

1993 No. 92

REGISTERED HOMES

The Nursing 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 16(4), 19(1), 19(3), 19(7), 21(2)(a), 28, 29(4), 32(2)(b) 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 Nursing 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 1971 Act” means the Nursing Homes and Nursing Agencies Act (Northern Ireland) 1971(b);

“adequate” means sufficient and suitable;

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

“class 3B laser product” and “class 4 laser product” have the meanings assigned to them in Part I of British Standard 4803:83 (Radiation safety of laser products and systems) as effective on 31st March 1983;

“dentist” means a person registered in the dentists register under the Dentists Act 1984(c);

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

“home” means a nursing home;

“patient” means a patient in a home;

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

“record” means any record kept or retained in pursuance of regulation 6 including any book, card, form, tape, computerised record, film or notes;

“specially controlled technique” means a technique specified in regulation 2.

Specially controlled techniques

2. Any technique of medicine or surgery (including cosmetic surgery) involving the use of a class 3B laser product or a class 4 laser product (being a technique of medicine or surgery as to which the Department is satisfied that its use may create a hazard for persons treated by means of it or for the staff of any premises where the technique is used) is hereby specified as subject to control for the purposes of the Order.

Registration

3.—(1) An application for registration under Article 19 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.

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

(b) 1971 c. 32 (N.I.)

(c) 1984 c. 24

(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.

(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

4.—(1) Where—

(a) immediately before 1st April 1993 a person was not required to be registered under Part I of the 1971 Act(a) in respect of an establishment; and

(b) on that date he is required to be registered under Part III 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 Part I of the 1971 Act in respect of an establishment and who on that date is required to be registered in respect of that establishment under Part III 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

5. 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

6.—(1) 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) The person registered shall keep in a safe place in the home the case record of each patient compiled in accordance with paragraph 6 or 7 of Schedule 4 and the record compiled in accordance with paragraph 8 of that Schedule.

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

(4) 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.

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

Registers

7. The registers to be kept by Boards for the purposes of Part III 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

8. The person registered shall, at such times as may be agreed with the Fire Authority, consult that Authority on fire precautions in the home.

Conduct of homes

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

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

(4) The person registered shall ensure that corporal punishment is not used as a sanction in relation to any child in the home.

Conduct of homes using specially controlled techniques

10. The person registered shall ensure that any treatment (including diagnosis) by a specially controlled technique in the home is carried out only by a person who is, or who is acting in accordance with the directions of, a medical practitioner or a dentist.

Provision of facilities and services

11.—(1) The person registered shall, having regard to the size of the home and the number, age, sex and condition of patients—

- (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 patients;
- (b) provide for each patient in the home adequate accommodation and space, including, where appropriate, day-room facilities;
- (c) provide adequate furniture, bedding, curtains, floor covering and, where necessary, equipment and screens in rooms occupied or used by patients;
- (d) provide and maintain adequate medical, surgical and nursing equipment and adequate treatment facilities;
- (e) provide for the use of patients 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;

- (f) make adequate adaptations and provide adequate facilities for patients who are physically handicapped;
- (g) provide adequate light, heating and ventilation in all parts of the home occupied or used by patients;
- (h) keep all parts of the home occupied or used by patients in good structural repair, clean and reasonably decorated;
- (i) 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;
- (j) make adequate arrangements to secure by means of fire drills and practices that the staff in the home and, so far as practicable, patients know the procedure to be followed in the case of fire including the procedure for saving life;
- (k) take adequate precautions against the risk of accidents including the training of staff in first aid;
- (l) 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 patients to prepare their own food and refreshments;
- (m) supply adequate quantities of varied and properly prepared wholesome and nutritious food for patients;
- (n) 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;
- (o) arrange for regular laundering of linen and clothing;
- (p) make adequate arrangements for the disposal of swabs, soiled dressings, instruments and similar substances and materials;
- (q) make arrangements for any person authorised by the Board or, as the case may be, the Department, to interview in private any patient;
- (r) make adequate arrangements for patients in the home, where necessary, to receive general medical and dental services whether under Part VI of the 1972 Order or otherwise;
- (s) make adequate arrangements for the recording, safekeeping, handling and disposal of drugs;
- (t) provide adequate arrangements for the prevention of infection, toxic conditions, or spread of infection at the home;
- (u) make adequate arrangements for the training, occupation and recreation of patients;
- (v) provide a place where the valuables of patients may be deposited for safekeeping;

- (w) provide adequate facilities for patients to receive visitors in private.
- (2) 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 patients to communicate with others in private by post or telephone;
 - (b) where the home is a maternity home or a home in which surgical operations are undertaken or life support systems used, provide such electrical supply as during interruption of public supply is needed to safeguard the lives of the patients;
 - (c) make adequate arrangements either with the Board or otherwise for the care of patients and children born to patients, in medical emergencies;
 - (d) 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.

