

SCHEDULE 1

Regulation 3(2)(a) and (5)

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

PART I

Information about the applicant

1. Where the applicant is an individual—
 - (a) if he intends to carry on the establishment or agency in partnership with others, the information specified in the following sub-paragraphs of this paragraph in relation to each partner of the firm;
 - (b) the responsible person's full name, date of birth, address and telephone number;
 - (c) details of his professional or technical qualifications, and experience of carrying on an establishment or agency, so far as such qualifications and experience are relevant to providing services for persons to whom services are to be provided at the establishment or by the agency;
 - (d) details of his employment history, including the name and address of his present employer and of any previous employers;
 - (e) details of any business he carries on or has carried on;
 - (f) the name and addresses of two referees—
 - (i) who are not relatives of the responsible person;
 - (ii) each of whom is able to provide a reference as to the responsible person's competence to carry on an establishment or agency of the same description as the establishment or agency; and
 - (iii) one of whom has employed the responsible person for a period of at least 3 months, but the requirement for the name and address of a referee who has employed the responsible person 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;
 - (g) 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(1) and which may be disclosed by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(2); or
 - (ii) in respect of which he has been cautioned by a constable and which, at the time the caution was given, he admitted.
2. Where the applicant is a partnership—
 - (a) the name and address of the partnership;
 - (b) in relation to each member of the partnership, the information specified in paragraph 1(b) to (h).

(1) 1974 c. 53.

(2) S.I.1975/1023. Relevant amendments have been made by S.I. 1986/1249, 1986/2268, 2001/1192.

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3. 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 experience of carrying on an establishment or agency of the same description as the establishment or agency, so far as such qualifications and experience are relevant to providing services for persons for whom services are to be provided at the establishment or by the agency;
 - (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.
4. 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 estate has been ordered, or he 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 or agency for the purpose of achieving the aims and objectives of the establishment or agency set out in its statement of purpose;
 - (d) a business plan in respect of the establishment or agency;
 - (e) details as to cash-flow in respect of the establishment or agency.

PART II

Information about the establishment or agency

5. The name, address, telephone number, facsimile number, and electronic mail address (if any) of the establishment or agency.
6. The description of establishment or agency specified in section 4(8)(a) or (9)(a) of the Act in respect of which the applicant seeks to be registered.
7. The statement of purpose of the establishment or agency.
8. A statement as to the accommodation, facilities and services which are to be provided by the establishment or agency including the extent and, where appropriate, location of such accommodation, facilities and services.
9. The date on which the establishment or agency was established or is proposed to be established.
10. Details of the scale of charges payable by the service users.
11. 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.
12. In respect of the premises to be used by an establishment or for the purposes of an agency, a statement as to whether at the date the application is made the premises are capable of being used for the purpose of—

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- (a) achieving the aims and objectives set out in the statement of purpose of the establishment or agency; and
- (b) providing facilities and services in accordance with the statement referred to in paragraph 8,

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.

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

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

14. The name and address of any other establishment or agency of a description specified in section 4(8)(a) or (9)(a) of the Act in which the applicant has or has had a business or financial interest, or at which he is or has been employed, and details of such interest or employment.

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

Information about staff

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

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

PART III

Further information about staff

17. In respect of any person, other than the applicant, who works at, or is intended to work at the establishment or for the purposes of the agency—

- (a) whether the person is, or is intended to be, resident in the premises used as the establishment or for the purposes of the agency;
- (b) if he is a relative of any person who has made an application in respect of the establishment or agency, his 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 or for the purposes of the agency;
- (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 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;

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- (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 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 is to perform;
- (j) a statement by the applicant as to whether he is satisfied as to the person's identity, the means by which he so satisfied himself and whether he has obtained a copy of the person's birth certificate;
- (k) confirmation by the applicant that he has a recent photograph of the person;
- (l) a statement by the applicant that he has obtained two references relating to the person and that he is satisfied as to the authenticity of those references;
- (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(3) and which may be disclosed by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(4), and, in relation to each such offence, a statement by the person—
 - (i) as to whether in his view the offence is relevant to his suitability to care for, train, supervise or be in sole charge of any person and, if so,
 - (ii) as to why he considers that he is suitable to perform the work in which he is to be employed;
- (n) details of any criminal offences in respect of which he has been cautioned by a constable and which, at the time the caution was given, he admitted.

