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STATUTORY INSTRUMENTS

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**2001 No. 3968**

The Private and Voluntary Health  
Care (England) Regulations 2001

PART III

CONDUCT OF HEALTH CARE ESTABLISHMENTS AND AGENCIES

CHAPTER 4

NOTICES TO BE GIVEN TO THE COMMISSION

**Notice of absence**

**29.**—(1) Where—

- (a) the registered provider, if he is the person in day to day charge of the establishment or agency; or
- (b) the registered manager,

proposes to be absent from the establishment or agency for a continuous period of 28 days or more, the registered person shall give notice in writing to the Commission 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 commences or within such shorter period as may be agreed with the Commission and the notice shall specify with respect to the proposed absence—

- (a) its length or expected length;
- (b) the reason for it;
- (c) the arrangements which have been made for running the establishment or agency;
- (d) the name, address and qualifications of the person who will be responsible for the establishment or agency during that absence; and
- (e) in the case of the absence of the registered manager, the arrangements that have been, or are proposed to be, made for appointing another person to manage the establishment or agency during that absence, including the proposed date by which the appointment is to be made.

(3) Where the absence arises as a result of an emergency, the registered person shall give notice of the absence within one week of its occurrence specifying the matters set out in sub-paragraphs (a) to (e) of paragraph (2).

(4) Where—

- (a) the registered provider, if he is the person in day to day charge of the establishment or agency; or
- (b) the registered manager,

has been absent from the establishment or agency for a continuous period of 28 days or more, and the Commission has not been given notice of the absence, the registered person shall, without delay, give

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notice in writing to the Commission of the absence, specifying the matters set out in paragraph (2) (a) to (e).

(5) The registered person shall notify the Commission of the return to duty of the registered provider or (as the case may be) the registered manager not later than 7 days after the date of his return.