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1 INTRODUCTION

The Regulation and Quality Improvement Authority (RQIA) is the independent body responsible for monitoring and inspecting the availability and quality of health and social care services in Northern Ireland, and encouraging improvements in the quality of those services. Part of regulation is the requirement for persons carrying on or managing regulated services to register with RQIA in accordance with Article 12 of The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.

The Health and Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 as amended and associated regulations, in particular The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005, as amended, and The Regulation and Improvement Authority (Fees and Frequency of Inspections) Regulations (Northern Ireland) 2005, as amended, prescribe the detail of information and documents to be supplied when making such an application.

In assessing the information and documentation supplied as part of the application, RQIA is required to ensure that the service meets the legislative requirements and minimum standards set by DHSSPS to enable registration. If the applicant can evidence fitness for registration the process for registration, in accordance with legislative requirements, is as follows:

1. RQIA receives a full application including supporting documentation and fees.
2. RQIA checks the application - this includes
 - checking for completeness and accuracy;
 - vetting of applicants including receipt of enhanced disclosure certificate and request of references;
 - assessment of fitness of manager and responsible person(s);
 - financial assessment.
3. Inspection to assess fitness of the service and premises.
4. Review of all information and assessment against the legislative requirements
5. Issue of certificate of registration.

2 FORMAT OF THE APPLICATION

Applications should be made on forms issued by RQIA providing the prescribed information. Application forms are available for download on the RQIA website (www.rqia.org.uk).

Should you be unable to obtain and complete forms electronically, please contact the RQIA Registration Team on 028 9051 7500.

Details about the required information, as well as the process used to assess the application, are outlined in this guidance document.

3 SUBMISSION OF APPLICATION

Following completion, forms should be printed out and signed by each applicant.

Please retain a copy of your application for your own record.

The complete application pack and documentation associated with each part should be submitted together in an envelope marked

CONFIDENTIAL
The Registration Team
Regulation and Quality Improvement Authority
9th Floor Riverside Tower
5 Lanyon Place
BELFAST
BT1 3BT

Hand delivery of applications to RQIA

You may do so Monday to Friday from 10.00 am – 12 noon and 2.00 pm – 4.00 pm. Contact the Registration Team on 028 9051 7500 and advise of your expected time of arrival. You should bring the original documents with photocopies that are part of your application. This will allow for the verification of the documentation while you wait.

4 GUIDANCE ON COMPLETION OF APPLICATION FOR REGISTRATION AS A MANAGER OF AN ESTABLISHMENT OR AGENCY

This section should be read in conjunction with the application form.

4.1 Completion of Information about the Manager

Responsible persons of regulated services are required to appoint a manager where

- there is no registered manager;
- where the registered provider is an organisation or partnership;
- the responsible individual is not a fit person; or
- he or she does not intend to manage the establishment or agency themselves i.e. does not intend to be in day-to-day charge.

Only an individual can be appointed as manager.

Where an appointment is made, responsible persons are required to give RQIA notice of the name of the person appointed and the effective date.

Managers of regulated establishments and agencies are required to register with RQIA in accordance with Article 12 of The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 as any person who carries on or manages an establishment or agency of any description without being registered under this part in respect of it (as an establishment or agency of that description) shall be guilty of an offence.

To register, the manager is required to submit an application for registration to RQIA providing information and documentation as prescribed by The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and associated regulations, in particular Schedule 3, Regulation 3(3) of The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005.

Specific regulations and DHSSPSNI Minimum Care Standards pertaining to individual service types prescribe minimum requirements in terms of experience and qualification of registered managers which RQIA use to assess the application. Please consult the relevant legislation as well as the guidance document below to ensure that the application is successful. Should the applicant be unable to provide sufficient evidence in their application that they meet all the requirements, the application will be refused. The relevant standards and regulations for individual service types can be accessed via the RQIA homepage (www.rqia.org.uk).

Should the applicant have any questions about the application please contact the Registration Team in RQIA on 028 9051 7500 or by emailing registration@rqia.org.uk.

