

SCHEDULE 1

Regulation 3(2)(a)

Information to be supplied on an application for registration
as a person who carries on an establishment or agency

PART 1

Information about the applicant

1. Where the applicant is an individual—
 - (a) the responsible person's full name, date of birth, current address and telephone number;
 - (b) where applicable, any other addresses the responsible person has lived at within five years of the date of making the application;
 - (c) details of the responsible person's professional or technical qualifications and experience of carrying on an establishment or agency, so far as such qualifications and experience are relevant to providing services for persons to whom services are to be provided at the establishment or by the agency;
 - (d) details of the responsible person's employment history, including the name and address of their present employer and of any previous employers;
 - (e) details of any business the responsible person carries on or has carried on;
 - (f) the name and addresses of two referees—
 - (i) who are not relatives of the responsible person;
 - (ii) each of whom is able to provide a reference as to the responsible person's competence to carry on an establishment or agency of the same description as the establishment or agency; and
 - (iii) one of whom has employed the responsible person for a period of at least 3 months, but the requirement for the name and address of a referee who has employed the responsible person for a period of at least 3 months shall not apply where it is impracticable to obtain a reference from a person who fulfils that requirement;
 - (g) if the applicant intends to carry on the establishment or agency in partnership with others, the information specified in sub-paragraphs (a) to (f) of this paragraph in relation to each partner of the applicant.
2. Where the applicant is a partnership—
 - (a) the name and address of the partnership;
 - (b) in relation to each member of the partnership, the information specified in paragraph 1(a) to (f).
3. Where the applicant is an organisation—
 - (a) the name of the organisation and the address of the registered office or principal office of the organisation;
 - (b) the full name, date of birth, address and telephone number of the responsible individual;
 - (c) details of the professional or technical qualifications of the responsible individual and that individual's experience of carrying on an establishment or agency of the same description as the establishment or agency, so far as such qualifications and experience are relevant to providing services for persons for whom services are to be provided at the establishment or by the agency;

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- (d) if the organisation is a subsidiary of a holding company, the name and address of the registered or principal office of the holding company and of any other subsidiary of that holding company;
4. In all cases except where the applicant is a local authority—
- (a) a reference from a bank expressing an opinion as to the applicant’s financial standing;
 - (b) a statement as to whether the responsible person has been adjudged bankrupt, is a person in respect of whom a debt relief order has been made or sequestration of his estate has been ordered, or whether the responsible person has made a composition or arrangement with, or granted a trust deed for, their creditors;
 - (c) a statement as to the applicant’s ability to ensure the financial viability of the establishment or agency for the purpose of achieving the aims and objectives of the establishment or agency set out in its statement of purpose;
 - (d) a business plan in respect of the establishment or agency;
 - (e) details of the cash-flow or, where unavailable, predicted cash-flow in respect of the establishment or agency.

PART 2

Information about the establishment or agency

5. The name, address, telephone number, facsimile number (if any), and electronic mail address (if any) of the establishment or agency.
6. Where the establishment or agency is being operated from more than one site the name, address, telephone number, facsimile number (if any), and electronic mail address (if any) of each site.
7. The description of establishment or agency by reference to a description of establishment or agency specified in section 4(8)(a) or (9)(a) of the Act in respect of which the applicant seeks to be registered.
8. The statement of purpose of the establishment or agency.
9. A statement as to the accommodation, facilities and services which are to be provided by the establishment or agency including the extent and, where appropriate, location of such accommodation, facilities and services and where the agency is being operated at more than one site details of the accommodation, facilities and services at each site.
10. Where applicable, details of any travel arrangements between sites.
11. The date on which the establishment or agency was established or is proposed to be established.
12. Details of the scale of charges payable by the service users.
13. In respect of each of the premises to be used by an establishment—
- (a) a description of the premises, including a statement as to whether the premises are purpose-built or have been converted for use as an establishment;
 - (b) a description of the area in which the premises are located.
14. In respect of the premises to be used by an establishment or for the purposes of an agency, a statement as to whether, at the date the application is made, the premises are capable of being used for the purpose of—

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- (a) achieving the aims and objectives set out in the statement of purpose of the establishment or agency; and
- (b) providing facilities and services in accordance with the statement referred to in paragraph 9,

without the need for planning permission, building works, or conversion of the premises and, if the premises are not capable of such use at the date the application is made, details of the permission, works or conversion needed.

15. A statement as to the security arrangements, including arrangements for the purposes of—

- (a) safeguarding access to information held by the establishment or agency; and
- (b) restricting access from adjacent premises or, when the premises form part of a building, from other parts of the building.

16. The name and address of any other establishment or agency, of a description specified in section 4(8)(a) or (9)(a) of the Act, which the applicant has or has had a business or financial interest, or at which the applicant is or has been employed, and details of such interest or employment.

