

# Guide to registration for children's social care services

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This guidance provides you with information about the registration of social care services. It will help you decide whether you need to apply for registration and explains what processes your application will go through before we can decide whether you are suitable to be registered as a social care provider or manager.

**Age group:** 0–18

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**Published:** July 2013

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**Reference no:** 090020



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No. 090020

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## Introduction

1. This guidance provides you with information about which children's social care services are required to register with Ofsted. These are collectively known as establishments (children's homes, holiday schemes for disabled children and residential family centres) or agencies (adoption support agencies, independent fostering agencies and voluntary adoption agencies). It also sets out the requirements for registered managers. It will help you decide whether to apply and explains what processes your application will go through before we can decide whether you are suitable for registration as a social care provider or manager.
2. The registration process looks at your fitness to deliver social care services. If we register you, we will continue to assess your ability to provide or manage children's social care through regular inspections. There is more information on inspection in paragraphs 122 to 124 of this guidance.

## How to obtain more information

3. As well as this guide to registration, we have a number of other guidance documents about children's social care establishments and agencies with further detailed information about a range of subjects. A list of guidance you may find helpful, information about the underpinning legislation, web links and contact details for other relevant organisations' documents is provided in Annex A.
4. To obtain copies of any of the guidance mentioned in this document you can:
  - follow the links in this document if you are using it online
  - download the guidance from our website, [www.ofsted.gov.uk](http://www.ofsted.gov.uk)
  - telephone our help line 0300 123 1231 and ask for specific guidance to be sent to you
  - write to us asking for the information at the following address:

Ofsted  
National Business Unit  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD.

## Establishments and agencies that must register with us

5. We register the children's social care establishments and agencies listed below. Each of these, except for voluntary adoption agencies, must also have a registered manager. There is more information about each type of social care establishment and agency in our introductory guides. The establishments and agencies that **must** register with us are:

- voluntary adoption agencies
- adoption support agencies
- children's homes, including secure children's homes (these are types of establishments)
- holiday schemes for disabled children
- independent fostering agencies
- residential family centres (this is a type of establishment).

6. The law requires you to register with us each and every establishment and agency you operate. You cannot register with us just once to operate multiple establishments or agencies. Each one must have an individual registration. It is an offence to operate any of these without being registered to do so.<sup>1</sup>

7. We will register any number of individual establishments as one children's home, where they are located on or adjacent to one site. Our guidance about multi-site registrations provides more information.<sup>2</sup> We also have guidance about children's homes that accommodate young adults<sup>3</sup> and for mobile services.<sup>4</sup>

8. Voluntary adoption agencies can only have one principal office, but can have separate branches. Although branches are part of the same registration as the principal office and are listed on the same certificate, you must complete an application and pay a separate application fee for each branch. Please note that we can only register an organisation that is 'not carried on for profit'.<sup>5</sup>

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<sup>1</sup> The Care Standards Act 2000 Regulation 11 (1)). Section 11(1) of the Care Standards Act does not apply to voluntary adoption agencies. For these agencies it is an offence under section 93 of the Adoption and Children Act 2002 to carry out certain prescribed steps of section 92 of that Act without being registered as an adoption agency. The offences within the Adoption and Children Act 2002 relate to both the provider and manager.

<sup>2</sup> *Guidance on the registration of multi-site children's homes* (080239), Ofsted, 2008; [www.ofsted.gov.uk/resources/guidance-registration-of-multi-site-childrens-homes](http://www.ofsted.gov.uk/resources/guidance-registration-of-multi-site-childrens-homes).

<sup>3</sup> *Guidance on inspecting and regulating children's homes with accommodation for young adults* (100116), Ofsted, 2011; [www.ofsted.gov.uk/resources/guidance-inspecting-and-regulating-childrens-homes-accommodation-for-adults-wholly-or-mainly-children](http://www.ofsted.gov.uk/resources/guidance-inspecting-and-regulating-childrens-homes-accommodation-for-adults-wholly-or-mainly-children).

<sup>4</sup> *Guidance for mobile services* (100252), Ofsted, 2011  
<http://www.ofsted.gov.uk/resources/guidance-for-mobile-services>.

<sup>5</sup> Adoption and Children Act 2002, Part 1, Chapter 2(2)(5)

9. Registered providers, such as independent fostering agencies, may sell franchises to other people or organisations. Here, the franchisee must make a separate application to register with us.