SCHEDULE 2

Regulation 3(2)(b)

DOCUMENTS TO BE SUPPLIED ON AN APPLICATION FOR REGISTRATION AS A PERSON WHO CARRIES ON AN ESTABLISHMENT OR AGENCY

Documents concerning applicant

1. The responsible person's birth certificate.
2. Certificates or other suitable evidence relating to the responsible person's professional or technical qualifications, so far as such qualifications are relevant to providing services for persons for whom services are to be provided at the establishment or by the agency.
- 3.—(1) Subject to sub-paragraph (2), a report by a general medical practitioner as to whether the responsible person is physically and mentally fit to carry on an establishment or agency of the same description as the establishment or agency.
(2) Where the responsible person is unable to obtain the report referred to in sub-paragraph (1), a statement by the responsible person as to the state of his physical and mental health.
4. The following documents in relation to the responsible person—
 - (a) a criminal record certificate—

(3) 1974 c. 53.

(4) S.I. 1975/1023. Relevant amendments have been made by S.I. 1986/1249, 1986/2268, 2001/1192.

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- (i) which has been issued under section 113 of the Police Act 1997⁽⁵⁾; and
 - (ii) the application for which was countersigned by the Commission, including, where applicable, the matters specified in section 113(3A)(a) and (b) and (3C)(a) and (b) of that Act;
- (b) an enhanced criminal record certificate—
 - (i) which has been issued under section 115 of that Act; and
 - (ii) the application for which was countersigned by the Commission, including, where applicable, the matters specified in section 115(6A)(a) and (b) and (6B)(a) and (b) of that Act.
- 5. Where the applicant is a corporate body, a copy of each of its last two annual reports.
- 6. Where the organisation is a subsidiary of a holding company, the name and address of the registered or principal office and the last two annual reports (if any) of the holding company and of any other subsidiary of that holding company.
- 7. The last annual accounts (if any) of the establishment or agency.
- 8. Except where the applicant is a local authority or NHS trust, a reference from a bank expressing an opinion as to the applicant's financial standing.
- 9. A certificate of insurance for the applicant in respect of liability which may be incurred by him in relation to the establishment or agency in respect of death, injury, public liability, damage or other loss.

Criminal record certificates in respect of staff

- 10.—(1) A statement confirming that—
 - (a) the documents specified in sub-paragraph (2) have been issued—
 - (i) in the case of any applicant, to every person, other than the applicant, who works, or is intended to work, for the purposes of the establishment or agency; and
 - (ii) where the applicant is an organisation, to the responsible individual; and
 - (b) the applicant will make the documents so issued available for inspection by the Commission if the Commission so requires.
- (2) The following documents are specified—
 - (a) if the position in which the person works, or is intended to work, for the purposes of the establishment or agency falls within section 113(3B) of the Police Act 1997, either—
 - (i) if the position falls within section 115(3) of that Act, an enhanced criminal record certificate issued to the person under section 115 of that Act; or
 - (ii) in any other case, a criminal record certificate issued to the person under section 113 of that Act, including the matters specified in, as the case may be, section 115(6A)(a) and (b) or 113(3A)(a) and (b) of that Act;
 - (b) if the position in which the person works, or is intended to work, for the purposes of the establishment or agency falls within section 113(3D) of the Police Act 1997, either—

(5) 1997 c. 50. Sections 113 and 115, as amended, have not been brought into force. Sections 113(3A), (3B) and 115(6A) were added by section 8(1) and (2) of the Protection of Children Act 1999 (c. 14) and amended by sections 104 and 116 of, and paragraph 25(1) and (2) of Schedule 4 to, the Care Standards Act 2000 (c. 14). Sections 113(3C) and 115(6B) are to be added to the Police Act 1997 by section 90(1) and (2) of the Care Standards Act 2000 on a date to be appointed. Section 115(5)(ea) was inserted by the Care Standards Act 2000, section 104, on a date to be appointed.

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- (i) if the position falls within section 115(4) of that Act, an enhanced criminal record certificate issued to the person under section 115 of that Act; or
- (ii) in any other case, a criminal record certificate issued to the person under section 113 of that Act,
including the matters specified in, as the case may be, section 115(6B)(a) and (b) or 113(3C)(a) and (b) of that Act;
- (c) if the position in which the person works, or is intended to work, for the purposes of the establishment or agency does not fall within section 113(3B) or (3D) of the Police Act 1997, a criminal record certificate issued to the person under section 113 of that Act.

SCHEDULE 3

Regulation 3(3)

INFORMATION AND DOCUMENTS TO BE SUPPLIED ON AN APPLICATION FOR REGISTRATION AS THE MANAGER OF AN ESTABLISHMENT OR AGENCY

PART I

Information

1. The applicant's full name, date of birth, address and telephone number.
2. Details of the applicant's professional or technical qualifications, and experience of managing an establishment or agency, so far as such qualifications and experience are relevant to providing services for persons for whom services are to be provided at the establishment or by the agency.
3. Details of the applicant's professional training relevant to carrying on or managing an establishment or agency.
4. Details of the applicant's employment history, including the name and address of his present employer and of any previous employers.
5. Details of any business the applicant carries on or manages or has carried on or managed.
6. The name and addresses of two referees—
 - (a) who are not relatives of the applicant;
 - (b) each of whom is able to provide a reference as to the applicant's competence to carry on an establishment or agency of the same description as the establishment or agency; and
 - (c) 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.
7. The name, address, telephone number, facsimile number, and electronic mail address (if any) of the establishment or agency.
8. Where any certificate or information on any matters referred to in paragraph 12 or 13 is not available to the applicant because any provision of the Police Act 1997 has not been brought into force, details of any criminal offences—
 - (i) of which the applicant has been convicted, including details of any convictions which are spent within the meaning of section 1 of the Rehabilitation of Offenders

