

## SCHEDULE 1

Regulation 3

### APPLICATION OF PART II OF THE CARE STANDARDS ACT 2000 TO PERSONS PROVIDING AND MANAGING AN ADULT PLACEMENT SCHEME

#### PART 1

1. For the purposes of this Schedule references in Part II of the Act —
  - (a) to an establishment or agency shall be taken as references to an adult placement scheme;
  - (b) to carrying on or managing an establishment or agency shall be taken as references to providing or managing an adult placement scheme;
  - (c) to persons working at an establishment or for the purposes of an agency shall be taken as references to persons working for the purposes of an adult placement scheme;
  - (d) to facilities or services provided in an establishment or by an agency shall be taken as references to facilities or services provided under an adult placement scheme; and
  - (e) to premises being used as an establishment or for the purposes of an agency must be taken as references to premises used for the purposes of managing an adult placement scheme.
2. In respect of the provisions of Part II of the Act which are not modified by Part 2 of this Schedule —
  - (a) Part II of the Act applies to a person who provides or manages, intends to provide or manage, or is registered in respect of, an adult placement scheme and also in relation to such a scheme in light of the provisions which are modified by Part 2 of this Schedule;
  - (b) any power of the National Assembly to make subordinate legislation is to be exercisable in relation to a person who provides or manages, intends to provide or manage, or is registered in respect of, an adult placement scheme and also in relation to such a scheme in light of the provisions which are modified by Part 2 of this Schedule; and
  - (c) any power or duty of any person under Part II of the Act is to be exercisable in relation to a person who provides or manages, intends to provide or manage, or is registered in respect of, an adult placement scheme and also in relation to such a scheme in light of the provisions which are modified by Part 2 of this Schedule.
3. In this Schedule a reference to a section is a reference to a section of the Act.

#### PART 2

##### **Modification of section 22 of the Act (regulation of establishments and agencies)**

- (a) (a) Section 22(5)(b) has effect as if it read —
  - “(b) as to the control and restraint of adults provided with services under an adult placement scheme.”;
- (b) Section 22(7)(e) has effect as if it read —
  - “(e) make provision as to the giving of notice by the person providing an adult placement scheme of periods during which he or (if he does not manage it himself) the manager proposes to be unavailable to manage the adult placement scheme, and specify the information to be supplied in such a notice.”.

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

**Modification of section 28 of the Act (failure to display certificate of registration)**

5. Section 28(1) has effect as if it read:

“A certificate of registration issued under this Part in respect of any adult placement scheme must be kept affixed in a conspicuous place at the principal office of the scheme.”.

**Modification of section 31 of the Act (inspections by persons authorised by registration authority)**

6. Section 31(5) and (6) does not apply to adult placement schemes.

**Modification of section 37 of the Act (service of documents)**

(a) (a) Section 37(1) of the Act has effect as if it read —

“Any notice or other document required under this Part to be served on a person providing or managing, or intending to provide or manage, an adult placement scheme may be served on him—

(a) by being delivered personally to him; or

(b) by being sent by post to him in a registered letter or by the recorded delivery service at his proper address.”.

(b) Section 37(2) of the Act has effect as if it read —

“For the purposes of section 7 of the Interpretation Act 1978(1) (which defines “service by post”) a letter addressed to a person providing or managing, or intending to provide or manage, an adult placement scheme enclosing a notice or other document under this Act shall be deemed to be properly addressed if it is addressed to him at the principal office of the adult placement scheme.”.

SCHEDULE 2

Regulation 4(1)

MATTERS TO BE DEALT WITH IN THE STATEMENT OF PURPOSE

1. The name and business address of the registered person.
2. The address of the principal office of the adult placement scheme.
3. The relevant qualifications of —
  - (a) the registered provider if the provider is not an organisation; and
  - (b) the registered manager if one has been appointed.
4. The number, relevant qualifications and experience of the staff working for the purposes of the adult placement scheme.
5. The organisational structure of the adult placement scheme.
6. The age-range and sex of the adults in respect of whom the adult placement scheme may make placements.
7. The range of needs that the adult placement scheme intends to meet through the making of placements.
8. The terms and conditions (including fees) upon which placements are made under the scheme.

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(1) 1978 c. 30.

9. Any criteria used under the adult placement scheme for the purposes of deciding whether to seek to make a placement in respect of an adult.
10. The arrangements made so as to ensure that relevant adults can engage in social activities, hobbies, leisure interests and religious services.
11. The arrangements made for consultation with relevant adults about the operation of the scheme.
12. The arrangements made so as to ensure that relevant adults can enjoy appropriate contact with their relatives, friends and representatives.
13. The arrangements for dealing with complaints about the operation of the scheme.
14. The arrangements for dealing with reviews of the adults' plans referred to in regulation 18.

SCHEDULE 3

Regulations 8(3), 9(5), 10, 13(2)(h), 16(3)  
and 24(2)

INFORMATION AND DOCUMENTS TO BE AVAILABLE IN RESPECT  
OF ADULT PLACEMENT CARERS, PERSONS PROVIDING CARE  
SERVICES FOR THE PURPOSES OF AN ADULT PLACEMENT, PERSONS  
PROVIDING AND MANAGING ADULT PLACEMENT SCHEMES

1. Proof of identity including a recent photograph.
2. Either —
  - (a) where the certificate is required for a purpose relating to section 115(5)(ea) of the Police Act 1997<sup>(2)</sup> (registration under Part II of the Care Standards Act 2000), or the position falls within section 115(3) or (4) of that Act, 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.
3. Two written references, including a reference from the last employer if any.
4. Where a person has previously worked in a position which involved work with children or vulnerable adults, verification of the reason why the employment on position ended except where the National Assembly has determined that all reasonable steps have been taken to obtain such verification but it is not available.
5. Documentary evidence of any relevant qualification.
6. A full employment history, together with a satisfactory written explanation of any gaps in employment.

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(2) 1997 c. 50.

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## SCHEDULE 4

Regulation 20

### RECORDS

1. The following information and documents in respect of each adult who has been placed under the scheme —

- (a) full name;
- (b) date of birth;
- (c) the assessment referred to in regulation 18(1);
- (d) the adult's plan;
- (e) the adult placement agreement.

2. A record of all persons working for the purposes of the scheme, must include in respect of a person for whom a certificate as mentioned in paragraph 2 of Schedule 3 is required, the following matters —

- (a) full name;
- (b) sex;
- (c) date of birth;
- (d) home address;
- (e) qualifications relevant to, and experience of, work involving vulnerable adults;
- (f) written confirmation that the information referred to in Schedule 3 is available in relation to the person.

3. A record of all adult placement carers with whom an adult has been placed including —

- (a) full name;
- (b) sex;
- (c) date of birth;
- (d) address;
- (e) qualifications relevant to, and experience of, work involving vulnerable adults;
- (f) a copy of the adult placement agreement;
- (g) a record of the monitoring undertaken in respect of the placement under regulation 14;
- (h) written confirmation that the information referred to in Schedule 3 is available in relation to the carer.

4. A record of —

- (a) all accidents involving an adult placed under the scheme;
- (b) any use of physical restraint upon an adult placed under the scheme; and
- (c) any allegation of abuse, neglect or other harm made by or in relation to an adult placed under the scheme.

5. A record of —

- (a) any complaints made in accordance with regulation 21(1); and
- (b) the action (if any) taken in response to a complaint.