



The Regulation and  
Quality Improvement  
Authority

## APPLICATION FOR REGISTRATION AS PERSON RESPONSIBLE FOR CARRYING ON AN ESTABLISHMENT OR AGENCY - GUIDANCE NOTES

**NB. These guidance notes relate to a provider applying to register a new service or coming forward to take over an existing registered service.**

### Introduction

Regulations pertaining to the individual regulated service types prescribes that the RQIA needs to be assured of the person responsible for overseeing the management of registered establishments and/or agencies. It is the legislative requirement under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003, for a provider to make application to RQIA in order to carry on a registered establishment or agency, A provider will come forward as either a sole person, a partnership or an organisation, as defined within Part 1 of The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005. Where the provider is an organisation, a nominated responsible individual must come forward in respect of this organisation, and where the provider is a formal partnership, all partners must apply to register as responsible persons.

Note that where a Provider carries on one or more registered establishments, or where the Provider of an existing registered service changes (i.e. due to a sale / purchase) a new and full application will be required. Please refer to the RQIA's guidance on the registration of a new establishment / agency and a change of ownership / registered entity (within our Registration FAQs document).

### 1. Information about the provider organisation

#### Purpose of Application

Please select the purpose of the application.

#### 1.1 Name of Organisation or Partnership

Please provide the name of the organisation, partnership or business

#### 1.2 Responsible Person (s)

The definition of a responsible person as per The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005 are as follows:

responsible person" means –

- (a) where the applicant is an individual –
  - (i) the applicant; and
  - (ii) if the applicant carries on or intends to carry on the establishment or agency in partnership with others, each partner of his;

- (b) where the applicant is a partnership, each member of the partnership;
- (c) where the applicant is an organisation, the responsible individual;

“organisation” means a body corporate or any unincorporated association other than a partnership;

“responsible individual” means an individual who is a director, manager, secretary or other officer of an organisation and is responsible for supervising the management of an establishment or agency;

### **1.3 Details of Organisation or Partnership**

Please provide the full contact details for the provider organisation or partnership, including (where applicable) the company number and type as per your registration with Companies House (or equivalent body).

### **1.3 List of Establishments carried on by the provider**

Please provide details in respect of the service(s) that the provider is applying to register with RQIA, and whose management the responsible person will oversee. If the service does not currently have a RQIA ID number, one will be created at the point of processing the application. The stated service type should be one of the following:

Adult Placement Agency (APA);  
Children’s Home (CH);  
Day Care Setting (DCS);  
Domiciliary Care Agency (DCA) – Conventional;  
Domiciliary Care Agency (DCA) – Supported Living;  
Independent Clinic (IC);  
Independent Hospital (IH);  
Independent Medical Agency (IMA);  
Independent Hospital (IH) – Dental Treatment;  
Nursing Agency (NA);  
Nursing Home (NH);  
Residential Care Home (RCH);  
Residential Family Centre (RFC);  
Voluntary Adoption Agency (VAA);

### **2. Information about the Responsible Person**

As previously stated, the responsible person will either be a sole person, a partner within a formal partnership, or a responsible individual coming forward in respect of an organisation. The responsible person should complete their own personal details within this section.

Please provide all required details. Please provide your email details if you deem this a suitable method of communication with you.

### **3. Qualifications**

Details of his professional or technical qualifications relevant to providing services for persons to whom services are to be provided at the establishment

or by the agency. This should be supported by certificates or other suitable evidence to be enclosed in the application pack (see section below on required documentation).

#### **4. Registration with Professional Bodies**

Details of any registration with professional bodies relevant to the application, if applicable. Please note that the Regulation and Quality Improvement Authority (RQIA) may verify the status of your membership as part of the registration process.

#### **5. Experience**

Please complete all required sections ensuring you provide a full employment history, including history of management experience within health and social care, together with a written explanation of any gaps in employment. Detail in particular any experience relevant to carrying on the type of establishment or the agency in respect of which you are seeking to be registered.

#### **6. Other Relevant Experience/Training**

Please include any other experience or skills which you consider relevant to this application. Details of any professional training relevant to the carrying on of an establishment or agency should also be included. All information provided by you will be considered by the RQIA when reaching a decision with respect to your application for registration.

#### **7. Other Business Interests**

Please provide details of any business currently or previously carried on by you as per legislative requirements.