Act 1974(6) and which may be disclosed by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(7); or

(ii) in respect of which he has been cautioned by a constable and which, at the time the caution was given, he admitted.

PART II

Documents

9. The applicant's birth certificate.

10. Certificates or other suitable evidence relating to the applicant's professional or technical qualifications, so far as such qualifications are relevant to providing services for persons for whom services are to be provided at the establishment or by the agency.

11. A report by a general medical practitioner as to whether the applicant is physically and mentally fit to manage an establishment or agency of the same description as the establishment or agency.

3.—(1) Subject to sub-paragraph (2), a report by a general medical practitioner as to whether the applicant is physically and mentally fit to carry on an establishment or agency of the same description as the establishment or agency.

(2) Where the applicant is unable to obtain the report referred to in sub-paragraph (1), a statement by the applicant as to the state of his physical and mental health.

12. A criminal record certificate—

- (a) which has been issued to the applicant under section 113 of the Police Act 1997(8); and
- (b) the application for which was countersigned by the Commission,

including, where applicable, the matters specified in section 113(3A)(a) and (b) and (3C)(a) and (b) of that Act.

13. An enhanced criminal record certificate—

- (a) which has been issued to the applicant under section 115 of that Act; and
- (b) the application for which was countersigned by the Commission,

including, where applicable, the matters specified in section 115(6A)(a) and (b) and (6B)(a) and (b) of that Act.

(6) 1974 c. 53.

(7) S.I. 1975/1023. Relevant amendments have been made by S.I. 1986/1249, 1986/2268, 2001/1192.

(8) 1997 c. 50. Section 113(3A) was added by section 8(1) of the Protection of Children Act 1999 (c. 14) and amended by section 116 of, and paragraph 25(1) of Schedule 4 to, the Care Standards Act 2000 (c. 14). Section 113(3C) was added by section 90(1) of the Care Standards Act 2000.

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SCHEDULE 4

Regulation 3(4)

INFORMATION TO BE SUPPLIED ON AN APPLICATION FOR REGISTRATION IN RESPECT OF A CARE HOME

1. In this Schedule “service user” means any person in the care home who is in need of nursing or personal care by reason of disability, infirmity, past or present illness, past or present mental disorder or past or present dependence on alcohol or drugs.
2. Details of the accommodation available for—
 - (a) service users; and
 - (b) persons working at the care home.
3. Whether it is proposed to provide nursing at the care home.
4. Whether it is proposed to provide at the care home accommodation, nursing or personal care to service users who are children.
5. The maximum number of service users for whom the care home is proposed to be used, and the number of such users by reference to—
 - (a) their sex;
 - (b) the categories listed in paragraph 6(c) of Schedule 7;
 - (c) service users who are children.

SCHEDULE 5

Regulation 3(4)

INFORMATION TO BE SUPPLIED ON AN APPLICATION FOR REGISTRATION IN RESPECT OF A CHILDREN'S HOME

1. The following details about the children who are intended to be accommodated at the children’s home—
 - (a) their age range;
 - (b) their sex;
 - (c) the maximum number of such children;
 - (d) whether the children to be accommodated are selected by reference to other criteria than age or sex, and if so those criteria.
2. The organisational structure of the children’s home.
3. The facilities and services to be provided within the children’s home for the children accommodated.
4. The arrangements for protecting and promoting the health of any children accommodated.
5. The fire precautions and emergency procedures.
6. The arrangements to allow children to follow religious observance.
7. The arrangements for contact between a child and his parents, relatives and friends.
8. Details as to the use of restraint and discipline, the circumstances in which they will be used, and who is permitted to authorise such use.
9. The procedure for dealing with any unauthorised absence of a child from the children’s home.

10. The arrangements for allowing children in the children's home to raise issues, and the procedure for dealing with complaints.