10. For more information about establishments that offer placements to parents and their children, and what they should register as, please see our introductory guide to residential family centres.<sup>6</sup>

11. There are some social care services that we inspect but do not register. Those social care services **not** required to register with us are:

- boarding schools (unless they require registration as children's homes)
- local authority adoption services
- local authority fostering services
- private fostering arrangements
- residential special schools (unless they require registration as children's homes)
- secure training centres.

## **Why we register children's social care establishments and agencies**

12. We register children's social care establishments and agencies to:

- protect children and young people
- ensure that the establishment or agency meets the requirements of the relevant legislation
- ensure that providers and managers deliver, as a minimum, satisfactory outcomes for the children, young people and adults who they provide services for
- provide information about the quality of an individual establishment or agency to a range of key stakeholders, including children and young people, adult service users, parents and carers, and commissioners.

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<sup>6</sup> *Introduction to residential family centres* (090257), Ofsted, 2011;  
[www.ofsted.gov.uk/resources/childrens-social-care-registration-introduction-residential-family-centres](http://www.ofsted.gov.uk/resources/childrens-social-care-registration-introduction-residential-family-centres).

## People connected with a registration

### The provider

13. The law requires an application for each social care establishment or agency from the person wishing to provide the service. This person, once registered, is the **registered provider** and is legally responsible for complying with the requirements of legislation. The provider may be:

- an individual
- a partnership; when a partnership makes an application to register, each person in the partnership must apply for registration and be granted by us
- an organisation; this includes companies, limited liability partnerships, unincorporated associations, such as committee-run provision and statutory bodies, such as local authorities. All organisations must nominate a person to represent it in its dealings with us. This representative is known as the **responsible individual**.

14. Where the provider is an organisation, we need to know about all the individuals that make up the provider. This could be the director, manager, secretary, clerk, treasurer, trustee or any other similar officer of the organisation. We will ask for their details as part of the application.

### The responsible individual

15. The responsible individual must be someone who is:

- a director of the organisation
- a manager of the organisation
- a secretary of the organisation
- an officer of the organisation.

16. The responsible individual acts on behalf of the organisation and demonstrates to us how he or she meets the requirements for registration. The responsible individual must also demonstrate on behalf of the provider that the proposed establishment or agency will meet the relevant requirements set out in legislation.

### The registered manager

17. Each registered social care establishment and agency must also have a registered manager, **unless** it is a voluntary adoption agency where only the provider is required to register.

18. The manager's registration is personal to them and granted in respect of a particular establishment or agency. The manager's registration is not transferable to another establishment or agency. An individual may apply to be the registered manager of more than one establishment or agency. He or she must submit an

application and pay a fee for each application. He or she must demonstrate that they have the skills, knowledge and experience to meet the requirements of each establishment or agency. For children's homes, the manager must realistically be able to be in full-time, day-to-day charge of each home. This might, for example, be possible if the homes are separately registered but are adjacent, and are such that full-time, day-to-day management of both is feasible.

19. Two individuals may apply to be the registered manager as a job share. In this case, both individuals must submit an application and both must pay an individual application fee.

20. Anyone applying to be a registered manager must meet the relevant fitness requirements for the type of establishment or agency. These are listed in the relevant regulations set out in Annex A and summarised in our introductory guides. We have separate information for when a manager applies to be the registered manager of an existing establishment or agency in paragraphs 116 to 118.

21. In almost all cases the responsible individual must be a different person to the registered manager, as the law views these as distinct roles, with the responsible individual supervising the management of the establishment or agency on behalf of the organisation. However, it is possible that a responsible individual can be the registered manager and we will consider an application for this as part of the registration process. It is not possible for the responsible individual of a partnership or organisation registered as an independent fostering agency to be the registered manager as legislation does not allow this.<sup>7</sup>

22. If the proposed provider and manager is the same person, we will only grant registration where the individual demonstrates that he or she can both manage the establishment or agency on a full-time, day-to-day basis and ensure that there is effective strategic review of his or her management arrangements. If the individual is not suitably skilled, experienced and qualified, he or she must appoint and register a manager to take full-time, day-to-day control of the establishment or agency.