12.—(1) The person registered shall provide suitable facilities for visits to the home by relatives, guardians, friends or other visitors of any patient and by any officer of a Board whose duty it is to supervise the welfare of that patient. 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.

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

Religious observance

13. The person registered shall ensure that every patient 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 patient belongs, either at a place of worship or in the home.

Notification of arrival of children

14. The person registered shall as soon as practicable notify the Board of the date of arrival of any child in the home and the expected duration of the stay.

Notification of death, illness or accident

15.—(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 patient, or a child born to a patient and 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 unexplained absence of a child from the home;
- (d) of any event in the home which affects the well-being of any patient; and
- (e) of any theft, burglary, fire or accident in the home.

(2) Where a child is in the home, the person registered shall not later than twenty-four hours from the time of the occurrence of any of the events specified in paragraph (1)(a) to (d) also notify the occurrence of that event to the following persons—

- (a) his parent or guardian;
- (b) the officer of a Board who is responsible for his care;
- (c) any person or organisation who or which has accepted responsibility wholly or partly for the cost of that child's maintenance in the home.

(3) The person registered shall notify the Department not later than twenty-four hours from the time of its occurrence of the death of any child in the home and the circumstances of his death.

(4) For the purposes of paragraphs (1) and (3), 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

16.—(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 patient 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

17.—(1) The person registered shall, before terminating any arrangements for the accommodation of a child, give his parent or guardian, the officer of a Board who is responsible for his care and any person or organisation who or which has accepted responsibility wholly or partly for the cost of the child's maintenance in the home, reasonable notice of his intention to terminate those arrangements.

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

Information for patients as to method of making complaints

18.—(1) The person registered shall inform every patient 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 patient may be made. The person registered shall ensure that any complaint so made by a patient or a person acting on his behalf is fully investigated.

(2) The person registered shall inform every patient, 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 patient or a person acting on his behalf.

Inspection of homes

19.—(1) The Board shall ensure that any home is inspected pursuant to Article 29 of the Order not less than twice in every period of twelve months.

(2) Nothing in paragraph (1) authorises any person other than a medical practitioner employed by the Department or the Board to inspect any clinical record relating to a patient in a home.

(3) Nothing in paragraph (1) or (2) requires or authorises the person registered to disclose information contrary to the provisions of section 33(5) of the Human Fertilisation and Embryology Act 1990(a) (restrictions on disclosure of information).

Visits by person in control of the home

20.—(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.

Home in the charge of a qualified nurse

21. Where under Article 21(1)(d) of the Order, the home is in the charge of a person who is a qualified nurse, that person shall be registered in Part 1, 3, 5, 8, 9, 12, 13, 14 or 15 of the register maintained under section 10 of the Nurses, Midwives and Health Visitors Act 1979(a).

Offences

22.—(1) Subject to paragraph (3), where the Board considers that the person registered has contravened or failed to comply with regulation 6, 11, 12, 14, 15, 16, 17 or 20, 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 23 of the Order or while such an order is in force.

(4) Any person who fails to comply with regulation 10 shall be guilty of an offence against these regulations.

Compliance with regulations

23. 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

24. Where a person aggrieved by an order made under section 5(3) of the 1971 Act before 1st April 1993—

(a) 1979 c. 36; for Parts of the register see S.I. 1983/667 as amended by S.I. 1989/104 and S.I. 1989/1455

- (a) had appealed before that date to a court of summary jurisdiction under section 5(4) thereof and that appeal has not been determined by that date, the provisions of the 1971 Act shall, notwithstanding the repeal thereof, continue to have effect for the purposes of the determination of that appeal;
- (b) desires to appeal against the order after that date but within the period of fourteen days from the date on which the copy of that order was sent to 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 III of the Order.

Constitution of Registered Homes Tribunals

25. Where a Registered Homes Tribunal shall include a nurse by virtue of Article 32(2)(b) of the Order, the Department shall appoint a nurse registered in Part 1, 3, 5, 8, 9, 12, 13, 14 or 15 of the register maintained under section 10 of the Nurses, Midwives and Health Visitors Act 1979.

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

(L.S.)

