement—
- (a) at least once within the first year of the placement;
 - (b) whenever a significant alteration is made to the service user’s plan; and
 - (c) in any event, within a year of the last review.
- (3) In monitoring and reviewing a placement, the registered person shall seek the views of the service user or, where appropriate, the service user’s representative and the placing authority (if any).

Commencement Information

12 [Reg. 13](#) in operation at 30.4.2007, see [reg. 1](#)

Termination of placements

- 14.**—(1) Without prejudice to regulation 15(2) (Fitness of adult placement carers), the registered provider shall terminate a placement in any case in which the adult placement carer is not complying, or is not reasonably likely to comply, with his obligations under the placement agreement.
- (2) Except in cases of emergency, the registered provider shall not terminate a placement without first consulting—

- (a) the service user to whom the placement relates, or his representative; and
- (b) where relevant, the placing authority.

Commencement Information

I3 [Reg. 14](#) 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, PART III.