11. The arrangements for the education of any child accommodated.

12. The arrangements for dealing with reviews of the placement plans of any children accommodated.

SCHEDULE 6

Regulation 3(4)

INFORMATION TO BE SUPPLIED ON AN APPLICATION FOR REGISTRATION IN RESPECT OF AN INDEPENDENT HOSPITAL, INDEPENDENT CLINIC, OR INDEPENDENT MEDICAL AGENCY

1. The nature of the services to be provided including, in particular, details of any listed services.
2. The equipment and facilities to be provided.
3. The number of patient beds to be provided in an independent hospital or independent clinic.
4. The anticipated number of patients to be treated annually.
5. The arrangements made for the supply of blood and blood products.
6. The arrangements made for the provision of pathology and radiology services.
7. The number of registered medical practitioners who are to be involved in the treatment of patients.
8. Details of any services which are to be provided to children.

SCHEDULE 7

Regulation 8

PARTICULARS TO BE RECORDED IN THE REGISTERS KEPT BY THE COMMISSION

PART I

1. The full name, address and date of birth of each person registered in respect of the establishment or agency.
2. Where the registered person is an organisation—
 - (a) the address of the registered office or principal office of the organisation;
 - (b) the full names, dates of birth and addresses of any individual who is a director, manager, secretary or other officer of an organisation and is responsible for supervising the management of the establishment or agency.
3. The full name, address and telephone number of the establishment or agency.
4. The date of registration and of the issue of the certificate of registration and, where applicable, the date of any cancellation of registration.
5. The details of any conditions imposed on registration, any additional conditions imposed and any variation of any condition.

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PART II

Care homes register

6. In the case of the register relating to care homes—

(a) which (if any) of the following categories of care home are applicable, each category to be indicated by reference to the following code—

care home only	PC
care home with nursing	N
care home providing adult placement	AP
care home not providing medicines or medical treatment	NM

(b) the number of service users of each sex;

(c) which (if any) of the following categories in respect of service users are applicable, each category to be indicated by reference to the following code—

old age, not falling within any other category	OP
service users who are over 65 years of age but do not fall within the category of old age	E
dementia	DE
mental disorder, excluding learning disability or dementia	MD
learning disability	LD
physical disability	PD
past or present drug dependence	D
past or present alcohol dependence	A
terminally ill	TI
sensory impairment	SI

Children's homes register

7. In the case of the register relating to children's homes—

(a) which (if any) of the following categories of children's home are applicable, each category to be indicated by reference to the following code—

children's home (excluding any of the following categories in this sub-paragraph)	CH
schools (not nursing)	SCH
secure unit	SU
half-way house for child aged 16 or over	HH

(b) the number of service users of each sex;

- (c) which (if any) of the following categories in respect of service users are applicable, each category to be indicated by reference to the following code—

children (with none of the following conditions)	X
children with emotional or behavioural difficulties	EBD
children with physical disabilities	PD
children with learning disabilities	LD
children with mental disorders, excluding learning disability	MD
children with present drug dependence	D
children with present alcohol dependence	A
sensory impairment	SI

Registers relating to independent hospitals, independent hospitals in which treatment or nursing (or both) are provided for persons liable to be detained under the Mental Health Act 1983, independent clinics and independent medical agencies

- (a) (a) In the case of the register relating to—
- (i) independent hospitals, the code IH;
 - (ii) independent clinics, the code IC;
 - (iii) independent medical agencies, the code IMA.
- (b) In the case of each of the registers relating respectively to independent hospitals, independent hospitals in which treatment or nursing (or both) are provided for persons liable to be detained under the Mental Health Act 1983(9), independent clinics and independent medical agencies, which (if any) of the following categories in respect of service users are applicable, each category to be indicated by reference to the following code—

acute hospitals (with overnight beds)	AH
acute hospitals (day surgery only)	AH(DS)
mental health treatment establishments, not including those where people are liable to be detained	MH
mental health establishments taking people liable to be detained	MH(D)
hospices for adults	H(A)
hospices for children	H(C)
maternity hospitals/clinics	MAT
abortion clinics	TOP

(9) 1983 c. 20.

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prescribed techniques or prescribed technology: establishments using Class 3B or Class 4 lasers	PT(L)
prescribed techniques or prescribed technology: establishments using intense light sources	PT(IL)
prescribed techniques or prescribed technology: establishments providing dialysis	PT(DL)
prescribed techniques or prescribed technology: establishments using endoscopy	PT(E)
prescribed techniques or prescribed technology: establishments providing in vitro fertilisation	PT(IVF)
prescribed techniques or prescribed technology: establishments providing hyperbaric oxygen treatment	PT(HBO)
private doctors: walk-in medical centres	PD(M)
private doctors (other)	PD
private doctors: independent medical agencies	PD(IMA)

Registers relating to residential family centres, domiciliary care agencies, nurses agencies and fostering agencies

9. In the case of the register relating to—
- (a) residential family centres, the code RFC;
 - (b) domiciliary care agencies, the code DCA;
 - (c) nurses agencies, the code NA;
 - (d) fostering agencies, the code IFA.