#### **8. References**

Please provide the names and addresses of two persons who are willing to provide a satisfactory reference in respect of the requirements of your prospective registration and who meet the following criteria:

- (a) Are not related to you
- (b) Each of whom are able to provide a reference as to your competence to carry on an establishment or agency of the same description as the establishment or agency in respect of which you are applying for registration
- (c) At least one of whom has employed you for at least 3 months
- (d) One of whom is the applicant's present or most recent employer

If the requirement at point (c) or (d) is impracticable an alternative referee should be provided and the reason clearly stated on the application form.

#### **9. Statement of Financial Standing**

This is a statement from the responsible person required in the legislation, stating whether they have ever been declared bankrupt, or if the estate has been placed in receivership. Should you have been adjudged bankrupt, or sequestration of your estate has been ordered, or you have made a

composition or arrangement with, or granted a trust deed for, your creditors, please provide details.

### **9a. Statement of Financial Viability**

As per Schedule 1 of the Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005, the applicant must provide 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 set out in its statement of purpose. You can provide a statement yourself giving an assurance on the current & future arrangements for funding the business. Your bank manager or accountant may help you with this.

### **10. Medical Fitness**

You should request your General Practitioner to sign section 6 of the Application Form, as to your physical and mental fitness. If you are unable to provide a signed report from your General Practitioner then you should complete the self declaration at section 6a.

### **11. Rehabilitation of Offenders**

Under the Rehabilitation of Offenders (Exceptions) Order (NI) 1979, you are required to provide information about convictions, cautions and bind-over orders which would otherwise be considered as spent. You are also required to disclose information of any outstanding prosecutions or pending court action against you. Please include all offences, even minor matters such as motoring offences.

Note that in addition *The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005*, Regulation 3(3) Schedule 3, Para 12 requires an Enhanced Criminal Record Certificate to be disclosed as part of your application for registration. It is important that you are aware that this Enhanced Disclosure will reveal details of spent and unspent convictions and cautions. It will also contain any other relevant information about you, which is held in police records or by other law enforcement agencies. For more details see the information on the completion of the AccessNI Disclosure application form within Section 3 - Submission of Documentation.

### **12. Documents to be supplied in respect of the application**

This section provides guidance on the prescribed documents required. A checklist has been added to the application form for your convenience. Please use this to ensure that all required documents are enclosed. Only applications received containing all required documents will be accepted. Should you fail to provide the required documentation, your application will be returned to you requesting resubmission or the RQIA may be forced to refuse your application which may still incur a fee.

You will be required to submit the following to the RQIA as one complete application:

1. Fully completed application form  
including statement of medical fitness

Including statement of financial standing

2. Photograph
3. Birth Certificate or any other equivalent identification
4. Documentary evidence of qualifications (if required)
5. The case tracking number for your online AccessNI application
6. A payment of £33 to RQIA (payable either by cheque or BACS)
7. Valid identification documents (3 or 5)  
As per AccessNI Guidance Document
8. Evidence of professional indemnity insurance(if applicable)

Further details in respect of Documents 2-8 is outlined below:

*Identification Documents Required by the RQIA*

The registration regulations require the following two items –

- One passport sized photograph which will be retained by the RQIA. It must be recent, and a true likeness of you. Please sign and date the photograph.
- A copy of your birth certificate or any other equivalent means of identification. Documents deemed equivalent by the RQIA to establish your identity are a photocopy of your current passport or driving licence (both parts).

*Identification Documents Required by AccessNI*

These differ from the requirements for documents by the RQIA. Details can be found in the Appendix 1 list below. It is important that you enclose the relevant documents as failure to do so will result in your application being returned to you. At least one of these documents should contain photographic identification.

*Documentary evidence of qualifications*

You should provide copies as evidence relating to your professional, technical or vocational qualifications, including accredited training, so far as they are relevant to providing services for persons for whom services are to be provided at the establishment or agency and that are relevant to your application.

*Details of Any Professional Indemnity Insurance*

Please provide a copy of your current certificate of any professional indemnity insurance. Note that this is only a requirement for applications for registration in respect of Independent Health Clinics, Independent Hospitals, Medical Agencies, Nursing Agencies and Domiciliary Care Agencies.