23. Applications to register a manager must be made when:

- a person applies to register a new establishment or agency
- a new manager starts work at an existing establishment or agency; we have further guidance on this in our publication *Changes to children's social care services that are registered and/or inspected by Ofsted*.<sup>8</sup>

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<sup>7</sup> The Fostering Services (England) Regulations 2011, Regulation 6(2)(a); [www.legislation.gov.uk/uksi/2011/581/part/3/made](http://www.legislation.gov.uk/uksi/2011/581/part/3/made).

<sup>8</sup> <http://www.ofsted.gov.uk/resources/changes-childrens-social-care-services-are-registered-and-or-inspected-ofsted>

## Before applying

24. You cannot operate any of the social care establishments or agencies that require registration until all of the following are complete:

- you send us a full and complete application for registration that includes the application for a registered manager, where applicable<sup>9</sup>
- we decide that you and your proposed manager are fit for registration<sup>10</sup>
- you receive a certificate of registration from Ofsted.<sup>11</sup>

25. An application for registration is only complete when we receive all the information we need to process it, and you have paid the required fee. If you do not send us all the required information with your application form, we will usually return it to you and you will need to resubmit it.

26. To prevent this from happening, you should not send an application to us until you:

- are familiar with the regulations and national minimum standards for the type of establishment or agency you wish to register
- have a Disclosure and Barring Service certificate for everyone who needs one (obtained online via the Capita website<sup>12</sup>)
- have all of your policies, documents and procedures in place as detailed in the service specific regulations and this guidance (these must relate to the establishment or agency you are applying to register)
- have appointed a manager (please note that you must include his or her application to register with us as part of your application; if you do not your application will be returned to you)
- have appointed a responsible individual, where necessary
- have a completed health declaration booklet for everyone who needs one
- have premises that meet any planning requirements and are ready to provide a service.

There is more information about who needs to register in paragraph 42 and more on how to complete the documents required for application in paragraphs 47 to 86.

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<sup>9</sup> All registered services must have a registered manager except voluntary adoption agencies.

<sup>10</sup> Except for voluntary adoption agencies that do not have to have a registered manager.

<sup>11</sup> See footnote 11.

<sup>12</sup> <http://ofsteddbapplication.co.uk>

## Requirements for registration

27. We assess whether each person connected with a registration is 'fit' to provide the service and/or manage it. Each person must have the relevant skills, qualifications and experience for the position he or she holds and must be able to meet the relevant requirements of registration. The requirements are set out in the legislation listed in Annex A and summarised in our introductory guides to specific types of establishments and agencies.

28. We assess your fitness by: scrutinising the information you submit with your application; carrying out checks and interviewing you and anyone else connected with the registration; and by visiting the proposed premises.

29. Once registered as a manager, provider or responsible individual, you must comply with any conditions placed on your registration<sup>13</sup> and the regulations that apply to each establishment or agency.<sup>14</sup> If you do not comply with all the requirements, we have a range of actions we may take to bring about compliance. This may affect your registration, or any future application for registration you wish to make. Cancellation of your registration may also result in you being disqualified from continuing working in, providing or having a financial interest in another establishment or agency. There is more information about the types of action we can take in our *Compliance, investigation and enforcement handbook*.<sup>15</sup>

## Statutory guidance

30. The statutory guidance issued under section 7 of the Local Authority Social Services Act 1970 is primarily for local authorities.<sup>16</sup> It relates to their roles as providers of children's homes and fostering and adoption services and as commissioners of placements in children's homes, independent fostering agencies and voluntary adoption services. However, the guidance is also relevant to private and voluntary children's homes providers, independent fostering agencies, voluntary adoption agencies and adoption support agencies. These registered providers are expected to take the relevant statutory guidance into account in all aspects of their establishment or agency.

31. Providers should use the relevant statutory guidance to help them with developing their establishment or agency so that these meet the requirements of registration. Ofsted takes the statutory guidance into account when making a registration decision.

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<sup>13</sup> The Care Standards Act 2000, Section 24; [www.legislation.gov.uk/ukpga/2000/14/section/24](http://www.legislation.gov.uk/ukpga/2000/14/section/24).

<sup>14</sup> The Care Standards Act 2000, Section 25 (1); [www.legislation.gov.uk/ukpga/2000/14/section/25](http://www.legislation.gov.uk/ukpga/2000/14/section/25).