After having made an application, the applicant is required to notify the Registration Team in RQIA of any changes in circumstances that may affect the application for registration.

Section 1 - Information about the Establishment or Agency

Please provide all required information. If the application is in respect of an already registered service, please include RQIA ID of the service at this stage. RQIA ID of the service can be found on the certificate of registration. Note: If you apply to manage more than one service registered with RQIA you are required to submit an application in respect of each of the services. This includes fee payments. Only one AccessNI application for enhanced disclosure/AccessNI Fee will be required if the applications are made at the same time.

Section 2 - Information about the Applicant

Please provide all required details and also your business email details, if you deem this a suitable method of communication with you.

Section 3 - Qualifications

Please provide all required details of professional, technical or vocational qualifications relevant to the position in respect of which you seek registration. The dates that qualifications were obtained and the awarding body should also be included. You should enclose proof of the respective qualification in your application pack (see Section 4.2 on required documentation).

The relevant Regulations and/or DHSSPSNI Minimum Standards outline the qualification requirements for managers in relation to respective services. You should contact the Care Inspector for your service should you require clarification on the qualification requirement. Note that unless you clearly evidence in the application how you meet the relevant qualification criteria, your application will be returned to you or refused.

Section 3.1 Transitional Arrangements

DHSSPS Minimum Standards for Residential Care Homes, Domiciliary Care Agencies and Day Care Settings detail the transitional arrangements for existing managers who do not hold an appropriate qualification or registration at the time of the original date of publication of these standards.

If transitional arrangements apply to you, you should outline this explicitly in the application form in section 3.1. Should you fail to do so, your application may be refused.

Section 4 - Registration with Professional Body

Please refer to the previous table in Section 3 - Qualifications and complete this section if relevant. The requirements for professional registration are outlined by the relevant regulations and/or DHSSPSNI Minimum Standards. Please note that RQIA will verify the status of your professional registration as part of the registration process.

Section 5 - Experience

Please complete all required sections ensuring you provide a full employment history, in particular including history of management experience within health and social care, together with a written explanation of any gaps in employment. Please detail in particular any experience relevant to managing the type of establishment or agency in respect of which you are applying for registration.

Requirements relating to the experience for managers of certain service types are outlined in the table below. Note that unless you clearly evidence in the application how you meet the relevant experience criteria, your application will be returned to you or refused.

Section 6 - Other Relevant Experience/Training

Please include any other experience or skills which you consider relevant to this application. Details of any professional training relevant to managing an establishment or agency should also be included. All information provided by you will be considered by RQIA when reaching a decision with respect to your application for registration.

Section 7 - Other Business Interests

Please provide details of any business currently or previously carried on or managed by you as per legislative requirements.

Section 8 - References

Please provide the names and addresses of two persons who are willing to provide a satisfactory reference in respect of the requirements of your prospective registration and who meet the following criteria:

- (a) Are not related to you;
- (b) Each of whom are able to provide a reference as to your competence to carry on an establishment or agency of the same description as the establishment or agency in respect of which you are applying for registration;
- (c) At least one of whom has employed you for at least 3 months in the last 5 years;
- (d) One of whom is the applicant's present or most recent employer.

If the requirement at point (c) or (d) is impracticable, an alternative referee should be provided and the reason clearly stated on the application form.

Section 9 – Assurance of Medical Fitness

You should request your Medical Practitioner to sign Section 9 of the application form as to your physical and mental fitness. If you are unable to provide a signed report from your Medical Practitioner then you should complete the self declaration at Section 9.

Section 10 - Information Required Under The Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979

In accordance with The Rehabilitation of Offenders (Exceptions) Order (NI) 1979, you are required to provide information about convictions, cautions and bind-over orders which would otherwise be considered as spent. You are also required to disclose information of any outstanding prosecutions or pending court action against you. Please include all offences, even minor matters such as motoring offences.

