
STATUTORY INSTRUMENTS

2003 No. 753

The National Care Standards Commission (Fees and Frequency of Inspections) Regulations 2003

PART II

FEES

Registration fees

3.—(1) For the purposes of section 12(2) of the Act, and, subject to paragraph (2), the fee to accompany—

- (a) an application by a person seeking to be registered under Part II of the Act as a person who carries on an establishment or agency, other than an establishment or agency referred to in sub-paragraph (b), shall be £1,320; and
- (b) an application by a person seeking to be registered under Part II of the Act as a person who carries on a residential family centre, nurses agency or domiciliary care agency, shall be £1,100.

(2) Where the establishment is a small establishment or an adult placement home or an agency is a small agency the fee shall be—

- (a) in the case of an application referred to in paragraph (1)(a), £360; and
- (b) in the case of an application referred to in paragraph (1)(b), £300.

(3) For the purposes of section 12(2) of the Act, the fee to accompany an application by a person seeking to be registered under Part II of the Act as a person who manages an establishment or agency other than a small establishment or an adult placement home or a small agency—

- (a) in respect of an establishment or agency other than an establishment or agency referred to in sub-paragraph (b), shall be £360;
- (b) in respect of a residential family centre, nurses agency or domiciliary care agency, shall be £300.

Variation fees

4.—(1) For the purposes of section 15(3) of the Act, the fee to accompany an application by the registered provider under section 15(1)(a) of the Act (“the variation fee”) shall, subject to paragraphs (2) and (3), be—

- (a) in respect of an establishment or agency other than an establishment or agency referred to in sub-paragraph (b), £660;
- (b) in respect of a residential family centre, nurses agency or domiciliary care agency, £550.

(2) Where the establishment is a small establishment or an adult placement home or an agency is a small agency the fee shall be—

- (a) in the case of an application referred to in paragraph (1)(a), £360;

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(b) in the case of an application referred to in paragraph (1)(b), £300.

(3) In a case where the variation of a condition is a minor variation, the variation fee shall be—

(a) in the case of an application referred to in paragraph (1)(a), £60; and

(b) in the case of an application referred to in paragraph (1)(b), £50.

(4) For the purposes of paragraph (3) a “minor variation” is a variation which, in the opinion of the Commission, if the application for the variation of the condition were granted, would involve no material alteration in the register kept by the Commission in accordance with regulations made under section 11(4) of the Act.

Annual fees

5.—(1) Subject to paragraphs (2) to (6), the registered provider, in respect of an establishment or agency, a relevant person⁽¹⁾ in respect of a boarding school, residential college or residential special school or a local authority in respect of a local authority fostering service, specified in column (1) of the Table below shall pay an annual fee and—

(a) the amount of the annual fee shall be—

(i) in a case where no amount is specified in column (3) or (4), the amount specified in column (2);

(ii) in any other case, the sum of the amount specified in column (2) and the amounts specified in column (3), and (if applicable) column (4), multiplied by the number of approved places specified in respect of that column; and

(b) shall be payable for the year beginning 1st April 2003 and subsequent years in accordance with column (5).

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>	<i>Column (4)</i>	<i>Column (5)</i>
<i>Establishment, agency, school or college, local authority fostering service</i>	<i>Flat rate payable in all cases</i>	<i>Rate payable for each approved place from the 4th to the 29th place inclusive</i>	<i>Rate payable for the 30th and each subsequent approved place</i>	<i>Annual fee due on</i>
(a) Care home	£180	£60	£60	(a) (a) in the case of an existing provider, the anniversary of the date on which the annual fee was payable under the 1984

(1) Relevant person is defined in section 87(11) of the 1989 Act, as inserted by section 105 of the Care Standards Act 2000.

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Act or the 1989 Act;

(b) in the case of a previously exempt provider, on 1st April 2003 and thereafter on the anniversary of that date; and

(c) in the case of a new provider—

(i) if the certificate was issued before 1st April 2003 each year on the anniversary of the date of issue;

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				(ii) otherwise, on the date on which the certificate is issued, and thereafter on the anniversary of that date.
(b) Children's home	£600	£60	£60	(a) (a) in the case of an existing provider, on the anniversary of the date on which the annual fee was payable under the 1984 Act or the 1989 Act(2); (b) in the case

(2) An annual fee is payable in respect of a children's home registered under Part VIII of the 1989 Act. However, an annual fee was not payable in respect of a voluntary home i.e. a home which was registered in a register kept for the purposes of section 60 of the 1989 Act.