<sup>15</sup> *Compliance, investigation and enforcement handbook*, Ofsted; [www.ofsted.gov.uk/resources/compliance-investigation-and-enforcement-handbook](http://www.ofsted.gov.uk/resources/compliance-investigation-and-enforcement-handbook).

<sup>16</sup> Local Authority Social Services Act 1970; [www.legislation.gov.uk/ukpga/1970/42/contents](http://www.legislation.gov.uk/ukpga/1970/42/contents).

## Is there anything that could prevent me from registering?

32. The law disqualifies some people from being registered as a provider or manager of a children's home, or having a financial interest or working in a children's home. A number of factors lead to disqualification and you can find a full list of these in our *Compliance, investigation and enforcement handbook*<sup>17</sup> available on our website, or in The Disqualification from Caring for Children (England) Regulations 2002.<sup>18</sup>

33. Disqualification only applies to those connected with children's homes although we will take any such disqualification into account when assessing your suitability to provide any other type of children's social care establishment or agency.

34. If you are disqualified from working with children you can, in some circumstances, ask us to give you written consent to allow you to apply to:

- register with Ofsted as a provider of a children's home
- register with Ofsted as a manager of a children's home
- have a financial interest in a children's home
- employ a disqualified person to work at a children's home.

35. Please note that:

- we cannot give written consent for anyone who is included on the Disclosure and Barring Service's (DBS) list of individuals barred from working with children
- if we consent to allow you to apply for registration this does not mean that you are no longer a disqualified person
- giving consent for you to apply does not automatically mean we will grant registration.

36. It is an offence for a disqualified person to provide, manage or have a financial interest in a children's home without written consent. It is also an offence to knowingly employ a disqualified person without written consent.

37. You can find out more about disqualification by reading our guidance: *Disqualification – Applying for written consent to carry on or manage, have a financial interest in, or be employed at, a children's home*.<sup>19</sup>

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<sup>17</sup> See footnote 12.

<sup>18</sup> Disqualification from Caring for Children (England) Regulations 2002; [www.legislation.gov.uk/ukxi/2002/635/contents/made](http://www.legislation.gov.uk/ukxi/2002/635/contents/made).

<sup>19</sup> *Disqualification – Applying for written consent to carry on or manage, have a financial interest in, or be employed at, a children's home* (080157), Ofsted, 2008; [www.ofsted.gov.uk/resources/disqualification-applying-for-written-consent-carry-or-manage-have-financial-interest-or-be-employed](http://www.ofsted.gov.uk/resources/disqualification-applying-for-written-consent-carry-or-manage-have-financial-interest-or-be-employed).

## Registration fees

38. The law says you must pay a registration application fee as part of your application.<sup>20</sup> This must accompany your application and is non-refundable. The law also requires us to charge you an annual fee **immediately** if we grant registration and then on the anniversary date of your registration. This fee is not related to the frequency of inspections we undertake.<sup>21</sup>

39. You must also pay a single non-refundable fee for an application for a registered manager. This fee is payable for an application for a registered manager connected with a new establishment or agency and also when a new manager is registered for an existing establishment or agency.

40. There are different fees chargeable for each type of establishment and agency. These are set by government and are reviewed at regular intervals. The application packs contain a leaflet with information about current fees.

41. When you apply for a new registration we check if you owe us fees from any previous registration. If this is the case we take this into account when assessing your fitness, integrity and financial viability to provide a service. We recommend that you pay any outstanding fees before you make any new application.

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<sup>20</sup> *Registration fee for children's social care*, Ofsted, 2009; [www.ofsted.gov.uk/resources/registration-fee-for-childrens-social-care](http://www.ofsted.gov.uk/resources/registration-fee-for-childrens-social-care).

<sup>21</sup> *Annual fees for children's social care services*, Ofsted, 2011; [www.ofsted.gov.uk/resources/annual-fees-for-childrens-social-care-services](http://www.ofsted.gov.uk/resources/annual-fees-for-childrens-social-care-services).

## How to apply

### Who is required to register for each type of provider?

42. The table below sets out who we register and who needs to complete the various forms submitted with an application. You will need to make sure that you identify how many of each type of form you need according to the number of people involved with the application.

