

Issued March 2015  
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## **RQIA Guidance in relation to the registration of Nursing Agencies in Northern Ireland**

### **1. Guidance for Employment Agencies**

RQIA is aware of recent queries relating to the registration status of recruitment / employment agencies and businesses, and specifically agencies involved in the supply of nurses.

Please note the following legislative definition of a 'nursing agency', as per the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003:

*"nursing agency" means, subject to paragraph (8), an employment agency or employment business, being (in either case) a business which consists of or includes supplying, or providing services for the purpose of supplying, registered nurses, registered midwives or registered health visitors;*

All employment businesses or agencies supplying nurses in Northern Ireland will be required to register with RQIA as a 'nursing agency' and will have to comply with the requirements of The Nursing Agencies Regulations (Northern Ireland) 2005 and The Nursing Agency Minimum Standards – July 2008.

This requirement will apply regardless of the environment in which the supplied nurses are being placed i.e. into a nursing home, HSC hospital, independent hospital / hospice, a person's own home, or any other environment.

Recruitment agencies are **not** permitted to supply nurses in Northern Ireland without first being registered with the RQIA, and in receipt of a RQIA certificate of registration. It is an offence under Article 12 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 to operate as a nursing agency without the appropriate registration (please see the relevant extract from the 2003 Order) -

*"Any person who carried on or manages an establishment or agency of any description without being registered under this Part in respect of it (as an establishment or, as the case may be, agency of that description) shall be guilty of an offence"*

Any agency found to be supplying nurses in Northern Ireland without being registered with RQIA will be required to cease these activities immediately. An agency or individual who continues to supply nurses despite being aware of the need to register may be subject to prosecution.

If you wish to apply to register your agency with RQIA, please contact the Registration Team on 028 9536 1882, or by email at [registration@rqia.org.uk](mailto:registration@rqia.org.uk). An administrator on the team will be able to forward you the relevant application pack and guidance, and can advise you on the registration process.

In addition to being registered with RQIA, all recruitment agencies must also be inspected by the Department of Employment and Learning. Please see the contact details of the relevant section in DEL:

**Employment Agency Inspectorate (EAI)**

Web Address: <https://www.economy-ni.gov.uk/eai>

Telephone: 028 9025 7554

Email: [eai@economy-ni.gov.uk](mailto:eai@economy-ni.gov.uk)

Address: Department for the Economy, Fourth Floor, Adelaide House 39-49 Adelaide St, Belfast, BT2 8FD

## 2. Guidance for Registered Providers

It remains the legislative responsibility of a Registered Person to ensure that the necessary information has been obtained for all members of staff providing care, regardless of whether the staff member is directly employed by the service provider or has been supplied by an employment agency.

This information shall include:

- Two written references, relating to the person, including a reference from the person's present or most recent employer, if any.
- A fresh AccessNI check, assessed by the registered person as suitable.

Registered Persons must ensure that appropriate information is available for any staff working in their service, even if supplied by another agency.

Any employment agency supplying nurses in Northern Ireland will need to be registered with RQIA as a 'nursing agency' and therefore the Registered Person should ensure that the agency does appear on the RQIA public register, which can be downloaded from the RQIA website at the following link:

<https://www.rqia.org.uk/what-we-do/register/services-registered-with-rqia/>

Alternatively the Registered Person may contact the Registration Team in order to ascertain whether an agency is RQIA registered.

Even when using an employment agency registered with RQIA, registered persons must still satisfy themselves that the appropriate information has been obtained for temporary workers before they start work.

If you have any queries regarding this guidance note, please contact either the Registration Team or the Agencies Inspection Team on 028 9536 1111.

Yours sincerely,

**Theresa Nixon**  
**Director of Assurance**