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STATUTORY RULES OF NORTHERN IRELAND

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**2007 No. 235**

The Domiciliary Care Agencies  
Regulations (Northern Ireland) 2007

PART III

CONDUCT OF DOMICILIARY CARE AGENCIES

CHAPTER I

QUALITY OF SERVICE PROVISION

**Staffing**

**16.—(1)** Where an agency is acting otherwise than as an employment agency, the registered person shall, having regard to the size of the agency, the statement of purpose and the number and needs of the service users, ensure that—

- (a) there is at all times an appropriate number of suitably skilled and experienced persons employed for the purposes of the agency;
- (b) appropriate information and advice are provided to persons employed for the purposes of the agency, and are made available to them at their request, in respect of—
  - (i) service users and their needs in respect of prescribed services; and
  - (ii) the provision of prescribed services to service users;
- (c) suitable assistance and where necessary, appropriate equipment, is provided to persons working for the purposes of the agency, and is made available to them at their request, in respect of the provision of prescribed services to service users;
- (d) suitably qualified and competent persons are available to be consulted during any period of the day in which a person is working for the purposes of the agency; and
- (e) neither of the following circumstances, that is—
  - (i) the employment of any persons on a temporary basis for the purposes of the agency; and
  - (ii) any arrangements made for persons to work as domiciliary care workers on a temporary basis for those purposes,

will prevent service users from receiving such continuity of care as is reasonable to meet their needs for prescribed services.

- (2) The registered person shall ensure that each employee of the agency—
  - (a) receives training and appraisal which are appropriate to the work he is to perform;
  - (b) receives suitable assistance, including time off, for the purpose of obtaining qualifications appropriate to such work; and
  - (c) is provided with a job description outlining his responsibilities.

(3) The registered person shall take such steps as may be necessary to address any aspect of the performance of a domiciliary care worker which is found to be unsatisfactory.

(4) The registered person shall ensure that each employee receives appropriate supervision.

(5) Where an agency is acting otherwise than as an employment agency, the registered person shall ensure that—

(a) a new domiciliary care worker (“the new worker”) is provided with appropriately structured induction training lasting a minimum of three full working days; and

(b) during that induction training—

(i) the new worker is not supplied to a service user unless accompanied by another domiciliary care worker who is a suitably qualified and competent person;

(ii) a member of staff (“the staff member”) who is suitably qualified and experienced, is appointed to supervise the new worker;

(iii) the staff member (or another suitably qualified and competent person if the staff member is unavailable) will always be available to be consulted while the new worker is on duty; and

(iv) subject to the consent of the service user, the staff member makes arrangements to observe, on at least one occasion, the new worker carrying out his duties.