Type of provider	Entity or person/ persons we register as the provider	Application form (SC1) must be signed by:	Those connected with registration who must be assessed	Name on the certificate
<b>Individual owner</b>	The individual owner is a person who is the sole owner of an establishment or agency	The individual owner	The individual owner and registered manager	The name of the individual owner and registered manager
<b>Company</b> <sup>22</sup>	Companies: <ul style="list-style-type: none"> <li>■ are legally constituted</li> <li>■ have a company name</li> <li>■ have a company registration number</li> <li>■ are registered with Companies House</li> </ul>	1) If you have no registration with Ofsted <ul style="list-style-type: none"> <li>■ A director of the company</li> </ul> <i>or</i> 2) if your company is already registered with Ofsted: <ul style="list-style-type: none"> <li>■ A director of the company</li> </ul> <i>or</i> a responsible individual (RI) who already represents the company.	The person applying to be the responsible individual and registered manager	The company name <i>and</i> the name of the responsible individual and registered manager

<sup>22</sup> Within this guide to registration, company is covered by the term 'organisation'.

Type of provider	Entity or person/ persons we register as the provider	Application form (SC1) must be signed by:	Those connected with registration who must be assessed	Name on the certificate
<b>Statutory body</b> <sup>23</sup>	A statutory body is an organisation where the main purpose of the organisation is provided for under legislation, for example a local authority	1) If you have no registration with Ofsted <ul style="list-style-type: none"> <li>■ A senior official responsible for statutory body</li> </ul> <i>or</i> 2) if your statutory body is already registered with Ofsted: <ul style="list-style-type: none"> <li>■ A director of the statutory body</li> </ul> <i>or</i> <ul style="list-style-type: none"> <li>■ a responsible individual who already represents the statutory body.</li> </ul>	The person applying to be the responsible individual and registered manager	The name of the statutory body <i>and</i> the name of the responsible individual and registered manager
<b>Partnership</b>	A partnership is where two or more people are together but are not registered as a limited company	Where you have no registration with Ofsted and where you are already registered with Ofsted: <ul style="list-style-type: none"> <li>■ a partner on behalf of all partners</li> </ul> <i>or</i> <ul style="list-style-type: none"> <li>■ two or more partners on behalf of all partners</li> </ul> <i>or</i> <ul style="list-style-type: none"> <li>■ all partners</li> </ul>	All partners and registered manager	The partnership name or the names of each of the partners and registered manager

<sup>23</sup> Within this guide to registration statutory body is covered by the term 'organisation'.

Type of provider	Entity or person/ persons we register as the provider	Application form (SC1) must be signed by:	Those connected with registration who must be assessed	Name on the certificate
<b>Limited liability partnership</b>	Limited liability partnerships are registered with Companies House and therefore hold a separate legal identity from the individuals that make up the partnership. These fall within the definition of 'organisation' (their organisation 'type' is company). Their company name (on the company's house website) will have the prefix 'LLP'	1) if you have no registration with Ofsted: <ul style="list-style-type: none"> <li>■ a partner on behalf of all partners</li> </ul> <i>or</i> <ul style="list-style-type: none"> <li>■ two or more partners on behalf of all partners</li> </ul> <i>or</i> 2) if you are a limited liability partnership which is already registered with Ofsted: <ul style="list-style-type: none"> <li>■ a partner on behalf of all partners</li> </ul> <i>or</i> <ul style="list-style-type: none"> <li>■ two or more partners on behalf of all partners</li> </ul> <i>or</i> <ul style="list-style-type: none"> <li>■ a responsible individual who already represents the limited liability partnership</li> </ul>	The person applying to be the responsible individual and registered manager	The name of the limited liability partnership (company) <i>and</i> the name of the responsible individual and registered manager
<b>Charity</b> <sup>24</sup>	Charitable bodies may be: <ul style="list-style-type: none"> <li>■ charitable trusts</li> <li>■ unincorporated associations</li> </ul>	1) if you have no registration with Ofsted: <ul style="list-style-type: none"> <li>■ a director or trustee of the charity</li> </ul>	The responsible individual and registered manager	The name of the charity <i>and</i> the name of the responsible individual

<sup>24</sup> Within this guide to registration, charity is covered by the term 'organisation'.