Note that in addition The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005, Schedule 3, Regulation 3(3) para 12 requires an enhanced criminal record certificate to be disclosed as part of your application for registration. It is important that you are aware that this enhanced disclosure will reveal details of spent and unspent convictions and cautions. It will also contain any other relevant information about you which is held in police records or by other law enforcement agencies. For more details see the information on the completion of the AccessNI enhanced disclosure application form within Section 4.2 - Submission of Supporting Documentation.

If you are barred from working with vulnerable adults or children you should refrain from seeking an application for registration.

Section 11 – Documents to be supplied in Respect of the Manager

Please use the checklist to ensure that you have submitted all required information. Incomplete applications will be returned. See 4.2 regarding details about submission of supporting documentation.

Section 12 - Declaration

Please ensure that the declaration section is signed by both the applicant and the responsible person.

Please read the declaration section carefully.

Note that it is an offence under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 to knowingly make a statement which is false or misleading in a material respect.

4.2 Submission of Supporting Documentation

This section provides guidance on the prescribed documents required. A checklist has been added to the application form for your convenience to ensure that all required documents are enclosed. Should you fail to provide the required documentation, RQIA will assess your application based on the information provided which may result in your application being refused.

You will be required to submit the following to RQIA as one complete application:

- 1 Fully completed application form
-including statement of medical fitness**
- 2 Photograph**
- 3 Birth certificate**
- 4 Documentary evidence of qualifications (if required)**
- 5 Evidence of professional indemnity insurance *(if applicable)***
- 6 Registration fee payment of £261 by
Cheque or
BACS remittance advice**
- 7 The case tracking number for your online AccessNI
application**
- 8 Valid identification documents (3 or 5) as per AccessNI
guidance below**
- 9 AccessNI fee payment of £33 to RQIA by
Cheque or
BACS remittance advice**

Further detail in respect of Items 2 - 10 is outlined below:

Item 2/3 Identification documents required by RQIA

The registration regulations require the following two items:

- One passport sized photograph which will be retained by RQIA. It must be recent and a true likeness of you. Please sign and date the photograph.
- Your birth certificate. This is requirement in accordance with Schedule 3 of The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005.

Item 4 Documentary evidence of qualifications

You should provide copies as evidence relating to your professional, technical or vocational qualifications, including accredited training, so far as they are relevant to providing services for persons for whom services are to be provided at the establishment or agency and that are relevant to the registration as manager.

Item 5 Details of any professional indemnity insurance

Please provide a copy of your current certificate of any professional indemnity insurance.

Item 6 Two references provided by named referees

Referees should meet the following criteria:

- (a) Are not related to you;
- (b) Each of whom are able to provide a reference as to your competence to manage an establishment or agency of the same description as the establishment or agency in respect of which you are applying for registration;
- (c) At least one of whom has employed you for at least 3 months;
- (d) One of whom is the applicant's present or most recent employer.

If the requirement at point (c) or (d) is impracticable an alternative referee should be approached and the reason clearly stated on the application form.

Note that RQIA may contact your referee for further information or verification as required.

Item 7 Registration fee

See Section 4.3 on Fee Payments

Item 8 AccessNI enhanced disclosure application form

The Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005, Schedule 2, Regulation 3(2)(b) requires an enhanced criminal record certificate to be disclosed as part of your application for registration. The application for this disclosure must be countersigned by RQIA.

An enhanced disclosure will be obtained by making application to AccessNI using the enclosed disclosure application form. RQIA cannot make an application for an enhanced records disclosure without your consent. It is important therefore that if you wish to apply for registration that you complete the disclosure application form. Disclosure applications should be made by online submission.

In order to make an online application, you should access the following web link - <https://www.nidirect.gov.uk/services/apply-online-enhanced-check-through-registered-body>, and select the option for an enhanced disclosure check through a registered body.

If you do not already have an account with NI Direct, you will need to create one. When you proceed through the web form, you will be prompted to provide a PIN number. Please enter the following number – **540330**. You should follow the instructions on screen in order to complete your disclosure application. When you have completed and submitted your web form, please make a note of your case reference number.

