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STATUTORY INSTRUMENTS

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**2023 No. 416**

**The Supported Accommodation (England) Regulations 2023**

**PART 4**

**Staffing**

**Fitness of staff**

**17.**—(1) The registered person must recruit staff using recruitment procedures that are designed to ensure children’s safety.

(2) Subject to paragraph (4), the registered person may only—

- (a) employ an individual for the purposes of the provision of supported accommodation, or
- (b) if an individual is employed by a person other than the registered person to work for the supported accommodation undertaking in a position in which the individual may have regular contact with children, allow that individual to work for the supported accommodation undertaking,  
if the registered person is satisfied that the individual satisfies the requirements in paragraph (3).

(3) The requirements are that—

- (a) the individual is of integrity and good character,
- (b) the individual has the experience, qualifications and skills appropriate for the work that the individual is to perform,
- (c) the individual is mentally and physically fit for the purposes of the work that the individual is to perform, and
- (d) full and satisfactory information is available in relation to the individual in respect of each of the matters in Schedule 1.

(4) The registered person may permit an individual to start work for the purposes of providing supported accommodation or, as the case may be, for the supported accommodation undertaking, despite the fact that the requirement in paragraph (3)(d) has not been met if—

- (a) the registered person has taken all reasonable steps to obtain full information about each of the matters in Schedule 1 in respect of the individual, but the enquiries in relation to any of the matters in paragraphs 3 to 6 of that Schedule are incomplete,
- (b) full and satisfactory information in respect of the individual has been obtained in relation to the matters in paragraphs 1 and 2 of Schedule 1,
- (c) the registered person considers that the circumstances are exceptional, and
- (d) the registered person ensures that the individual is appropriately supervised while carrying out the individual’s duties, pending receipt of any outstanding information on the matters in paragraphs 3 to 6 of Schedule 1, which is then considered satisfactory by the registered person.

(5) The registered person must take reasonable steps to ensure that any individual who is working at premises used as supported accommodation and who does not fall within paragraph (2)(a) and (b) is appropriately supervised while carrying out the individual's duties.

### **Employment of staff**

- 18.**—(1) The registered person must—
- (a) ensure that each employee completes an appropriate induction,
  - (b) ensure that each permanent appointment of an employee is subject to the satisfactory completion of a period of probation, and
  - (c) provide each employee with a job description in writing outlining the employee's responsibilities.
- (2) The registered person must operate a disciplinary procedure which, in particular—
- (a) provides for the suspension from work of an employee if necessary in the interests of safety or welfare of children, and
  - (b) provides that the failure on the part of an employee to report an incident of abuse, or suspected abuse, whether past or present, in relation to a child to the appropriate person is a ground on which disciplinary proceedings may be instituted.
- (3) For the purposes of this regulation, "the appropriate person" is—
- (a) the registered person;
  - (b) an officer of the CIECSS;
  - (c) an officer of the local authority in whose area the premises used as supported accommodation by the supported accommodation undertaking are located;
  - (d) an officer of the accommodating authority of a child referred to in sub-paragraph (2)(b);
  - (e) a police officer.
- (4) The registered person must ensure that all employees—
- (a) undertake appropriate continuing professional development,
  - (b) receive practice-related supervision by a person with appropriate experience, and
  - (c) have their performance and fitness to perform their roles appraised at least once every year.

### **Temporary staff**

**19.** The registered person must ensure that the employment of any person on a temporary basis does not prevent children from receiving from the supported accommodation undertaking such continuity of support as is reasonable to meet their needs.