

1993 No. 91

REGISTERED HOMES**The Residential Care Homes Regulations
(Northern Ireland) 1993***Made* 3rd March 1993*Coming into operation* 1st April 1993

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The Department of Health and Social Services in exercise of the powers conferred on it by Articles 4(4)(b), 6(1), 6(3), 6(5), 6(8), 15, 28, 29(4) and 36(2) of the Registered Homes (Northern Ireland) Order 1992(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Residential Care Homes Regulations (Northern Ireland) 1993 and shall come into operation on 1st April 1993.

(2) In these regulations—

“the Order” means the Registered Homes (Northern Ireland) Order 1992;

“the 1972 Order” means the Health and Personal Social Services (Northern Ireland) Order 1972(b);

“adequate” means sufficient and suitable;

“child” means any person under the age of eighteen;

“the Fire Authority” means the Fire Authority for Northern Ireland;

“home” means a residential care home;

“mental handicap” means a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning;

“person registered” means any person registered in respect of the home;

“record” means any record kept or retained in pursuance of regulation 5 including any book, card, form, tape, computerised record, film or notes;

“resident” means any person in the home who is in need of personal care by reason of old age and infirmity, disablement, past or present dependence on alcohol or drugs or past or present mental disorder.

Registration

2.—(1) An application for registration under Article 6 of the Order shall be made in writing to the Board. The fee to accompany such an application shall be as provided for in Schedule 1.

(2) In making an application, the applicant shall supply the particulars specified in Schedule 2 and such other information in relation to the home, as the Board may reasonably require, except that an applicant for registration in respect of a small home need not supply information in regard to the matters mentioned in paragraph 4(c), (l), (m) or (n) of that Schedule.

(a) S.I. 1992/3204 (N.I. 20)

(b) S.I. 1972/1265 (N.I. 14) to which there are amendments not relevant to these regulations

(3) Where the Board so requires, an applicant shall also supply such birth certificate and such other documentary evidence as is specified by the Board as being necessary to substantiate the particulars specified in paragraph 1(a) or 2(a)(i) of Schedule 2.

Time limit for registration

3.—(1) Where—

(a) immediately before 1st April 1993 a person was not required to be registered under Article 35 of, and Schedule 5 to, the 1972 Order(a) in respect of an establishment; and

(b) on that date he is required to be registered under Part II of the Order in respect of that establishment,

he shall within six months of that date apply to the Board for registration under that Part and until that application is determined he shall for the purposes of the Order be deemed to be registered under that Part in respect of that establishment.

(2) A person who immediately before 1st April 1993 was registered under Article 35 of, and Schedule 5 to, the 1972 Order in respect of an establishment and who on that date is required to be registered in respect of that establishment under Part II of the Order shall for the purposes of the Order and of these regulations be deemed to be registered under that Part in respect of that establishment.

Annual fees

4. The person in control of the home shall pay an annual fee of an amount determined in accordance with Schedule 3 within the appropriate time specified in that Schedule, and shall do so for each home in respect of which he is registered.

Records

5.—(1) Subject to paragraph (2), the person registered shall compile the records specified in Schedule 4 and shall keep them in the home and at all times available for inspection by any person authorised in that behalf by the Board or, as the case may be, the Department.

(2) A person registered in respect of a small home need not compile the records specified in—

(a) paragraphs 6 to 12, 14 and 15 of Schedule 4;

(b) paragraph 3 of that Schedule, except to the extent that it relates to any medicines administered to a resident; or

(c) paragraph 5 of that Schedule to the extent that it relates to any visits by persons authorised to inspect the home.

(3) The person registered shall keep in a safe place in the home the case record of each resident compiled in accordance with paragraph 3 of Schedule 4.

(a) Article 35 and Schedule 5 were repealed by Article 38 of, and Schedule 2 to, the Registered Homes (Northern Ireland) Order 1992 (S.I. 1992/3204 (N.I. 20))

(4) Any person who is deemed by virtue of regulation 3(2) to be registered under Part II of the Order in respect of a home shall within three months of 1st April 1993 compile the records specified in Schedule 4.