When submitting your application to register with RQIA you should note that your AccessNI disclosure application has been made online. You should quote your case tracking reference number in the supporting documents checklist at the back of your RQIA application form.

You must submit your original identification documents and AccessNI fee payment along with your application to register with RQIA (please refer to the guidance below).

RQIA will verify your identity, countersign the web application form and forward to AccessNI. The fee you submit will be lodged by RQIA and paid against the invoice issued by AccessNI to RQIA for the disclosure certificates issued on a monthly basis.

AccessNI will issue one copy of the enhanced disclosure certificate directly to you. Under AccessNI's procedures RQIA does not receive a copy of your disclosure certificate but will receive a notification that the certificate has been issued and whether or not a trace history was returned. If you dispute any of the information disclosed about you, please contact AccessNI without delay. Disputes must be raised with AccessNI within three months from the date of issue of the Disclosure Certificate.

In order to complete our vetting process and verify your disclosure please post your certificate to the Registration Team at the address below as soon as possible after you receive it. Please mark your envelope **CONFIDENTIAL**. Alternatively you can bring the certificate to the RQIA office, Belfast in person between office hours Monday-Friday.

Regulation and Quality Improvement Authority
9th Floor, Riverside Tower
5 Lanyon Place
Belfast
BT1 3BT

RQIA will comply with the AccessNI Code of Practice with respect to the handling, storage, usage, retention and disposal of any information we receive about you, as a result of an application for an enhanced criminal disclosure certificate.

All registered signatory bodies are required to adhere to AccessNI's Code of Practice. This document can be accessed online and downloaded through the following link - <https://www.nidirect.gov.uk/publications/accessni-code-practice>.

Once a registration decision has been made in respect of your application, your disclosure certificate will be posted back to you. Please be aware that the enhanced disclosure will reveal details of spent and unspent convictions and cautions. It will also contain any other relevant information about you, which is held in police records or by other law enforcement agencies. Disclosure of a criminal record or other information will not automatically

debar you from becoming registered unless RQIA considers the information disclosed to render you unsuitable. In reaching this decision RQIA will consider whether the matter revealed is relevant to your application, the seriousness of the matter, the length of time since it occurred and any other factors which may be relevant. Any matters disclosed on the certificate which may cause a delay or possibly prevent your application from proceeding will be discussed with you in confidence by an authorised person from RQIA. If you are barred from working with vulnerable adults and children you should refrain from seeking an application for registration.

Item 9 Identification documents required by AccessNI

These differ from the requirements for documents by the RQIA. Details can be found in the Appendix 1 list below. It is important that you enclose the relevant documents as failure to do so will result in your application being returned to you. At least one of these documents should contain photographic identification.

All original identification documentation will be returned to you by recorded delivery, marked confidential to your business address.

Item 10 AccessNI fee payment

See Section 4.3 Fee Payments below

4.3 Fee Payments

This section outlines the fee payments required. Note that there are two payments required:

- **Payment 1 - Payment of Application Fee to RQIA (Registration Fee)**

The Regulation and Improvement Authority (Fees and Frequency of Inspections) Regulations (Northern Ireland) 2005 as amended prescribe the level of fee required to accompany applications for registration as a manager. Prior to submission of your application, please check the schedule of fees below to ensure that the correct fee payment has been made.

Body	Size/Criterion	Fee Required
Adult Placement Agency	N/A	Nil
Children's Homes	N/A	£261
Day Care Setting	N/A	Nil
Domiciliary Care Agency	N/A	Nil
Independent Clinic	N/A	£261
Independent Hospital	N/A	£261
Independent Medical Agency	N/A	£261
Nursing Agency (Large)	3 staff or more (excluding reception)	£30
Nursing Agency (Small)	2 staff or less (including registered	Nil

carrying out the required checks as prescribed by legislation. This includes obtaining references from the named referees, checking of relevant registration with professional bodies as well as applying for an enhanced disclosure certificate. The process to apply for an enhanced disclosure with AccessNI takes up to four weeks. Only if this information has been received, the application is deemed complete and the Inspection Team is able to assess the application.