17. Whether any other business is or will be carried on in the same premises as those of the establishment or agency and, if so, details of that business.

Information about staff posts

18. A list of staff posts at the establishment and the duties and responsibilities attaching to each post.

PART 3

Further information about staff

19. In respect of any person, other than the applicant, who works at, or is intended to work at the establishment or for the purposes of the agency—

- (a) whether the person is, or is intended to be, resident in the premises used as the establishment or for the purposes of the agency; and
- (b) if the person is a relative of any person who has made an application in respect of the establishment or agency, their relationship to such person.

20. Where a person is, or is intended to be resident in the premises used as the establishment or for the purposes of the agency the name, sex and date of birth of that person.

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.

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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. In relation to the responsible person—

- (a) an enhanced criminal record certificate issued under section 113B of the Police Act 1997(1) which includes, as applicable, suitability information relating to vulnerable adults (as defined in section 113BB(2) of that Act) or suitability information relating to children (as defined in section 113BA(2) of that Act) or both; and
- (b) the application for that certificate which was signed by the CI.

5. Where the applicant is a body corporate, 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. A certificate of insurance for the applicant in respect of liability which may be incurred by the applicant 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

9.—(1) A statement confirming that—

- (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 available for inspection by the CI if the CI so requires.

(2) The following documents are specified—

- (a) where the position falls within regulation 5A(a) of the Police Act 1997 (Criminal Records) Regulations 2002(2) an enhanced criminal record certificate issued under section 113B of the Police Act 1997 which includes, as applicable, suitability information relating to vulnerable adults (as defined in section 113BB(2) of that Act) or suitability information relating to children (as defined in section 113BA(2) of that Act), or both; or
- (b) in any other case, a criminal record certificate issued under section 113A(3) of the Police Act 1997.

(1) 1997 c.50. Section 113B was inserted by the Serious Organised Crime and Police Act 2005 (c.15), and amended by the Protection of Vulnerable Groups (Scotland) Act 2007 (asp. 14), the Policing and Crime Act 2009 (c.26), the Safeguarding Vulnerable Groups Act 2006 (c.47), and the Armed Forces Act 2006 (c.52). Section 113BB(2) was inserted by the Safeguarding Vulnerable Groups Act 2006 and amended by the Policing and Crime Act 2009. Section 113BA(2) was inserted by the Safeguarding Vulnerable Groups Act 2006 and amended by the Policing and Crime Act 2009, the Education and Inspections Act 2006 (c.40) and the Education and Skills Act 2008 (c.25).

(2) S.I. 2002/233. Regulation 5A was inserted by The Police Act 1997 (Criminal Records) (Amendment) Regulations 2006 (S.I. 2006/748).

(3) Section 113A was inserted by the Serious Organised Crime and Police Act 2005 (c.15) and amended by the Protection of Vulnerable Groups (Scotland) Act 2007, the Policing and Crime Act 2009, the Police Act 1997 (Criminal Records)(Electronic Communications) Order 2009 (S.I. 2009/203), the Criminal Justice and Immigration Act 2008 (c.4) and the Safeguarding Vulnerable Groups Act 2006.

Other documents

- 10.—(1) In the case of—
- (a) a fostering agency;
 - (b) a voluntary adoption agency, or
 - (c) an adoption support agency,
- a copy of the children’s guide.
- (2) in the case of a residential family centre, a copy of the resident’s guide.

SCHEDULE 3

Regulation 3(3)

Information and documents to be supplied on an application for registration as the manager of an establishment or agency

PART 1

Information

1. The applicant’s full name, date of birth, current address and telephone number.
2. Where applicable, any other addresses the applicant has lived at within five years of making the application.
3. Details of the applicant’s professional or technical qualifications, and experience of managing an establishment or agency, so far as such qualifications and experience are relevant to providing services for persons for whom services are to be provided at the establishment or by the agency.
4. Details of the applicant’s professional training relevant to carrying on or managing an establishment or agency.
5. Details of the applicant’s employment history, including the name and address of their present employer and of any previous employers.
6. Details of any business the applicant carries on or manages or has carried on or managed.
7. The name and addresses of two referees—
 - (a) who are not relatives of the applicant;
 - (b) each of whom is able to provide a reference as to the applicant’s competence to manage an establishment or agency of the same description as the establishment or agency; and
 - (c) one of whom has employed the applicant for a period of at least 3 months,but the requirement for the name and address of a referee who has employed the applicant for a period of at least 3 months shall not apply where it is impracticable to obtain a reference from a person who fulfils that requirement.
8. The name, address, telephone number, facsimile number (if any), and electronic mail address (if any) of the establishment or agency.

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PART 2

Documents

9. The applicant's birth certificate.

10. Certificates or other suitable evidence relating to the applicant'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.