(5) Every record compiled in accordance with this regulation shall be retained for a minimum of three years from the date of the last entry in it.

Registers

6. The registers to be kept by Boards for the purposes of Part II of the Order shall be in the form set out in Schedule 5 and shall contain such information as is indicated thereon.

Consultation with Fire Authority

7. The person registered shall, except in respect of a small home, at such times as may be agreed with the Fire Authority, consult that Authority on fire precautions in the home.

Conduct of homes

8.—(1) The person registered shall arrange for the home to be conducted so as to make proper provision for the welfare, care and, where appropriate, treatment and supervision of all residents.

(2) In reaching any decision relating to a resident, the person registered shall give first consideration to the need to safeguard and promote the welfare of the resident and shall, so far as practicable, ascertain the wishes and feelings of the resident and give due consideration to them as is reasonable having regard to the resident's age and understanding.

(3) Every home shall be maintained on the basis of good personal and professional relationships between the person registered and the persons employed at the home and the residents.

Provision of facilities and services

9.—(1) Subject to paragraphs (2) and (3), the person registered shall, having regard to the size of the home and the number, age, sex and condition of residents—

- (a) employ by day and, where necessary, by night suitably qualified and competent staff in numbers which are adequate for the well-being of the residents;
- (b) provide for each resident in the home adequate accommodation and space, including day-room facilities;
- (c) provide adequate furniture, bedding, curtains, floor covering and, where necessary, equipment and screens in rooms occupied or used by residents;
- (d) provide for the use of residents an adequate number of water closets and of wash-basins, baths and showers fitted with a hot and cold water supply, and any necessary sluicing facilities;
- (e) make adequate adaptations and provide adequate facilities for residents who are physically handicapped;

- (f) provide adequate light, heating and ventilation in all parts of the home occupied or used by residents;
 - (g) keep all parts of the home occupied or used by residents in good structural repair, clean and reasonably decorated;
 - (h) take adequate precautions against the risk of fire, including the provision of adequate means of escape in the event of fire, and make arrangements for detecting, containing and extinguishing fires, for the giving of warnings and for the evacuation of all persons in the home in the event of fire and for the maintenance of fire precautions and fire fighting equipment;
 - (i) make adequate arrangements to secure by means of fire drills and practices that the staff in the home and, so far as practicable, residents know the procedure to be followed in the case of fire including the procedure for saving life;
 - (j) take adequate precautions against the risk of accidents including the training of staff in first aid;
 - (k) provide adequate kitchen equipment, crockery and cutlery together with adequate facilities for the preparation and storage of food and so far as may be reasonable and practicable in the circumstances, adequate facilities for residents to prepare their own food and refreshments;
 - (l) supply adequate quantities of varied and properly prepared wholesome and nutritious food for residents;
 - (m) make, after consultation with the environmental health department of the district council for the district in which the home is situated, adequate arrangements for maintaining satisfactory conditions of hygiene in the home;
 - (n) arrange for regular laundering of linen and clothing and, so far as may be reasonable and practicable in the circumstances, provide adequate facilities for residents to do their own laundering;
 - (o) make arrangements for any person authorised by the Board or, as the case may be, the Department, to interview in private any resident;
 - (p) make adequate arrangements for residents in the home, where necessary, to receive general medical and dental services whether under Part VI of the 1972 Order or otherwise;
 - (q) make adequate arrangements for the recording, safekeeping, handling and disposal of drugs;
 - (r) make adequate arrangements for the training, occupation and recreation of residents;
 - (s) provide a place where the valuables of residents may be deposited for safekeeping;
 - (t) provide adequate facilities for residents to receive visitors in private.
- (2) Sub-paragraph (i) of paragraph (1) shall not apply in respect of a small home.