*AccessNI Enhanced Records Disclosure Application Form*

*The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005, Regulation 3(2) (b) Schedule 2 requires an Enhanced Criminal Record Certificate to be disclosed as part of your application for registration. The application for this Disclosure must be countersigned by the RQIA.*

An Enhanced Disclosure will be obtained by making application to AccessNI using the enclosed Disclosure Application Form. The RQIA cannot make an application for an enhanced records disclosure without your consent. It is important therefore that if you wish to apply for registration that you complete the Disclosure Application Form. If you are submitting an application after the 1st October 2017, you must make your disclosure application by online submission.

In order to make an online application, you should access the following web link - <https://www.nidirect.gov.uk/services/apply-online-enhanced-check-through-registered-body>, and select the option for an enhanced disclosure check through a registered body.

If you do not already have an account with AccessNI, you will need to create one. When you proceed through the web form, you will be prompted to provide a PIN number. Please enter the following number – **540330**. You should follow the instructions on screen in order to complete your disclosure application. When you have completed and submitted your web form, please make a note of your case reference number.

When submitting your application to register with RQIA you should note that your AccessNI disclosure application has been made online. You should quote your case tracking reference number in the supporting documents checklist at the back of your RQIA application form.

You must submit your original identification documents and AccessNI fee payment along with your application to register with RQIA (please refer to the guidance below).

Please ensure that an accompanying payment of £33 should be made to RQIA by either cheque or by BACS (see Section on fee payments below). The RQIA will verify your identity, process the payment and countersign the web application form. RQIA will not process the application unless payment has been received together with the application form.

AccessNI will issue one copy of the enhanced disclosure certificate directly to you. Under AccessNI's procedures, RQIA does not receive a copy of your disclosure certificate. Disputes must be raised with AccessNI within three months from the date of issue of the Disclosure Certificate.

In order to complete our vetting process and verify your disclosure please post your certificate to the Registration Team at the address below as soon as possible after you receive it. Please mark your envelope **CONFIDENTIAL**. Alternatively you can bring the certificate to the RQIA office, Belfast in person between office hours Monday-Friday.

The RQIA will comply with the AccessNI Code of Practice with respect to the handling, storage, usage, retention and disposal of any information we receive about you, as a result of an application for an Enhanced Criminal Disclosure Certificate.

Once a registration decision has been made in respect of your application, your certificate will be posted back to you.

Please be aware that the Enhanced Disclosure will reveal details of spent and unspent convictions and cautions. It will also contain any other relevant information about you, which is held in police records or by other law enforcement agencies. Disclosure of a criminal record or other information will not automatically debar you from becoming registered unless the RQIA considers the information disclosed to render you unsuitable. In reaching this decision the RQIA will consider whether the matter revealed is relevant to your application, the seriousness of the matter, the length of time since it occurred and any other factors which may be relevant. Any matters disclosed on the certificate which may cause a delay or possibly prevent your application from proceeding will be discussed with you in confidence by an authorised person from the RQIA.

Once a registration decision has been made in respect of your application, your disclosure certificate will be posted back to you.

**£ 33 Payment to RQIA (AccessNI Fee)**

As outlined previously, the RQIA is required to countersign an application for an enhanced records disclosure in respect of an applicant for registration. To do so, the applicant is required to make **a payment of £33** in respect of **each responsible person applying for registration** to the RQIA.

Fee payments can currently be made by cheque or BACS payment.

Cheques should be made **payable to RQIA**

BACS payment details are as follows:

<b>Sort Code</b>	902127
<b>Account No</b>	88056622

Failure to submit the appropriate fee will halt the processing of your application.

**13. Documents to be submitted in respect of a new service (i.e. guidance relating to the Part A service application)**

**Statement of Purpose**

The Statement of Purpose document should be compiled in line with the relevant service specific regulations (see the table below):

The Nursing Homes Regulations (Northern Ireland) 2005	Regulation 3
The Residential Care Homes Regulations (Northern Ireland) 2005	Regulation 3
The Children's Homes Regulations (Northern Ireland) 2005	Regulation 4
The Nursing Agencies Regulations	Regulation 4

(Northern Ireland) 2005	
The Independent Health Care Regulations (Northern Ireland) 2005	Regulation 7
The Day Care Setting Regulations (Northern Ireland) 2007	Regulation 4
The Residential Family Centres Regulations (Northern Ireland) 2007	Regulation 3
The Domiciliary Care Agencies Regulations (Northern Ireland) 2007	Regulation 5
The Adult Placement Agencies Regulations (Northern Ireland) 2007	Regulation 3
The Voluntary Adoption Agencies Regulations (Northern Ireland) 2010	Regulation 4