Joan Dixon

Assistant Secretary

Registration fees

1. Subject to paragraph 2, the registration fee to accompany an application for registration made under Article 19 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. No registration fee shall be payable where an application for registration is made in accordance with regulation 4(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,
 - (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

(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)

question is asked that, by virtue of Article 2 of, and paragraph 12 of Part II and paragraph 5 of Part III of Schedule 1 to, the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979(a) 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 residential care home within the meaning of Part II of the Order, or voluntary home within the meaning of section 126 of the Children and Young Persons Act (Northern Ireland) 1968(b) 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 patients 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 II of the Order;
- (g) the type of the home (maternity home, clinic catering for day-patients only, acute hospital etc.);
- (h) the number of patients for whom the home is proposed to be used distinguishing between different categories of patients and indicating the age range of patients in each category;
- (i) 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;
- (j) the number, sex, position and relevant qualifications of staff excluding those referred to in sub-paragraph (i), 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;
- (k) 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 patients;
- (l) details of any special arrangements made or other services available for any particular category of patient and details of equipment and facilities and services (such as chiropody, physiotherapy and occupational therapy) to be provided in the home;

(a) S.R. 1979 No. 195

(b) 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))

- (m) the arrangements made or proposed to be made for medical and dental supervision and treatment;
- (n) the arrangements for the handling and administration of medicines;
- (o) details of the scale of charges payable by patients;
- (p) any arrangements for the occupation or training and recreation of patients;
- (q) the arrangements made for the supply of blood and blood products;
- (r) the arrangements made for the provision of pathology and radiology services.

Annual fees

1. Subject to paragraph 2, the annual fee in respect of a home in which beds are provided for the use of patients at night shall be an amount equal to £41 multiplied by the maximum number of persons specified (in accordance with Article 20(2) of the Order) in the certificate of registration in respect of the home.

2. For the purposes of paragraph 1, no account shall be taken of cots provided for the use of children born to women who are patients in the home.

3. The annual fee for a home in which no beds are provided for the use of patients at night shall be £240.

4. Subject to paragraph 5, 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.

5. A person who is deemed by virtue of regulation 4(2) to be registered under Part III 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 6 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 patients, which statement has in accordance with paragraph 4(k) of Schedule 2 been supplied to the Board and has been agreed with that Board.

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

- (a) the name, address, date of birth and marital status of the patient and whether he is the subject of a court order or any other process;
- (b) the name, address and telephone number of the patient's next of kin or of any person authorised to act on his behalf;
- (c) the name, address and telephone number of the patient's medical practitioner and of any officer of a Board whose duty it is to supervise the welfare of the patient;
- (d) the date on which the patient entered the home;
- (e) the date on which the patient left the home;
- (f) if the patient is transferred to a hospital, the date of, and reasons for, the transfer and the name of the hospital to which the patient is transferred;
- (g) if the patient 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 patient 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 patient 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 patient's admission to the home;
- (j) if the patient is a child, the name of any school which he attends or attended before entering the home or any other place where he may be receiving education or training.

3. The following additional particulars which shall be included in the register of patients in a maternity home—

- (a) the date and time of delivery of each patient, the number of children then born to the patient, their sex and whether born alive or dead;
- (b) the name and qualifications of the person who delivered the patient;
- (c) the date and time of any miscarriage occurring in the home;
- (d) the date on which any child born to a patient left the home together with full particulars in such cases where the child is removed otherwise than into the care of any parent, guardian or relative;

- (e) if any child born to a patient died in the home, the date, time and cause of death and the name of the medical practitioner who certified the cause of death.
4. In a home accommodating children—
- (a) a statement of the sanctions used in the home to control bad behaviour and a book in which shall be entered a record of any sanction administered to a child and the name of that child;
- (b) a register in which shall be entered the date on which each child's arrival was notified to the Board.
5. A separate record in the form of a register of—
- (a) all surgical operations performed in the home which register shall include the name of the medical practitioner or dentist who performed the operation and the name of the anaesthetist in attendance;
- (b) any occasion on which a specially controlled technique is used, the nature of that technique, the name of the person using it and, where that person is not a medical practitioner or dentist, the name of the medical practitioner or dentist in accordance with whose directions the technique was used.
6. A case record in respect of each patient which shall include the following particulars—
- (a) an adequate daily statement of the patient's health and condition;
- (b) details of any investigations made, surgical operations carried out and treatment given.
7. The following particulars which shall be included in the case record of a child born in a maternity home—
- (a) details of the weight and condition of the child at birth;
- (b) a daily statement of the child's health;
- (c) if any paediatric examination is carried out involving any of the following procedures—
- (i) examination for congenital abnormalities including congenital dislocation of the hip,
- (ii) measurement of the circumference of the head of the child,
- (iii) measurement of the length of the child,
- (iv) screening for phenylketonuria,
details of each such examination.
8. A record in respect of each child who has special educational needs within the meaning of Article 33 of the Education and Libraries (Northern Ireland) Order 1986(a) and of the special educational provision within the meaning of that Article which is being made in relation to him.
9. A record of all medicines kept in the home for a patient and of their disposal when no longer required.