(3) Sub-paragraphs (h), (j) and (m) of paragraph (1) shall apply in respect of a small home with the following modifications—

- (a) in sub-paragraph (h) as if the words after the words “risk of fire” were omitted;
 - (b) in sub-paragraph (j) as if the words after the word “accidents” were omitted;
 - (c) in sub-paragraph (m) as if the words “, after consultation with the environmental health department of the district council for the district in which the home is situated,” were omitted.
- (4) The person registered shall—
- (a) arrange for the home to be connected to a public telephone service and shall, as far as may be reasonable and practicable in the circumstances, make arrangements for residents to communicate with others in private by post or telephone;
 - (b) make adequate arrangements for the running of the home while he, or as the case may be, the manager of it, is absent from the home.

Visits by relatives, guardians, etc.

10.—(1) The person registered shall provide suitable facilities for visits to the home by relatives, guardians, friends or other visitors of any resident and by any officer of a Board whose duty it is to supervise the welfare of that resident. The use of such facilities, times of visiting and other arrangements connected with the visits shall be as the person registered may, after consultation with the Board, decide, except that no such consultation is required in respect of a small home.

(2) The person registered shall, at the request of any person wishing to visit a resident, make available to that person details of the times during which visits may be made.

Religious observance

11. The person registered shall ensure that every resident has, so far as practicable in the circumstances, the opportunity to attend such religious services and to receive such instruction as may be appropriate to the religious persuasion to which the resident belongs, either at a place of worship or in the home.

Notification of death, illness or accident

12.—(1) The person registered shall notify the Board not later than twenty-four hours from the time of its occurrence—

- (a) of the death of a resident and of the circumstances of his death;
- (b) of the outbreak in the 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, or of any serious injury to or serious illness of any person residing in the home;
- (c) of any event in the home which affects the well-being of any resident; and

(d) of any theft, burglary, fire or accident in the home.

(2) For the purposes of paragraph (1), no account shall be taken of any part of a period of twenty-four hours which falls on a Saturday, Sunday or public holiday.

Notice of absence

13.—(1) Subject to paragraph (5), where the person in control of the home or, as the case may be, the manager of it, proposes to be absent from the home for a period of four weeks or more, the person in control of the home shall give notice in writing to the Board 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 one month before the proposed absence or within such shorter period as may be agreed with the Board and the notice shall specify—

(a) the length or expected length of the proposed absence;

(b) the reason for that absence;

(c) the arrangements which have been made for the running of the home during that absence; and

(d) the name, address and qualifications of the person who will be responsible for the home during that absence.

(3) Where the absence arises as a result of an emergency, the person in control of the home shall give notice of the absence within one week of its occurrence and the notice shall specify the matters referred to in sub-paragraphs (a) to (d) of paragraph (2).

(4) The person in control of the home shall notify the Board in writing of his return or, as the case may be, the return of the manager of the home within one week of that return.

(5) These provisions shall not apply where it is not proposed to accommodate any resident in the home during the absence of the person in control or, as the case may be, the manager of the home.

Notice of termination of accommodation

14. Where arrangements for the accommodation of a resident are terminated, the person registered shall notify the person who appears to him to be the resident's next of kin and, where the resident is under the supervision of an officer of a Board, the person registered shall also notify that officer.

Information for residents as to method of making complaints

15.—(1) The person registered shall inform every resident or, where appropriate, a person acting on his behalf in writing of the person to whom and the manner in which any request or complaint relating to the home or the care or well-being of the resident may be made. The person registered shall ensure that any complaint so made by a resident or a person acting on his behalf is fully investigated.

(2) The person registered shall inform every resident or, where appropriate, a person acting on his behalf in writing of the name and address

of the designated officer of the Board to whom complaints in respect of the home may be made by a resident or a person acting on his behalf.

Inspection of homes

16. The Board shall ensure that any home other than a small home is inspected pursuant to Article 29 of the Order not less than twice in every period of twelve months.

Visits by person in control of the home

17.—(1) Where the person in control of the home is not also the manager of the home, he shall at least once in every month visit the home or arrange for another person to visit the home on his behalf and to report in writing to him on the conduct of the home.