### **Service Users Guide**

The Service Users Guide (or Patients Guide / Residents Guide/ Children's Guide should be compiled in line with the relevant service specific regulations (see the table below) :

The Nursing Homes Regulations (Northern Ireland) 2005	Regulation 4
The Residential Care Homes Regulations (Northern Ireland) 2005	Regulation 4
The Children's Homes Regulations (Northern Ireland) 2005	Regulation 4
The Nursing Agencies Regulations (Northern Ireland) 2005	Regulation 5
The Independent Health Care Regulations (Northern Ireland) 2005	Regulation 8
The Day Care Setting Regulations (Northern Ireland) 2007	Regulation 5
The Residential Family Centres Regulations (Northern Ireland) 2007	Regulation 4
The Domiciliary Care Agencies Regulations (Northern Ireland) 2007	Regulation 6
The Adult Placement Agencies Regulations (Northern Ireland) 2007	Regulation 4
The Voluntary Adoption Agencies Regulations (Northern Ireland) 2010	N/A

### **Service Specific Application Form**

Guidance on the requirements for the medication policy can be downloaded from the RQIA website. This information sits within the 'Guidance for Service Provider' section of the site-

[http://www.rqia.org.uk/what we do/registration inspection and reviews/service provider guidance.cfm](http://www.rqia.org.uk/what%20we%20do/registration%20inspection%20and%20reviews/service%20provider%20guidance.cfm)



Service specific application forms will apply to the following types of Independent Healthcare services –

Independent Hospitals – Private Dental Treatment  
 Independent Hospitals – Cosmetic Laser Services  
 Independent Clinics - Private Doctor Services  
 Independent Medical Agencies – Private Doctors (IMA)

The appropriate application forms for the registration of a dental practice can be downloaded from our website. Please see the link below –

[http://www.rqia.org.uk/what we do/registration inspection and reviews/dental regulation.cfm](http://www.rqia.org.uk/what%20we%20do/registration%20inspection%20and%20reviews/dental%20regulation.cfm)

Guidance regarding the registration of Cosmetic Laser Services and Private Doctor Services can be accessed here -

[http://www.rqia.org.uk/what we do/registration inspection and reviews/service provider guidance/independent healthcare information.cfm](http://www.rqia.org.uk/what%20we%20do/registration%20inspection%20and%20reviews/service%20provider%20guidance/independent%20healthcare%20information.cfm)

If you require an application pack to register a non-dental Independent Healthcare service please email the details of your service to [registration@rqia.org.uk](mailto:registration@rqia.org.uk) and we will forward you the appropriate forms and guidance as soon as possible.

### **Documentation required for the financial assessment**

Regulations 3 and 4 and Schedules 1 to 8 of The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005 specify the information and documents that are to be provided by an applicant for registration.

The application form indicates the requirements.  
 For ease of reference the requirements relating specifically to financial and business matters are drawn together in the check list below:

<b>Item</b>	<b>Regulation</b>	<b>What the regulations say</b>	<b>Further explanation</b>
1.	Sched. 3 - 5;	Details of any business the applicant carries on or manages or has carried on or managed.	This is a statement from you which details of all your past business activities.
2.	Sched. 1 - 4. (a); Sched. 2 - 8.	A reference from a bank expressing an opinion as to the applicant's financial standing; Except where an applicant is a HSS Board or Trust	This is a reference from your bank advising RQIA of whether they think you are a reliable customer.
3.	Sched. 1 - 4. (b);	A statement as to whether the responsible person has	This is a statement from you stating

		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.	whether you have ever been declared bankrupt, or if your estate has been placed in receivership.
4.	Sched. 1 - 4. (d);	A business plan in respect of the establishment or agency.	This should include forecast income and expenditure and profit and loss A/cs for two years. Your Accountant should be able to help you with this. (You don't need this if you can provide accounts for your business).
5.	Sched. 1 - 4. (e);	Details as to cash-flow in respect of the establishment or agency.	Again your Accountant may be able to help you to provide a cash-flow statement. (You don't need this if you can provide accounts for your business).
6.	Sched. 2 - 5;	Where the applicant is a corporate body, a copy of its last two annual reports.	If you are a limited company and have produced Annual Reports including accounts, please send us reports for the last two years.
7.	Sched. 8 - 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	Please provide this information to allow us to identify those in the organisation who control the business.