11.—(1) Subject to sub-paragraph (2), a report by a general medical practitioner as to whether the applicant is physically and mentally fit to manage an establishment or agency of the same description as the establishment or agency.

(2) Where the applicant is unable to obtain the report referred to in sub-paragraph (1), a statement by the applicant as to the state of his physical and mental health.

12.—(1) An enhanced criminal record certificate issued under section 113B of the Police Act 1997 and, as applicable, suitability information relating to vulnerable adults (as defined in section 113BB(2) of that Act) or suitability information relating to children (as defined in section 113BA(2) of that Act) or both; and

(2) the application for that certificate which was signed by the CI.

SCHEDULE 4

Regulation 3(4)

Information to be supplied on an application for registration in respect of a children's home

1. The following details about the children who are intended to be accommodated at the children's home—

- (a) their age range;
- (b) their sex;
- (c) the maximum number of such children;
- (d) whether they are selected by reference to other criteria than age or sex, and if so those criteria.

2. The organisational structure of the children's home.

3. The facilities and services to be provided within the children's home for the children accommodated.

4. The arrangements for protecting and promoting the health of any children accommodated.

5. The fire precautions and emergency procedures.

6. The arrangements to allow children to follow religious observance.

7. The arrangements for contact between a child and his parents, relatives and friends.

8. The procedure for dealing with any unauthorised absence of a child from the children's home.

9. The arrangements for allowing children in the children's home to raise issues, and the procedure for dealing with complaints.

10. The arrangements for the education of any child accommodated.

11. The arrangements for dealing with reviews of the placement plans of any children accommodated.

12. A copy of the behaviour management policy.

13. A copy of the children's guide.

SCHEDULE 5

Regulation 7(2)

Particulars to be recorded in the registers kept by the CI

All establishments and agencies

1. The full name and address of each person registered in respect of the establishment or agency.
2. Where the registered person is an organisation—
 - (a) the address of the registered office or principal office of the organisation;
 - (b) the full names and addresses of any responsible individual.
3. The full name, address and telephone number of the establishment or agency and any branches and in the case of a voluntary adoption agency the reference to the address of the agency means the address of the principal office and any branch of the agency.
4. The type of establishment or agency by reference to a description of establishment or agency specified in section 4(8)(a) or (9(a) of the Act.
5. The date of registration and of the issue of the certificate of registration and, where applicable, the date of any cancellation of registration.
6. The details of any conditions imposed on registration, any additional conditions imposed and any variation of any condition.
7. The registration number.
8. A copy of the most recent inspection report.
9. The most recent inspection judgment.
10. The date and nature of any enforcement action being taken against the establishment or agency.
11. The date of the most recent inspection.

Children's homes

12. In the case of the register relating to children's homes—
 - (a) which (if any) of the following types of children's homes are applicable, each type to be indicated by reference to the following code—

children's homes (other than any of the following types in this sub-paragraph)	CH
boarding school	CHBS
residential special school	CHRSS
secure children's home	CH(S)

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refuge	CHR
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- (b) the number of service users of each sex;
- (c) which (if any) of the following categories in respect of service users are applicable, each category to be indicated by reference to the following code—

children with emotional or behavioural difficulties	EBD
children with physical disabilities	PD
children with learning disabilities	LD
children with mental disorders, excluding learning disability	MD
children with present drug dependence	D
children with present alcohol dependence	A
Children with sensory impairment	SI

Registers relating to residential family centres, fostering agencies and adoption support agencies

- 13. In the case of the register relating to—
 - (a) residential family centres, the code RFC;
 - (b) fostering agencies, the code IFA;
 - (c) adoption support agencies, the code ASA.

14. In the case of a register relating to a residential family centre the number of families accommodated.

Voluntary adoption agencies register

15.—(1) In the case of the register relating to voluntary adoption agencies, which of the following categories of voluntary adoption agency is applicable, each category to be indicated by reference to the following code—

domestic adoption services only	DA
intercountry adoption services only	ICA
domestic and intercountry adoption services	DICA
domestic adoption services and adoption support services	DA&AS
intercountry adoption services and adoption support services	ICA&AS
domestic and intercountry adoption services and adoption support services	DICA&AS

- (2) For the purposes of sub-paragraph (1)—

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“adoption support services” has the same meaning as in section 2(6) of the Adoption and Children Act 2002(4);

“domestic adoption services” means services in relation to adoptions other than intercountry adoptions;

“domestic and intercountry adoption services” means domestic adoption services and intercountry adoption services;

“intercountry adoption” means—

- (a) the adoption of a child habitually resident in the British Islands by prospective adopters habitually resident outside the British Islands; or
- (b) the adoption of a child habitually resident outside the British Islands; and

“intercountry adoption services” means services in relation to intercountry adoptions.

(4) 2002 c.38.