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of an existing provider, where an annual fee was not previously payable under the 1989 Act, on 1st April in each year;

(c) in the case of a previously exempt provider, on 1st April 2003 and thereafter on the anniversary of that date; and

(d) in the case of a new provider—

(i) if the certificate was issued before 1st

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April 2003 each year on the anniversary of the date of issue;

(ii) otherwise, on the date on which the certificate is issued, and thereafter on the anniversary of that date.

(c) Fostering agency £1,200

on 1st April 2003, or on the date on which the certificate is issued, whichever is the later, and thereafter on the anniversary of that date.

(d) (d) Home care

£60

£60

(a) (a) in the case of an existing provider,

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on the anniversary of the date on which the annual fee was payable under the 1984 Act;

(b) in the case of a previously exempt provider, on 1st April 2003 and thereafter on the anniversary of that date; and

(c) in the case of a new provider—

(i) if the certificate was issued before 1st April 2003 each year on

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the anniversary of the date of issue;

(ii) otherwise, on the date on which the certificate is issued, and thereafter on the anniversary of that date.

(e) Acute hospital or mental health hospital

£3,000

£120

£60

(a) (a) in the case of an existing provider, on the anniversary of the date on which the annual fee was payable under the 1984 Act;

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(b) in the case of a previously exempt provider, on 1st April 2003 and thereafter on the anniversary of that date; and

(c) in the case of a new provider—

(i) if the certificate was issued before 1st April 2003 each year on the anniversary of the date of issue;

(ii) otherwise, on the date on

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which the certificate is issued, and thereafter on the anniversary of that date.

(f) Hospital using prescribed techniques or prescribed technology

£900

£120

£60

(a) (a) in the case of an existing provider, on the anniversary of the date on which the annual fee was payable under the 1984 Act;

(b) in the case of a previously exempt provider, on 1st April 2003 and thereafter on the anniversary of that

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- date;
and
- (c) in the case of a new provider—
- (i) if the certificate was issued before 1st April 2003 each year on the anniversary of the date of issue;
 - (ii) otherwise, on the date on which the certificate is issued, and thereafter on the anniversary of that date.

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(g) Hospital providing listed services	£1,200	£120	£60	<p>(a) (a) in the case of an existing provider, on the anniversary of the date on which the annual fee was payable under the 1984 Act;</p> <p>(b) in the case of a previously exempt provider, on 1st April 2003 and thereafter on the anniversary of that date; and</p> <p>(c) in the case of a new provider—</p> <p style="padding-left: 40px;">(i) if the certificate was issued before</p>

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				1st April 2003 each year on the anniversary of the date of issue;
				(ii) otherwise, on the date on which the certificate is issued, and thereafter on the anniversary of that date.
(b) Independent clinic or independent medical agency	£1,200			(a) (a) in the case of a previously exempt provider, on 1st April 2003 and thereafter on the anniversary of that

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date;
and
(b) in the case of a new provider—
 (i) if the certificate was issued before 1st April 2003 each year on the anniversary of the date of issue;
 (ii) otherwise, on the date on which the certificate is issued, and thereafter on the anniversary of that date.

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(Residential family centre)	£400	£50	£50	(a) (a) in the case of an existing provider, on the anniversary of the date on which the annual fee was payable under the 1984 Act or the 1989 Act; (b) in the case of a previously exempt provider, on 1st April 2003 and thereafter on the anniversary of that date; and (c) in the case of a new provider, on the date on which the certificate

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is issued, and thereafter on the anniversary of that date.

(j) Domestic care agency £750

on 1st April 2003, or on the date on which the certificate is issued, whichever is the later, and thereafter on the anniversary of that date.