		responsible for supervising the management of the establishment or agency.	
8.	Sched. 2 - 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.	If you are applying as a subsidiary organisation of another business we need the Annual Report and Accounts of the ultimate holding company and all its subsidiaries for the past two years.
9.	Sched. 2 - 7;	The last annual accounts (if any) of the establishment or agency.	For an existing business that is not a limited company, please provide your last two years accounts.
10.	Sched. 1 - 4. (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 set out in its statement of purpose.	You can provide a statement yourself giving an assurance on the current & future arrangements for funding the business. Your bank manager or accountant may help you with this.
11.	Sched. 2 - 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.	Please send a copy of your insurance policy document giving schedule of cover provided.

NB Please note that Items 1, 3 & 10 of the above checklist are included as questions / sections within the Responsible Person application, however, additional detail may be required.

**Fee for the registration of a new establishment**

The registration fees are set under The Regulation and Improvement Authority (Fees and Frequency of Inspections) Regulations (Northern Ireland) 2005, and its subsequent amendments. The applicable fee(s) will vary depending on service type. Please refer to the table below:

<b>Body</b>	<b>Size/Criterion</b>	<b>Fee Required</b>
Adult Placement Agency	N/A	Nil
Children's Homes	N/A	£952
Day Care Setting	N/A	Nil
Domiciliary Care Agency	N/A	Nil
Independent Clinic	N/A	£952
Independent Hospital	N/A	£952
Independent Hospital – Dental Treatment	N/A	£952
Independent Medical Agency	N/A	£952
Nursing Agency	3 staff or more (excluding reception)	£30
Nursing Home (Large)	4 places or more	£952
Nursing Home (Small)	3 places or less	£261
Residential Care Home (Large)	4 places or more	£952
Residential Care Home (Small)	3 places or less	£261
Residential Family Centre	N/A	Nil
Day Care Setting	N/A	Nil
Voluntary Adoption Agency	N/A	Nil

Fee payments can currently be made by cheque or BACS payment.

Cheques should be made **payable to RQIA**

BACS payment details are as follows:

<b>Sort Code</b>	902127
<b>Account No</b>	88056622

### **Site Plans / Floor Plans**

In addition to the above listed documentation RQIA will also require the submission of various estates / building documents in support of specific service applications. The following Pre-Registration Engineering Documentation Check Lists can be downloaded from our website:

New Build Nursing Homes  
 New Build Residential Care Homes  
 New Build Day Care Settings

**NB. These lists are not exhaustive and additional information / documentation may be requested by RQIA in support of your application.**

Please note that there are no estates requirements for the following service types; nursing agencies, voluntary adoption agencies, domiciliary care agencies, independent medical agencies and adult placement agencies.

There are specific estates requirements for Independent Healthcare services which can be found within the service specific guidance documents.

It is recognised by RQIA that, in the case of a proposed new build or conversion, the applicant may not be in a position to submit all of the required certificates / building documents at the time of their initial application. It is therefore acceptable for these documents to be submitted at a later stage or made available at the time of the pre-registration inspection. However, all estates matters will need to be addressed before RQIA can approve registration of the establishment.

**Additional documentation required in support of a new service application**

The following information is normally submitted to this Authority when an applicant applies to register an establishment or agency. During the initial phase of registration of new services, submission of this information is not required.

However, the documentation must be available within the establishment or agency at the time of application and subsequently held available at all times for inspection by a duly authorised person.

Schedule 1: Parts I, II and III of The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005

Paragraph 8

Statement of Accommodation, Facilities and Services

A written 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

Paragraph 10

Scale of Charges

Details of the scale of charges payable by service users

Paragraph 11

Premises to be used by an Establishment

A written statement in respect of the premises to be used by an establishment including

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- 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
- a description of the area in which the premises are located

### Paragraph 12

#### Premises to be used by an Establishment or for the purposes of an Agency

A written statement as to whether at the date the application is made the premises are capable of being used for the purpose of

- achieving the aims and objectives set out in the statement of purpose of the establishment or agency
- providing facilities and services in accordance with the statement of accommodation, facilities and services referred to above

(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 planning permission, building works or conversion needed)

### Paragraph 13

#### Security Arrangements

A written statement of the security arrangements including arrangements for the purposes of