(2) Where the person in control of the home is a company, society, association or other body or firm, the directors or other persons responsible for the management of the body or the partners of the firm shall arrange for one or more of their number to visit the home at least once in every month and to report in writing to them on the conduct of the home.

Offences

18.—(1) Subject to paragraph (3), where the Board considers that the person registered has contravened or failed to comply with regulation 5, 9, 10, 12, 13, 14 or 17 the Board may serve a notice on the person registered specifying—

- (a) in what respect, in the Board's opinion, the person registered has failed or is failing to comply with the requirements of that regulation;
- (b) what action, in the opinion of the Board, the person registered should take so as to comply with that regulation; and
- (c) the period, not exceeding three months, within which the person registered should take action.

(2) Where notice has been given in accordance with paragraph (1) and the period specified in the notice, beginning with the date of the notice, has expired, the person registered who contravenes or fails to comply with any provision of these regulations mentioned in the notice shall be guilty of an offence against these regulations.

(3) Paragraphs (1) and (2) shall not apply where the Board has applied to a justice of the peace for an order under Article 10 of the Order or while such an order is in force.

Exemption from registration in respect of certain small homes

19.—(1) Registration under Part II of the Order is not required in respect of a small home if the only persons for whom it provides residential accommodation with both board and personal care are—

- (a) children in need of personal care by reason of disablement, past or present dependence on alcohol or drugs, or past or present mental disorder, who are accommodated pursuant to any of the provisions specified in paragraph (2);

- (b) children to whom paragraph (1)(a) applies and persons falling within Article 4(4)(a) of the Order.
- (2) The provisions referred to in paragraph (1)(a) are—
 - (a) section 114(1)(a) of the Children and Young Persons Act (Northern Ireland) 1968(a) (children boarded out by a Board);
 - (b) section 129(1) of the Children and Young Persons Act (Northern Ireland) 1968(b) (children boarded out by a voluntary organisation);
 - (c) Part I of the Children and Young Persons Act (Northern Ireland) 1968 (persons having care of children).

Annual returns

20.—(1) The person registered in respect of a small home shall make to the Board an annual return containing the information referred to in Schedule 6.

(2) The annual return in respect of a small home shall be made each year on or before the anniversary of the date on which the certificate of registration relating to the home was issued, and shall be—

- (a) in the case of the first return, for the period beginning with the date on which the application for registration was made and ending with the date on which the return is made; and
- (b) in the case of subsequent returns, for the period since the date the last return was made until the date on which the subsequent return is made.

Compliance with regulations

21. Where there is more than one person registered in respect of a home, anything which is required under the foregoing provisions to be done by the person registered in respect of the home shall, if done by one of the persons so registered, not be required to be done by any other person registered in respect of the home.

Appeals

22. Where a person aggrieved by a decision refusing an application for registration or cancelling any registration under paragraph 4(3) of Schedule 5 to the 1972 Order before 1st April 1993—

- (a) had appealed before that date to a county court under paragraph 4(4) of Schedule 5 thereof and that appeal has not been determined by that date, the provisions of the 1972 Order shall, notwithstanding the repeal thereof, continue to have effect for the purposes of the determination of that appeal;

(a) 1968 c. 34; any reference to “a welfare authority” was substituted by a reference to “the Ministry of Home Affairs” by virtue of Article 73(1) of, and paragraph 2 of Schedule 16 to, the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14)). The functions of the Ministry of Home Affairs were transferred to the Department of Health and Social Services by virtue of Article 5(a) of the Department’s (Transfer of Functions) Order (Northern Ireland) 1973 (S.R. & O. 1973 No. 504)

(b) 1968 c. 34; the functions of the Ministry of Home Affairs were transferred to the Department of Health and Social Services by virtue of Article 5(a) of S.R. & O. 1973 No. 504

(b) desires to appeal against the decision after that date but within the period of twenty-one days from the date on which the notice of the decision was served on him, the appeal shall lie to a Registered Homes Tribunal and the provisions of Part V of the Order shall apply for the purposes of the determination of that appeal as if the appeal were an appeal under Part II of the Order.