Applications deemed complete will be passed on to Inspection Staff for assessment.

If further information or clarification is required by the Inspection Staff to assess the application, the applicant will be informed of this and requested to clarify the required detail. Should the applicant fail to provide the outstanding clarification within the given timescale, the application will be assessed based on the information submitted. This might result in the application being refused.

6 ASSESSMENT OF APPLICATION

RQIA aims to assess the application and inform you of an outcome within one month from the date at which all required information has been received. Please note that the application will not be deemed to have been granted when the above time period has expired (referred to as tacit authorisation). For overriding reasons of public interest, RQIA will only grant such applications when it has considered in full all of the documentation and circumstances and has satisfied itself that it is appropriate to grant the application in line with the relevant legislation.

Managers of regulated services hold responsibility for safeguarding and promoting the welfare of vulnerable people in their care. They should have knowledge of and commitment to good care and possess the competencies necessary for the management of the service. Honesty, integrity and trustworthiness are essential requirements in determining the suitability of an applicant for registration.

You should only make your application if you can evidence that you are suitably qualified to be registered. For further information on the registration requirement please also refer to the relevant legislation and standards which can be obtained from the RQIA homepage (www.rqia.org.uk). The assessment will be made based on the information provided in your application only. Should you be unable to evidence your suitability in your application, your application may be refused.

7 OUTCOME

There are three outcomes to the application for registration. RQIA can:

- Approve the application;
- Approved the application with conditions; or

- Refuse the application, if the applicant is unable to evidence that the minimum requirements for registration are met.

7.1 Application Approved (without condition)

Once all parts of your application have been assessed and approved, RQIA will issue you with a Certificate of Registration providing details of the establishment or agency and the registered person(s). You are required to display the certificate of registration in a prominent place within your establishment or agency.

7.2 Application Approved (with condition)

Should your application be approved subject to conditions, RQIA will issue you with a Notice of Proposal in conjunction with a time bound Quality Improvement Plan. You are given a period of 28 days in which to respond to the Notice of Proposal by disputing the Notice and making written representation to RQIA. You will be provided with a form on which to make your representation.

Where you have disputed the Notice of Proposal and made written representation to RQIA, this will be considered by RQIA who will decide to accept or refuse the written representation (or parts thereof). You will be advised of the outcome by the issue of a Notice of Decision and will be given a period of 28 days in which to respond to the Notice on a form provided. At this stage you may either accept the notice or appeal the matter to the Care Tribunal. Where you have accepted the Notice of Decision, and the registration is subject to conditions, a Certificate of Registration for the establishment and agency will be issued containing these conditions.

If you do not respond to the Notice issued by RQIA within the 28 day period allowed, this is taken as your acceptance of the details it contains and a Certificate of Registration will be issued to you.

7.3 Application Refused

Should your application be refused, RQIA will issue you with a Notice of Proposal to refuse your application. You are given a period of 28 days in which to respond to the Proposal by disputing the Notice and making written representation to RQIA. You will be provided with a form on which to make your representation.

Where you have disputed the Notice of Proposal and made written representation to RQIA, this will be considered by RQIA who will decide to accept or refuse the written representation (or parts thereof). You will be advised of the outcome through the issue of a Notice of Decision and will be given a period of 28 days in which to respond to the Notice on a form provided. At this stage you may either accept the Notice or appeal the matter to the Care Tribunal.

If you do not respond to the notice issued by RQIA within the 28 day period, this is taken as your acceptance of the details it contains. A refusal or return of application will not prevent you from reapplying once you are able to

evidence that all requirements as per legislation and minimum care standards can be fulfilled.

8 COMPLAINTS

RQIA operates a complaints procedure that allows any applicant to make a complaint if they are dissatisfied or consider RQIA has not followed its registration procedures.

As previously outlined, the complaints procedure cannot be used to challenge a decision made. Decisions may be challenged by making a written representation after a Notice of Proposal has been issued or by appealing to the Care Tribunal after a Notice of Decision has been issued.

