

SCHEDULE 2

Regulation 3(2)(b)

DOCUMENTS TO BE SUPPLIED ON AN APPLICATION FOR REGISTRATION AS A PERSON WHO CARRIES ON AN ESTABLISHMENT OR AGENCY

Documents concerning applicant

1. The responsible person's birth certificate.
2. Certificates or other suitable evidence relating to the responsible person's professional or technical qualifications, so far as such qualifications are relevant to providing services for persons for whom services are to be provided at the establishment or by the agency.
- 3.—(1) Subject to sub-paragraph (2), a report by a general medical practitioner as to whether the responsible person is physically and mentally fit to carry on an establishment or agency of the same description as the establishment or agency.
(2) Where the responsible person is unable to obtain the report referred to in sub-paragraph (1), a statement by the responsible person as to the state of his physical and mental health.
4. The following documents in relation to the responsible person—
 - (a) a criminal record certificate—
 - (i) which has been issued under section 113 of the Police Act 1997⁽¹⁾; and
 - (ii) the application for which was countersigned by the Commission, including, where applicable, the matters specified in section 113(3A)(a) and (b) and (3C)(a) and (b) of that Act;
 - (b) an enhanced criminal record certificate—
 - (i) which has been issued under section 115 of that Act; and
 - (ii) the application for which was countersigned by the Commission, including, where applicable, the matters specified in section 115(6A)(a) and (b) and (6B)(a) and (b) of that Act.
5. Where the applicant is a corporate body, a copy of each of its last two annual reports.
6. Where the organisation is a subsidiary of a holding company, the name and address of the registered or principal office and the last two annual reports (if any) of the holding company and of any other subsidiary of that holding company.
7. The last annual accounts (if any) of the establishment or agency.
8. Except where the applicant is a local authority or NHS trust, a reference from a bank expressing an opinion as to the applicant's financial standing.
9. A certificate of insurance for the applicant in respect of liability which may be incurred by him in relation to the establishment or agency in respect of death, injury, public liability, damage or other loss.

Criminal record certificates in respect of staff

- 10.—(1) A statement confirming that—

(1) 1997 c. 50. Sections 113 and 115, as amended, have not been brought into force. Sections 113(3A), (3B) and 115(6A) were added by section 8(1) and (2) of the Protection of Children Act 1999 (c. 14) and amended by sections 104 and 116 of, and paragraph 25(1) and (2) of Schedule 4 to, the Care Standards Act 2000 (c. 14). Sections 113(3C) and 115(6B) are to be added to the Police Act 1997 by section 90(1) and (2) of the Care Standards Act 2000 on a date to be appointed. Section 115(5)(ea) was inserted by the Care Standards Act 2000, section 104, on a date to be appointed.

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

- (a) the documents specified in sub-paragraph (2) have been issued—
 - (i) in the case of any applicant, to every person, other than the applicant, who works, or is intended to work, for the purposes of the establishment or agency; and
 - (ii) where the applicant is an organisation, to the responsible individual; and
 - (b) the applicant will make the documents so issued available for inspection by the Commission if the Commission so requires.
- (2) The following documents are specified—
- (a) if the position in which the person works, or is intended to work, for the purposes of the establishment or agency falls within section 113(3B) of the Police Act 1997, either—
 - (i) if the position falls within section 115(3) of that Act, an enhanced criminal record certificate issued to the person under section 115 of that Act; or
 - (ii) in any other case, a criminal record certificate issued to the person under section 113 of that Act,including the matters specified in, as the case may be, section 115(6A)(a) and (b) or 113(3A)(a) and (b) of that Act;
 - (b) if the position in which the person works, or is intended to work, for the purposes of the establishment or agency falls within section 113(3D) of the Police Act 1997, either—
 - (i) if the position falls within section 115(4) of that Act, an enhanced criminal record certificate issued to the person under section 115 of that Act; or
 - (ii) in any other case, a criminal record certificate issued to the person under section 113 of that Act,including the matters specified in, as the case may be, section 115(6B)(a) and (b) or 113(3C)(a) and (b) of that Act;
 - (c) if the position in which the person works, or is intended to work, for the purposes of the establishment or agency does not fall within section 113(3B) or (3D) of the Police Act 1997, a criminal record certificate issued to the person under section 113 of that Act.