
STATUTORY INSTRUMENTS

2003 No. 2323

The Care Standards Act 2000 (Domiciliary Care Agencies and Nurses Agencies) (Amendment) (England) Regulations 2003

Amendment of the Domiciliary Care Agencies Regulations 2002

2.—(1) The Domiciliary Care Agencies Regulations 2002⁽¹⁾ shall be amended in accordance with the following provisions of this regulation.

(2) Regulation 12 (fitness of domiciliary care workers supplied by an agency) shall be re-numbered as paragraph (1) of regulation 12.

(3) In regulation 12, after paragraph (1) there shall be added the following paragraph—

“(2) Paragraph (1)(d), in so far as it relates to paragraph 13 of Schedule 3, shall not apply until 31st October 2004 in respect of a domiciliary care worker who has been supplied by the agency at any time during the period from 1st October 2002 to 30th September 2003.”.

(4) In Schedule 3, there shall be added at the end the following paragraph—

“13. Either—

(a) where the position falls within section 115(3) or (4) of the Police Act 1997 (registration under Part 2 of the Care Standards Act 2000), an enhanced criminal record certificate issued under section 115 of that Act; or

(b) in any other case, a criminal record certificate issued under section 113 of that Act,

including, where applicable, the matters specified in section 113(3A) or 115(6A) of that Act and, once they are in force, section 113(3C)(a) and (b) or section 115(6B)(a) and (b) of that Act⁽²⁾.”.

(1) [S.I.2002/3214](#).

(2) Sections 113(3A) and 115(6A) are added to the Police Act 1997 by section 8 of the Protection of Children Act 1999 (c. 14), and amended by sections 104 and 116 of, and paragraph 25 of Schedule 4 to, the Care Standards Act 2000. Sections 113(3C) and 115(6B) are added to the Police Act 1997 by section 90 of the Care Standards Act 2000 on a date to be appointed.