9 DATA PROTECTION ACT 1998 - FAIR PROCESSING NOTICE

Personal data in this form may be accessed and used in accordance with RQIA's requirements as outlined in The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and associated Regulations in line with RQIA's registration and notification with the ICO under the Data Protection Act 1998 and in compliance with the Freedom of Information Act 2000. To comply with statutory and government requirements, data may be disclosed to external agencies such as (but not exclusively): DHSSPSNI, NIAO, AccessNI. RQIA will not disclose any personal information to any third parties without the express consent of the Data Subject, except where required by law. From January 2005 personal data may, in exceptional circumstances where the public interest outweighs the individual's rights to privacy, be released under the auspices of the Freedom of Information Act 2000. Any queries concerning Data Protection and Freedom of Information should be addressed to the Head of Information within RQIA.

Contact details and further information in relation to the use of personal data can be found on RQIA's web site <http://www.rqia.org.uk> For general information please visit <http://www.informationcommissioner.gov.uk>

APPENDIX 1 – AccessNI's Acceptable forms of identification

You must send three forms of ID to AccessNI. One document from Group 1 and two documents from Group 1, Group 2a or Group 2b. One document must show your current address.

If you can't provide a document from Group 1, you must send four documents from Groups 2a and 2b. One document must be a birth certificate. One document must show your current home address.

If you can't provide these documents, contact AccessNI:

- telephone 0300 200 7788

You might need:

- to get an external validation check from a commercial organisation
- to go to a police station to have your fingerprints taken

9.1 Group 1 identity documents

You must select one from the list below:

- current passport (any nationality)
- Biometric Residence Permit (UK)
- current driving licence (UK, Ireland, Isle of Man, Channel Islands or any EEA country)
- original birth certificate (UK, Isle of Man or Channel Islands) issued at time of birth
- original long form Irish birth certificate issued at time of registration of birth (Ireland)
- adoption certificate (UK, Isle of Man or Channel Islands)

9.2 Group 2a identity documents

You must select two from the list below:

- birth certificate (UK, ROI, Isle of Man or Channel Islands) issued after time of birth
- marriage/civil partnership certificate (UK, Ireland, Isle of Man or Channel Islands)
- HM Forces ID card (UK)
- firearms licence (UK and Channel Islands)
- current driving licence photocard (full or provisional) all countries outside the EEA
- current driving licence, full or provisional paper version if issued before 1998 (UK, Isle of Man, Channel Islands, EEA)
- electoral ID card (NI only)
- Immigration document, visa or work permit (issued by a country outside the EEA - valid only if the applicant is working in the country that issued the document)

9.3 Group 2b documents

From the list below, you must use documents issued in the last 12 months:

- mortgage statement (UK, EEA)
- financial statement such as ISA, pension or endowment
- P45 or P60 statement (UK, Channel Islands)
- Land & Property Services rate bill
- property tax statement from council (Great Britain, Channel Islands)

From the list below, you must use documents issued in the last three months:

- credit card statement (UK, EEA)
- bank or building society statement (UK, EEA)
- bank or building society statement (outside EEA) - the branch must be in the country where you live and work
- central or local government, government agency, or local council document giving entitlement, for example from the Department for Work and Pensions, The Employment Service, HMRC (UK, Channel Islands)
- bank or building society account opening confirmation letter (UK, EEA)
- utility bill but not a mobile telephone bill (UK, EEA)
- benefit statement such as child benefit, pensions (UK, Channel Islands)

Documents on the list below must be valid when you apply for the check:

- EU national ID card
- 60+ or Senior (65+) Smartpass issued by Translink (NI)
- yLink card issued by Translink (NI)
- cards carrying the PASS accreditation logo (UK, Isle of Man, Channel Islands)
- letter from head teacher or further education college principal (UK for 16 to 19 year olds in full time education, this is used if other documents cannot be provided)
- letter of sponsorship from future employment provider or voluntary organisation (non UK or non EEA only for applicants residing outside the UK at time of application.)