Sealed with the Official Seal of the Department of Health and Social Services on 3rd March 1993.

(L.S.)

Joan Dixon

Assistant Secretary

SCHEDULE 1

Regulation 2(1)

Registration fees

1. Subject to paragraphs 2 and 3, the registration fee to accompany an application for registration made under Article 6 of the Order shall be—

- (a) in the case of an application in respect of the manager or intended manager of the home who is not the person in control of it (whether as owner or otherwise), £230;
- (b) in the case of an application in respect of the person in control of the home, £840.

2. The registration fee to accompany an application for registration under Part II of the Order of a person in respect of a small home shall be £230.

3. No registration fee shall be payable where an application for registration is made in accordance with regulation 3(1) by a person who was not required to be registered before 1st April 1993.

Information to be supplied on an application for registration

1. Where the application for registration is made by the manager or intended manager of the home and he is not the person in control of it (whether as owner or otherwise) he shall supply in writing to the Board the following information—

- (a) his full name, date of birth, address and telephone number (if any);
- (b) details of his professional or technical qualifications and experience (if any) of running a home;
- (c) the names and addresses of his previous employers and of two referees;
- (d) the name, address and telephone number of the home in respect of which registration is required;
- (e) if the Board so requests, a report by a medical practitioner on the state of the applicant's health; and
- (f) details of any previous application for registration.

2. Where the application for registration is made by the person in control of the home—

- (a) that person shall, in a case other than one specified in sub-paragraph (b), supply to the Board the following information—
 - (i) his full name, date of birth, address and telephone number (if any),
 - (ii) details of his professional or technical qualifications and experience (if any) of running a home,
 - (iii) the names and addresses of his previous employers and of two referees,
 - (iv) the name, address and telephone number of the home in respect of which registration is required and in the case of a small home, if different, the name, address and telephone number of the person to whom enquiries are to be made,
 - (v) if the Board so requests, a report by a medical practitioner on the state of the applicant's health, and
 - (vi) details of any previous application for registration;
- (b) that person shall, in the case of a company, society, association or other body or firm, supply to the Board the following information—
 - (i) the address of the registered office or principal office of the body or firm and the full names, dates of birth and addresses of the chairman and secretary of the company, or other persons responsible for the management of the body or the partners of the firm, and
 - (ii) if the Board so requests, details of their professional or technical qualifications and experience (if any) of running a home.

3. Any individual who is an applicant for registration shall—

- (a) supply in writing to the Board details with respect to his criminal convictions (if any);
- (b) where the Board asks him for details of any criminal convictions which are spent convictions within the meaning of Article 3 of the Rehabilitation of

Offenders (Northern Ireland) Order 1978(a) and informs him at the time the question is asked that, by virtue of Article 2 of, and paragraph 11 of Part II and paragraph 6 of Part III of Schedule 1 to, the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979(b) spent convictions are to be disclosed, supply in writing to the Board details of those convictions.

4. An applicant to whom paragraph 2 applies shall also supply to the Board the following information—

- (a) the name, address and telephone number of the home in respect of which registration is required;
- (b) the address of any other home or of any nursing home within the meaning of Part III of the Order, or voluntary home within the meaning of section 126 of the Children and Young Persons Act (Northern Ireland) 1968(c) in which the applicant has or had a business interest, and the nature and extent of his interest;
- (c) the situation of the home and its form of construction and, where requested by the Board, details of any comments made by the Fire Authority or the environmental health department of the district council for the district in which the home is situated;
- (d) the accommodation available for residents and for persons employed at the home;
- (e) the date on which the home was established or is to be established;
- (f) whether any other business is or will be carried out in the same premises as the home and whether the home is also required to be registered under Part III of the Order;
- (g) the number, sex and categories of residents for whom the home is proposed to be used indicating the various categories by reference to the following code—

old and infirm (not falling within any other category)	I
mental disorder, other than mental handicap, past or present	MP
mental handicap	MH
alcohol dependence, past or present	A
drug dependence, past or present	D
physical disablement	PH
<i>add</i> , if the resident is over 65 years of age (but not within category I)	E
- (h) the full names, dates of birth, qualifications and experience (if any) of persons employed or proposed to be employed in the management of the home (apart from a person to whom paragraph 1 applies) and whether they reside or are to reside in the home;

