
STATUTORY INSTRUMENTS

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.

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(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.