(a) S.I. 1986/594 (N.I. 3); paragraph 2(c) of Article 33 was amended by Article 166 of, and Schedule 9 to, the Education Reform (Northern Ireland) Order 1989 and paragraph 3A of Article 33 was inserted by Article 155 of the said Order (S.I. 1989/2406 (N.I. 20))

10. A record of the dates of any visits by persons authorised to inspect the home and the occurrence of any event to which regulation 15(1) refers.

11. A statement of facilities provided in the home for patients and of arrangements made for visits by their relatives, guardians, friends or other visitors.

12. A record of any visit to the home made in accordance with the provisions of regulation 20, 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.

13. Records of food provided for patients 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 patients.

14. 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.

15. A statement of the procedure to be followed in the event of fire.

16. A statement of the procedure to be followed in the event of accidents or in the event of a patient becoming missing.

17. A record of maintenance carried out on medical, surgical and nursing equipment in the home.

18. 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 patient.

19. A record of all money or other valuables deposited by a patient for safekeeping or received on that patient'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 patient or used, at the request of the patient, on his behalf and the purpose for which it was used.

20. A record of each person employed at the home, 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.

21. A record of any relatives of the registered person or of persons employed at the home who are patients.

22. A record of any complaints either verbal or written made by or on behalf of the patient, any investigations carried out and of any action taken as a result.

23. A record of any notice of termination of accommodation given in accordance with the provisions of regulation 17.

SCHEDULE 5

Regulation 7

No. 92

Form of register of nursing homes

Article 19(1) of the Registered Homes (Northern Ireland) Order 1992

Ref. No.	Name and address of person or persons registered (<i>see Note below</i>)	Name, address and telephone number of home in respect of which registration is granted	<i>Conditions of Registration</i>	<i>Dates of</i>			Dates of inspections and names of officers making the inspections
			Maximum number, age, sex and category 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	Cancellation of registration	

Registered Homes

NOTE: If the application is made by a company, society, association or body, insert the registered or principal office.

(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, nursing homes under the Registered Homes (Northern Ireland) Order 1992 (the 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, which in the case of the person in control of the home is increased from £678 to £840. 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 3 and Schedules 1 and 2)). They prescribe the time limit within which persons, who on the commencement of the Order require registration but did not previously, may register (regulation 4); and the amount of the fee payable annually in respect of such homes (regulation 5 and Schedule 3).

The regulations provide for the compilation and the maintenance of records by the person registered in respect of the home (regulation 6 and Schedule 4); prescribe the form of register and the information to be recorded thereon by the Board for the purposes of the Order (regulation 7 and Schedule 5); and require the person registered to consult the Fire Authority on fire precautions in the home (regulation 8).

In addition, the regulations make provision for the conduct of homes including the continuing provision whereby premises on which certain laser products are used are treated as nursing homes and subject to special provisions as to conduct of the home (regulations 2, 9 and 10); the facilities and services to be provided (regulation 11); the provision of suitable facilities for visits to the home by relatives, friends etc. of patients (regulation 12); and the giving of certain notices by the person registered (regulations 14 to 17). They also make provision for the Board to inspect the home at least twice a year (regulation 19); and for monthly visits to the home by the person in control of it (regulation 20).

They require the person registered to ensure that there is adequate opportunity for patients to attend religious services (regulation 13); and to inform every patient of the method of making complaints relating to the home (regulation 18). They prescribe the parts of the UKCC register in which a nurse who is the person in charge of the home and the parts of the UKCC register in which a nurse who is a member of a Registered Homes Tribunal must be registered (regulations 21 and 25).

The regulations also provide for the contravention of certain regulations to be an offence (regulation 22); 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 23). Finally, they make transitional provision with respect to the determination of appeals under legislation previously in force (regulation 24).

Class 3B and class 4 laser products are defined by reference to British Standard 4803:83 which is published by the British Standards Institution and can be obtained from the British Standards Institution, Linford Woods, Milton Keynes, MK14 6LE.

1993 No. 93

**Road Races (Tandragee 100) Order
(Northern Ireland) 1993**

This Order, being of a temporary character, is not printed at length in this volume.