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

### Paragraph 16

#### Information about Staff

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

- the person's name, sex and date of birth
- the person's duties and responsibilities in relation to his work

### Paragraph 17

#### Further Information about Staff

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

- whether the person is, or is intended to be, resident in the premises used as the establishment or for the purposes of the agency
- 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
- whether the person works or is intended to work, on a full-time basis or on a part-time basis, the number of hours per week for which it is intended that the person will work

- the date on which the person commenced, or is intended to commence, working at the establishment or for the purposes of the agency
- information as to the person's qualifications, experience and skills in so far as is relevant to the work that he person is to perform
- a statement by the applicant that he is satisfied as to the authenticity of the qualifications, and has verified the experience and skills that are referred to in the sub-paragraph above
- a statement as to
  - the suitability of the person's qualifications for the work that the person is to perform
  - whether the person has the skills necessary for such work
  - the person's fitness for work, and have regular contact, with service users
- a statement by the person as to the state of his physical and mental health
- a statement by the applicant that the person is physically and mentally fit for the purposes of the work which he is to perform
- 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
- confirmation by the applicant that he has a recent photograph of the person
- 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 these references
- details of any criminal offences of which the person has been convicted, including details of any convictions which are spent within the meaning of **The Rehabilitation of Offenders (Northern Ireland) Order 1978** and which may be disclosed by virtue of **The Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979**, and, in relation to each such offence, a statement by the person as to
  - whether in his view the offence is relevant to his suitability to care for, train, supervise or be in ole charge and, if so
  - why he considers that he is suitable to perform the work in which he is to be employed
- 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

Information as to Staff engaged after Application is made

Where the applicant applies for registration as a person who carries on an establishment or agency, and before the application is determined, engages a person to work at the establishment or for the purposes of an agency, he shall, in respect of each person so engaged obtain the information at Paragraphs 16 and 17 above. He shall also, in respect of each person so engaged, obtain the documents listed in Schedule 2 Paragraph 10 of **The Regulation and Improvement Authority (Registration) Regulations**

**(Northern Ireland) 2005** (except where any certificate or information on any matters referred to below is not available to an individual because any provision of **The Police Act 1997** has not been brought into force) and shall make the said documents available to The HPSS Regulation and Improvement Authority if so requested.

#### **14. Declaration Section**

Please read the declaration section carefully.

Note that it is an offence under *The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003* to knowingly make a statement which is false or misleading in a material respect.

Note that in the case of persons responsible for the carrying on of Children's Homes, Domiciliary Care Agencies and Residential Care Homes, the requirement to adhere to other standards set by professional bodies and standard setting organisations in particular includes adherence to the NISCC Code of Practice for Employers of Social Care Workers

#### **15. Consideration regarding the appointment of the registered manager**

Each service must have both a responsible person and a manager (although in certain circumstances this can be the same individual). The relevant service specific regulations will state the requirements for the registered provider to appoint a manager. Please refer to table below:

The Nursing Homes Regulations (Northern Ireland) 2005	Regulation 8
The Residential Care Homes Regulations (Northern Ireland) 2005	Regulation 8
The Children's Homes Regulations (Northern Ireland) 2005	Regulation 7
The Nursing Agencies Regulations (Northern Ireland) 2005	Regulation 8
The Independent Health Care Regulations (Northern Ireland) 2005	Regulation 11
The Day Care Setting Regulations (Northern Ireland) 2007	Regulation 9
The Residential Family Centres Regulations (Northern Ireland) 2007	Regulation 8
The Domiciliary Care Agencies Regulations (Northern Ireland) 2007	Regulation 9
The Adult Placement Agencies Regulations (Northern Ireland) 2007	Regulation 8
The Voluntary Adoption Agencies Regulations (Northern Ireland) 2010	Regulation 7



The Department of Health, Social Services & Public Safety has published minimum standards relating to specific service types. These standards provide specific details regarding the criteria a registered manager must meet. Both the applicant for manager and the provider should refer to these standards prior to submitting their manager application to RQIA. Please refer to the list below and note that all of the published minimum standards can be downloaded from our website (link - [http://www.rqia.org.uk/publications/useful\\_documents.cfm](http://www.rqia.org.uk/publications/useful_documents.cfm)):

Nursing Homes Minimum Standards (updated April 2015) – ‘Fitness of Registered Manager’, page 142

Residential Care Homes Minimum Standards (Updated August 2011) – ‘Fitness of Registered Manager’, page 81