(k) Non-domestic care agency £500

(a) (a) in the case of an existing provider—
 (i) where the licence under the 1957 Act was granted to the provider by the local authority between 1st January 2002 and 31st

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<i>Establishment, agency, school or college, local authority fostering service</i>	<i>Flat rate payable in all cases</i>	<i>Rate payable for each approved place from the 4th to the 29th place inclusive</i>	<i>Rate payable for the 30th and each subsequent approved place</i>	<i>Annual fee due on</i>

March 2002, on the date on or after 1st April 2003 on which the certificate is issued, and thereafter on the anniversary of that date;

(ii) where the licence under the 1957 Act was granted to the provider by the local authority on or after 1st

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				April 2002 but before 1st January 2003, on the anniversary first occurring on or after 1st April 2003 of the date on which the licence was granted, and thereafter on the anniversary of that date; or (iii) where a local authority determines an application for a

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licence under the 1957 Act on or after 1st January 2003 but before 1st April 2003, on the anniversary first occurring of the date on which the licence was granted, and thereafter on the anniversary of that date; and

(b) in the case of a new provider, on the date on

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<i>Establishment, agency, school or college, local authority or fostering service</i>	<i>Flat rate payable in all cases</i>	<i>Rate payable for each approved place from the 4th to the 29th place inclusive</i>	<i>Rate payable for the 30th and each subsequent approved place</i>	<i>Annual fee due on</i>

which the certificate is issued, and thereafter on the anniversary of that date.

(1) Boarding school and residential college

£300

£18

£9

- (a) (a) in the case of a school or college which was providing accommodation for any child on 1st January 2002, on 1st September in each year;
- (b) in the case of a school or college established after 1st January 2002 and before 1st April

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				2003, on the anniversary of the date on which it was established;
				(c) otherwise, on the date of the establishment of the school or college, and thereafter on the anniversary of that date.
(n) Residential special school	£480	£48	£24	(a) (a) in the case of a school which was providing accommodation for any child on 1st January 2002, on 1st September 2002;
				(b) in the case of a school established

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after 1st January 2002 and before 1st April 2003, on the anniversary of the date on which it was established;

(c) otherwise, on the date of the establishment of the school, and thereafter on the anniversary of that date.

(n) Local authority fostering service

in the case of a local authority which was discharging relevant fostering functions on 1st January 2002, on 1st April in each year, and in all other cases, on the first occasion on which such functions are first discharged, and thereafter on the

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				anniversary of that date.

(2) In the case of a care home which is an adult placement home, or a care home which is a small establishment, the annual fee shall be £120.

(3) In the case of an establishment which is a small establishment, other than a care home which is a small establishment, the annual fee shall be the flat rate specified in column (2).

(4) In the case of an agency which is a small agency, the annual fee payable shall be 50 per cent. of the flat rate specified in column (2).

(5) Where an independent hospital falls into more than one of the categories listed in paragraph (d), (e), (f) or (g) of column (1) of the Table above, the category that applies to it for the purposes of this regulation shall be the category with the highest flat rate fee payable as set out in column (2) in relation to paragraph (d), (e), (f) or (g).

(6) In the case of an existing provider whose licence (“the licence”) continued to be treated as valid after 31st December 2002 by virtue of—

- (a) article 4(1)(a) of the relevant order, the annual fee for 2003 shall be £500, or in the case of a nurses agency which is a small agency £250, payable on the anniversary first occurring on or after 1st April 2003 of the date on which the fee payable in relation to the making of an application for a licence under the 1957 Act was last paid;
- (b) article 4(1)(b) of the relevant order, the annual fee for 2003 shall be £622, or in the case of a nurses agency which is a small agency £372, payable—
 - (i) in a case where the licence was granted to the provider by the local authority between 1st January 2001 and 31st March 2001, on the date on or after 1st April 2003 on which the certificate is issued; and
 - (ii) in a case where the licence was granted to the provider by the local authority between 1st April 2001 and 31st December 2001, in the following instalments—
 - (aa) £122, on the date on or after 1st April 2003 on which the certificate is issued; and
 - (bb) £500, or in the case of a nurses agency which is a small agency £250, on the anniversary first occurring on or after 1st April 2003 of the date on which the fee payable in relation to the making of an application for a licence under the 1957 Act was last paid,

and thereafter the annual fee shall be payable in each case on the anniversary of the dates referred to in sub-paragraph (a), (b)(i) or (ii)(bb).

(7) In paragraph (6) “relevant order” means the Care Standards Act 2000 (Commencement and Transitional Provisions) (Amendment No. 2) (England) Order 2002(3).