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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 174**

**HEALTH AND PERSONAL SOCIAL SERVICES**

The Independent Health Care  
Regulations (Northern Ireland) 2005

*Made* - - - - - *25th March 2005*

*Coming into operation* *1st April 2005*

THE INDEPENDENT HEALTH CARE  
REGULATIONS (NORTHERN IRELAND) 2005

PART I

GENERAL

1. Citation, commencement and extent
2. Interpretation
3. Exceptions to the definition of independent hospital
4. Prescribed techniques or technology
5. Meaning of independent clinic
6. Exception of undertaking from the definition of independent medical agency
7. Statement of purpose
8. Patient's guide
9. Review of statement of purpose and patient's guide

PART II

REGISTERED PERSONS

10. Fitness of registered person provider
11. Appointment of manager
12. Fitness of registered manager
13. Registered person: general requirements
14. Registered person: notification of offences

PART III

CONDUCT OF HEALTH CARE ESTABLISHMENTS AND AGENCIES

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

*QUALITY OF SERVICE PROVISION*

15. Quality of treatment and other service provision
16. Care and welfare of patients
17. Review of quality of treatment and other services
18. Staffing
19. Fitness of workers
20. Guidance for health care professionals.
21. Records
22. Staff views as to conduct of establishment or agency
23. Complaints
24. Clinical trials and research

*PREMISES*

25. Fitness of premises

*MANAGEMENT*

26. Visits by registered provider
27. Financial position

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

28. Notification of deaths and other events
29. Notice of absence
30. Notice of changes
31. Appointment of liquidators etc
32. Death of registered person

*PART IV*

*ADDITIONAL REQUIREMENTS APPLYING TO INDEPENDENT HOSPITALS*

*PATHOLOGY SERVICES, RESUSCITATION AND  
TREATMENT OF CHILDREN IN INDEPENDENT HOSPITALS*

33. Application of regulations 34 to 36
34. Pathology services
35. Resuscitation
36. Treatment of children

*INDEPENDENT HOSPITALS IN WHICH CERTAIN LISTED SERVICES ARE PROVIDED*

37. Surgical procedures
38. Dental treatment under general anaesthesia or sedation
39. Use of certain techniques or technology

*PART V*

*ADDITIONAL REQUIREMENTS APPLYING TO INDEPENDENT MEDICAL AGENCIES*

40. Independent medical agencies

*PART VI*

*MISCELLANEOUS*

41. Compliance with regulations

- 42. Offences
- Signature

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- SCHEDULE 1 INFORMATION TO BE INCLUDED IN THE STATEMENT OF PURPOSE
- 1. The aims and objectives of the establishment or agency.
  - 2. The name and address of the registered provider and of...
  - 3. The relevant qualifications and experience of the registered provider and...
  - 4. The number, relevant qualifications and experience of the staff working...
  - 5. The organisational structure of the establishment or agency.
  - 6. The kinds of treatment and any other services provided for...
  - 7. The arrangements made for consultation with patients about the operation...
  - 8. The arrangements made for contact between any in-patients and their...
  - 9. The arrangements for dealing with complaints.
  - 10. The arrangements for respecting the privacy and dignity of patients....

- SCHEDULE 2 INFORMATION REQUIRED IN RESPECT OF PERSONS SEEKING TO CARRY ON, MANAGE OR WORK AT AN ESTABLISHMENT OR AGENCY
- 1. Positive proof of identity including a recent photograph.
  - 2. Either – (a) where a certificate is required for a...
  - 3. Two written references relating to the person, including a reference...
  - 4. Where a person has previously worked in a position whose...
  - 5. Documentary evidence of any relevant qualifications or accredited training.
  - 6. A full employment history, together with a satisfactory written explanation...
  - 7. Where he is a health care professional, details of his...
  - 8. Details of any criminal offences – (a) of which the...
  - 9. Confirmation that he is physically and mentally fit to fulfil...
  - 10. Details of any professional indemnity insurance.

- SCHEDULE 3
- PART I — PERIOD FOR WHICH MEDICAL RECORDS MUST BE RETAINED
- PART II — RECORDS TO BE MAINTAINED FOR INSPECTION
- 1. A register of patients, including – (a) the name, address,...
  - 2. A register of all surgical operations performed in an establishment...
  - 3. A register of each occasion on which a technique or...
  - 4. A register of all mechanical and technical equipment used for...
  - 5. A register of all events which must be notified to...
  - 6. A register of each person employed in or for the...
  - 7. A written record of suspected, alleged or actual incidents of...
  - 8. A record of all documentation relating to the recruitment process....
  - 9. A record of all training and professional development activities completed...
  - 10. A record of the annual appraisal for each member of...
- Explanatory Note