Domiciliary Care Agencies Minimum Standards (Updated August 2011) – ‘Fitness of Registered Manager’, page 49

Nursing Agencies Minimum Standards (July 2008) - ‘Fitness of Registered Manager’, page 39

Day Care Settings Minimum Standards (Jan 2012) – ‘Fitness of Registered Manager’, Page 82

Children’s Homes Minimum Standards (April 2014) - ‘Fitness of Registered Manager’, Page 85

Residential Family Centres Minimum Standards (March 2011) - ‘Fitness of Registered Manager’, Page 51

Minimum Standards for Independent Healthcare Establishments (July 2014) – ‘Fitness of Registered Manager’, Page 143

Minimum Standards for Dental Care and Treatment – NB. No specific requirements noted for a registered manager

The applicant coming forward as manager should complete and submit the F01 application form with reference to the G01 guidance document.

#### **ASSESSMENT OF APPLICATION**

Following the receipt of all required documentation as well as the vetting information in relation to the Responsible Person (s), the RQIA will assess the application for registration to carry on an Establishment or Agency in light of the regulations

Regulations require the RQIA to ensure that the Responsible Person -

- (a) is of integrity and good character;
- (b) is physically and mentally fit to carry on the agency;
- (c) that full and satisfactory information is available in relation to him as outlined in this guidance

The registered provider is also required, having regard to the size of the Establishment/Agency, its statement of purpose and the number and needs of service users and adult placement carers, to carry on the establishment with sufficient care, competence and skill.

In terms of the Responsible Person for Children's Homes the RQIA also needs to have been given assurance that the Responsible Person -

- (a) will adhere to the Northern Ireland Social Care Council and Code of Practice for Employers of Social Care Workers;
- (b) is not disqualified for the purposes of the Disqualification of Caring for Children Regulations (Northern Ireland) 1996.

In terms of the Responsible Person for Domiciliary Care Agencies and Residential Care homes adherence to the Northern Ireland Social Care Council Code of Practice for Employers of Social Care Workers also applies.

As part of the assessment of the fitness as outlined above an Inspector or other Officer of the RQIA will arrange to meet with the all responsible persons. This is referred to as the Responsible Person interview which you will be required to attend under Regulation 5 of The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005. Following the receipt of all documentation in respect of the applicant, the RQIA will contact the Responsible Person(s) to arrange a suitable time and venue for the interview.

The individual regulations also stipulate that that a person shall not carry on an agency if—

- (a) he/she has been adjudged bankrupt or sequestration of his estate has been awarded and (in either case) he/she has not been discharged and the bankruptcy order has not been annulled or rescinded; or
- (b) he/she has made a composition or arrangement with his/her creditors and has not been discharged in respect of it.

For this reason, financial documentation in respect of the responsible person will also be reviewed as part of the registration process.

## **COMPLAINTS**

RQIA operates a complaints procedure that allows any applicant to make a complaint if they consider the RQIA has not followed its registration procedures. The complaints procedure cannot be used to challenge a decision made. Decisions may be challenged by making a written representation after a Notice of Proposal has been issued or by appealing to the Care Tribunal after a Notice of Decision has been issued.

## **DATA PROTECTION ACT 1998 - FAIR PROCESSING NOTICE**

Personal data in this form may be accessed and used in accordance with RQIA's requirements as outlined in The Health and Personal Social Services

(Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and associated Regulations in line with the RQIA's registration and notification with the ICO under the Data Protection Act 1998 and in compliance with the Freedom of Information Act 2000. To comply with statutory and government requirements, data may be disclosed to external agencies such as (but not exclusively): DHSSPSNI, NIAO, AccessNI. RQIA will not disclose any personal information to any third parties without the express consent of the Data Subject, except where required by law. From January 2005 personal data may, in exceptional circumstances where the public interest outweighs the individual's rights to privacy, be released under the auspices of the Freedom of Information Act 2000. Any queries concerning Data Protection and Freedom of Information should be addressed to the Head of Information within the RQIA.

Contact details and further information in relation to the use of personal data can be found on RQIA's web site <http://www.rqia.org.uk>. For general information please visit <http://www.informationcommissioner.gov.uk>.