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- (a) S.I. 1978/1908 (N.I. 27); paragraph 2(a) of Article 3 was amended by Article 38(1) of, and paragraph 1 of Schedule 2 to, the Criminal Justice (Confiscation) (Northern Ireland) Order 1990 (S.I. 1990/2588 (N.I. 17)) and section 70(3) of, and paragraph 1 of Schedule 7 to, the Northern Ireland (Emergency Provisions) Act 1991 (1991 c. 24)
 - (b) S.R. 1979 No. 195; paragraph 11 of Part II of Schedule 1 was amended by Article 2 of, and paragraph 5 of the Schedule to, the Rehabilitation of Offenders (Exceptions) (Amendment) Order (Northern Ireland) 1987 (S.R. 1987 No. 393)
 - (c) 1968 c. 34; section 126 was amended by Article 136(1) of, and Part II of Schedule 5 to, the Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4)) and Article 34 of, and Part II of Schedule 5 to, the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)).

- (i) the number, sex, position and relevant qualifications of staff excluding those referred to in sub-paragraph (h), employed or proposed to be employed at the home distinguishing between resident staff and non-resident staff and those employed on a full-time and part-time basis and indicating the number of hours per week for which it is intended to employ each member of staff;
- (j) a statement of the aims and objectives of the home, of the care and attention to be provided in the home and of any arrangements for the supervision of residents;
- (k) details of any special arrangements made or other services available for any particular category of resident and, except in the case of a small home, details of equipment and facilities and services (such as chiropody, physiotherapy and occupational therapy) to be provided in the home;
- (l) the arrangements made or proposed to be made for medical and dental supervision and treatment and for nursing care in cases of minor ailments;
- (m) the arrangements for the handling and administration of medicines;
- (n) details of the scale of charges payable by residents;
- (o) any arrangements for the occupation or training and recreation of residents;
- (p) in the case of a small home, the number of persons who are participating in the management or running of the home or providing personal care in the home on an informal basis (including any such person who is a relative of the person registered) and their sex, relevant qualifications and position in the home.

Annual fees

1. Where the home is not a small home, the annual fee shall be an amount equal to £41 multiplied by the maximum number of persons specified (in accordance with Article 7(2) of the Order) in the certificate of registration in respect of the home.
2. Where the home is a small home, the annual fee shall be £30.
3. Subject to paragraph 4, the annual fee shall be payable within one month of the date on which the certificate of registration was issued and thereafter in each year no later than the day before the anniversary of that date.
4. A person who is deemed by virtue of regulation 3(2) to be registered under Part II of the Order in respect of a home shall pay the annual fee within three months of 1st April 1993 and thereafter the fee shall be payable in each year no later than the day before the anniversary of that date.

Records to be kept in a home

The records to be kept under the provisions of paragraph (1) of regulation 5 shall be—

1. A copy of the statement of the aims and objectives of the home, of the care and attention to be provided in the home and of any arrangements for the supervision of residents, which statement has in accordance with paragraph 4(j) of Schedule 2 been supplied to the Board and has been agreed with that Board.

