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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 161**

**The Residential Care Homes  
Regulations (Northern Ireland) 2005**

**PART III**

**CONDUCT OF THE RESIDENTIAL CARE HOME**

**Fitness of workers**

**21.**—(1) The registered person shall not employ a person to work at the residential care home unless –

- (a) the person is fit to work at the home;
- (b) subject to paragraph (5), he has obtained in respect of that person the information and documents specified in paragraphs 1 to 7 of Schedule 2;
- (c) he is satisfied on reasonable grounds as to the authenticity of the references referred to in paragraph 3 of Schedule 2 in respect of that person.

(2) Paragraph 1 applies to a person who is employed by a person (“the employer”) other than the registered person.

(3) Paragraph 1 applies to a position in which a person may in the course of his duties have regular contact with residents at the home.

(4) The registered person shall not allow a person to whom paragraph (2) applies to work at the home in a position to which paragraph (3) applies, unless –

- (a) the person is fit to work at the home;
- (b) the employer has obtained in respect of that person the information and documents specified in –
  - (i) paragraphs 1 to 7 of Schedule 2; and has confirmed in writing to the registered person that he has done so; and
- (c) the employer is satisfied on reasonable grounds as to the authenticity of the references referred to in paragraph 3 of Schedule 2 in respect of that person, and has confirmed in writing to the registered person that he is so satisfied.

(5) For the purposes of paragraphs (1) and (4), a person is not fit to work at a home unless –

- (a) he is of integrity and good character;
- (b) he has qualifications or training suitable to the work that he is to perform, and the skills and experience necessary for such work;
- (c) he is physically and mentally fit for the purposes of the work he is to perform at the home.
- (d) full and satisfactory information is available in relation to him in respect of the following matters –
  - (i) each of the matters specified in paragraphs 1 to 7 of Schedule 2.

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**Status:** This is the original version (as it was originally made).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

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(6) The registered person shall ensure that all health care professionals are covered by appropriate professional indemnity.