G02a

**APPENDIX 1**



# **AccessNI applications – identity checking**

## **List of acceptable documents**

**February 2018**

## **Introduction**

This document sets out revised requirements for signatories in registered, responsible and umbrella bodies checking the identity documents of AccessNI applicants. You can read this in conjunction with the document “a guide to identity checking for AccessNI applications” available at this link [www.nidirect.gov.uk/identity-checking-signatories](http://www.nidirect.gov.uk/identity-checking-signatories).

All applicants must **provide a minimum of 3 documents and the documents must be original** not copies. Applicants can follow one of two routes;

### **Route 1**

An applicant must provide;

- 1 document from Group 1; and
- 2 further documents from Group 1 or Group 2a or Group 2b

At least one of the documents must show the applicant’s current address.

### **Route 2**

This applies only where an applicant does not have Group1 documentation.

The applicant must provide;

- 4 documents from Group 2a and 2b

One document **must** be a birth certificate issued after the time of birth. One document **must** show the applicant’s current address

Where an individual cannot meet these requirements you should contact AccessNI on 0300 200 7788. You may be required to seek an external validation check from a commercial organisation and/or the applicant may have to attend a police station to have their fingerprints taken.

For all applicants who require an AccessNI check for employment purposes, the countersignatory declaration has been amended. A signatory must now, in addition to checking the applicant’s identity documents confirm the employing organisation has checked the individual has a right to work in the UK.

For overseas applicants please refer to the appropriate sections of the “guide to identity checking for AccessNI applications”.

## Group 1: Primary identity documents

Document	Notes
Passport	Any current <u>and</u> valid passport
Biometric Residence permit	UK
Current driving licence photocard (full or provisional)	UK, Isle of Man, Channel Islands, Republic or Ireland or any EEA country
Birth certificate issued at time of birth	UK, Isle of Man and Channel Islands - including those issued by UK authorities overseas, for example embassies, High Commissions and HM Forces
Long form Irish birth certificate issued at time of registration of birth	Republic of Ireland
Adoption certificate	UK, Isle of Man or Channel Islands

## Group 2a: Trusted government documents

Document	Notes
Birth certificate issued after time of birth	UK, Isle of Man, Channel Islands or Ireland
Marriage/Civil Partnership Certificate	UK, Isle of Man, Channel Islands or Ireland
HM Forces ID card	UK
Firearms licence	UK, Channel Islands and Isle of Man
Electoral ID card	Northern Ireland only
Current driving licence photocard (full or provisional)	All countries outside the EEA
Current driving licence (full or provisional) - paper version (if issued before 1998)	UK, Isle of Man, Channel Islands and EEA
Immigration document, visa or work permit	Issued by a country outside the EEA – valid only if the applicant is working in the country that issued the document

All driving licences must be valid: <https://www.gov.uk/driving-nongb-licence>



## Group 2b: – Living and Social history documents

<b>Document</b>	<b>Notes</b>	<b>Issue date/validity</b>
Mortgage Statement	UK or EEA	Within last 12 months
Financial statement, for example ISA, pension or endowment	UK	Within last 12 months
P45 or P60 statement	UK or Channel Islands	Within last 12 months
Land and Property Services rates demand	Northern Ireland only	Within last 12 months
Council tax statement	Great Britain and Channel Islands	Within the last 12 months
Credit card statement	UK or EEA	Within last 3 months
Bank or Building society statement	UK or EEA	Within last 3 months
Bank or Building society statement	Countries outside the EEA	Within the last 3 months – branch must be in the country where the applicant lives and works
Bank or building society account opening confirmation letter	UK or EEA	Within last 3 months
Utility bill (not mobile phone)	UK or EEA	Within last 3 months

Benefit statement, for example Child Benefit, Pension etc.	UK and Channel Islands	Issued in last 3 months
Central or local government, government agency, or local council document giving entitlement, for example from the Department for Work and Pensions, the Employment Service, HMRC	UK and Channel Islands	Issued in last 3 months
EU National ID card		Must be valid
60+ or Senior (65+) SmartPass issued by Translink	Northern Ireland	Must be valid
yLink card issued by Translink	Northern Ireland	Must be valid
Cards carrying the PASS accreditation logo	UK, Isle of Man and Channel Islands	Must still be valid
Letter from head teacher or further education college principal	UK - for 16 to 19 year olds in full time education - only used in exceptional circumstances if other documents cannot be provided	Must still be valid
Letter of sponsorship from future employment provider or voluntary organisation	Non UK or non-EEA only for applicants residing outside UK at time of application	Must still be valid