2. A daily register of all residents excluding persons registered or persons employed at the home and their relatives which register shall, where applicable, include in respect of each resident, the following particulars—

- (a) the name, address, date of birth and marital status of the resident and whether he is the subject of a court order or any other process;
- (b) the name, address and telephone number of the resident's next of kin or of any person authorised to act on his behalf;
- (c) the name, address and telephone number of the resident's medical practitioner and of any officer of a Board whose duty it is to supervise the welfare of the resident;
- (d) the date on which the resident entered the home;
- (e) the date on which the resident left the home;
- (f) if the resident is transferred to a hospital or nursing home, the date of, and reasons for, the transfer and the name of the hospital or nursing home to which the resident is transferred;
- (g) if the resident died in the home, the date, time and cause of death and the name of the medical practitioner who certified the cause of death;
- (h) if the resident has been received into guardianship under Article 18 or 44 of the Mental Health (Northern Ireland) Order 1986(a), the name, address and telephone number of the guardian; the name, address and telephone number of any officer of a Board required to supervise the welfare of the resident and if the guardian is a Board, the officer of a Board nominated to carry out its duties as guardian;
- (i) the name and address of any Board, organisation or individual who arranged the resident's admission to the home.

3. A case record in respect of each resident which shall include details of any special needs of that resident, any medical treatment required by him including details of any medicines administered to him, and any other information in relation to him as may be appropriate including details of any periodic review of his welfare, conduct and progress.

4. A record of all medicines kept in the home for a resident and of their disposal when no longer required.

5. A record of the dates of any visits by persons authorised to inspect the home and the occurrence of any event to which regulation 12(1) refers.

(a) S.I. 1986 No. 595 (N.I. 4)

6. A statement of facilities provided in the home for residents and of the arrangements made for visits by their relatives, guardians, friends or other visitors.
7. A record of any visit to the home made in accordance with the provisions of regulation 17, which record shall be signed and dated by the person making the visit, and a copy of any report made in accordance with the provisions of that regulation.
8. Records of the food provided for residents in sufficient detail to enable any person inspecting the record to judge whether the diet is satisfactory and of any special diets prepared for particular residents.
9. A record of every fire practice and every fire alarm test carried out in the home together with the result of any such test and the action taken to remedy defects.
10. A statement of the procedure to be followed in the event of fire.
11. A statement of the procedure to be followed in the event of accidents or in the event of a resident becoming missing.
12. A record of the scale of charges from time to time applicable including any extras for additional services not covered by that scale and of the amounts paid by or in respect of each resident.
13. A record of all money or other valuables deposited by a resident for safekeeping or received on that resident's behalf specifying the date on which such money or valuables were deposited or received and the date on which any such money or other valuable was returned to a resident or used, at the request of the resident, on his behalf and the purpose for which it was used.
14. A record of each person employed at the home to provide personal care for residents, which record shall include that person's full name, date of birth, qualifications, experience and details of his position and dates of employment at the home and the number of hours for which that person is employed each week.
15. A record of any relatives of the registered person or of persons employed at the home who are residents.
16. In the case of a small home a record of each person, whether employed or not, at the home who is providing personal care for residents which record shall include that person's full name, date of birth, qualifications, experience and position in the home.
17. A record of any complaints either verbal or written made by or on behalf of the resident, any investigations carried out and of any action taken as a result.
18. A record of any notice of termination of accommodation given in accordance with the provisions of regulation 14.

SCHEDULE 5

Regulation 6

No. 91

Form of register of residential care homes

Article 6(1) of the Registered Homes (Northern Ireland) Order 1992

Ref. No.	Name and address of person or persons registered. (See Note (1) below) In the case of a small home, if different, the name, address and telephone number of the person to whom enquiries are to be made	Name, address and telephone number of home in respect of which registration is granted	Conditions of Registration	Dates of			Dates of inspections and names of officers making the inspections
			Maximum number, age, sex and category (see Note (2) below) of persons to be accommodated. Details of any other conditions imposed on registration and of any addition to those conditions or variations thereof	Registration	Issue of certificate. Specify if certificate relates to a small home	Cancellation of registration	

Registered Homes

NOTES: (1) If the application is made by a company, society, association or body, insert the registered or principal office

(2) For category insert:

I	old and infirm (not falling within any other category)	D	drug dependence, past or present
MP	mental disorder, other than mental handicap, past or present	PH	physical disablement
MH	mental handicap	E	<i>add</i> , if the resident is over 65 years of age (but not within category I)
A	alcohol dependence, past or present		

Information to be supplied in the annual return

1. The information to be supplied under the provisions of paragraph 1 of regulation 20 shall be—

- (a) the name, address and telephone number of the home, and the name, address and telephone number of the person registered, indicating which if any of these items of information is different from that previously supplied;
- (b) the number, sex and category of residents cared for in the home, indicating which if any of these items of information is different from that previously supplied;
- (c) the number of residents who have left the home since the later of the date of registration or the date when information was previously supplied;
- (d) the date and cause of death of any resident who has died in the home since the later of the date of registration or the date when information was previously supplied;
- (e) the number of residents who are permanently confined to bed indicating any change since the later of the date of registration or the date when information was previously supplied;
- (f) the full names and dates of birth of the persons other than residents who are living in the home, whether or not employed in the management or running of the home or in the provision of care in the home, indicating which if any of these items of information is different from that previously supplied;
- (g) the full names and dates of birth, qualifications and experience of the persons employed in the management or running of the home or in the provision of care in the home, whether living in the home or not, and of the persons assisting informally in the management or running of the home or in the provision of care in the home but not living in the home, indicating which if any of these items of information is different from that previously supplied;
- (h) any criminal convictions details of which have not been previously supplied, including, where the Board asks for details of any criminal convictions which are spent convictions as mentioned in paragraph 3(b) of Schedule 2, and informs the person registered as mentioned in that paragraph, details of those spent convictions.

2. In this Schedule “previously supplied” means—

- (a) where no annual return has previously been made, supplied in the application for registration;
- (b) in relation to any other return, supplied in the last annual return made.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations make provision in relation to the registration of persons in respect of, and the conduct of, residential care homes under the Registered Homes (Northern Ireland) Order 1992 (the 1992 Order).

The regulations prescribe the particulars to be supplied on an application for registration and the amount of the fee to accompany such an application. They prescribe the documentary evidence to be produced by applicants to substantiate details as to their identity and that an applicant must disclose any criminal convictions (including spent convictions where the Board asks for such information in accordance with the Rehabilitation of Offenders (Exceptions) Order 1979 (regulation 2 and Schedules 1 and 2)). They prescribe the time limit within which persons, who on the commencement of the 1992 Order require registration but did not previously, may register (regulation 3); and the amount of the fee payable annually in respect of such homes (regulation 4 and Schedule 3).

The regulations provide for the compilation and the maintenance of records by the person registered in respect of the home (regulation 5 and Schedule 4); prescribe the form of register and the information to be recorded thereon by the Board for the purposes of the 1992 Order (regulation 6 and Schedule 5); and, except in the case of a small home, require the person registered to consult the Fire Authority on fire precautions in the home (regulation 7).

In addition, the regulations make provision for the conduct of homes (regulation 8); the facilities and services to be provided (regulation 9); the provision of suitable facilities for visits to the home by relatives, friends etc. of residents (regulation 10); and the giving of certain notices by the person registered (regulations 12 to 14).

They also, except in the case of small homes, make provision for the Board to inspect the home at least twice a year (regulation 16); and for monthly visits to the home by the person in control of it (regulation 17). They require the person registered to ensure that there is adequate opportunity for residents to attend religious services (regulation 11); and to inform every resident of the method of making complaints relating to the home (regulation 15).

They prescribe the contents of the annual return which must be completed by the person registered in respect of a small residential care home (regulation 20 and Schedule 6) and the circumstances in which registration as a small home is not required (regulation 19).

The regulations also provide for the contravention of certain regulations to be an offence (regulation 18); and for the compliance with the regulations by one person registered in respect of the home to be deemed to be sufficient compliance by any other person so registered (regulation 21). Finally, they make transitional provision with respect to the determination of appeals under legislation previously in force (regulation 22).