Type of provider	Entity or person/ persons we register as the provider	Application form (SC1) must be signed by:	Those connected with registration who must be assessed	Name on the certificate
	<ul style="list-style-type: none"> <li>■ limited companies.</li> </ul> Registered charities have a 'registered charity number' and may also have a registered company number	<i>or</i> 2) if you are a limited liability partnership which is already registered with Ofsted: <ul style="list-style-type: none"> <li>■ a director or trustee of the charity</li> </ul> <i>or</i> <ul style="list-style-type: none"> <li>■ a responsible individual who already represents a charity which is registered with Ofsted</li> </ul>		and registered manager

## Obtaining an application pack

43. Application packs are available on our website, [www.ofsted.gov.uk](http://www.ofsted.gov.uk), for you to download, complete and print. You can also telephone or write to us to request us to send you the application forms using the details set out in paragraph 4.

44. You must always submit your full application in hard copy to the address in paragraph 4.

## Application pack contents

45. The application pack for a new registration contains:

- an application form (SC1)
- for each person listed as connected with the registration in the table above:
  - a declaration and consent form (SC2)\*
  - a fit person questionnaire for the manager and the provider
  - a health declaration booklet \*
- a financial reference form
- a registration fee form
- a leaflet on fees
- envelopes to return forms
- an application check list
- a form about any types of additional communication you intend to use<sup>25</sup>
- a copy of this guide to registration.

\*We provide two copies of each of these in our paper application packs. If you require further copies you can download these from our website ([www.ofsted.gov.uk](http://www.ofsted.gov.uk)) or request additional copies by telephoning or writing to us using the details in paragraph 4.

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<sup>25</sup> Returning this form with your application pack is optional. The application pack will **not** be considered incomplete if you do not return this form with your application.

## Correspondence about your application

46. If we need to contact you about your application we send any correspondence to:

- an individual provider at the proposed address for the establishment or agency
- an organisation or limited liability partnership at the organisation or limited liability partnership's office or address.
- a manager at his or her personal address.

## Completing the application

47. You must complete all parts of the application pack as fully as possible and include all of the documents set out in paragraph 45. Please note that it is an offence if you knowingly make a statement that is false or misleading in an application.<sup>26</sup>

48. If you or your organisation made a social care application after 30 September 2010 you are not required to supply us with information provided as part of the previous application, if that information has not changed.<sup>27</sup>

## The application form (SC1)

49. The application form asks for information about the people applying to register, the service you intend to offer and the premises that you intend to use as a children's home or residential family centre or to operate an agency from.

50. You will be asked to tell us about any **conditions of registration** you are applying for.<sup>28</sup> Conditions of registration are restrictions on your registration and most commonly include the number of children and young people to be accommodated in a children's home or the type of adoption services you provide. The conditions that will apply depend on the type of establishment or agency you are applying to register. You can find out more information about conditions in *Conditions of registration for all regulated social care services and categories of registration for children's homes and voluntary adoption agencies*.<sup>29</sup>

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<sup>26</sup> The Care Standards Act Section 2000 27(1); [www.legislation.gov.uk/ukpga/2000/14/section/27](http://www.legislation.gov.uk/ukpga/2000/14/section/27).

<sup>27</sup> The Care Standards Act 2000 (Registration)(England) Regulations 2010, Part 2 (3); [www.legislation.gov.uk/uksi/2010/2130/regulation/3/made](http://www.legislation.gov.uk/uksi/2010/2130/regulation/3/made).

<sup>28</sup> For full details of the conditions of registration please refer to The Care Standards Act 2000 (Registration)(England) Regulations 2010, [www.legislation.gov.uk/uksi/2010/2130/made](http://www.legislation.gov.uk/uksi/2010/2130/made).

<sup>29</sup> *Conditions of registration for all regulated social care services and categories of registration for children's homes and voluntary adoption agencies* (110049), Ofsted, 2011; [www.ofsted.gov.uk/resources/conditions-of-registration-for-all-regulated-social-care-services-and-categories-of-registration-for](http://www.ofsted.gov.uk/resources/conditions-of-registration-for-all-regulated-social-care-services-and-categories-of-registration-for).

## Disclosure and Barring Service certificates

51. Before sending in your application to register an establishment or agency, everyone listed as needing an **enhanced** Disclosure and Barring Service certificate (also known as a criminal records check) in the table above must have one.
52. We only accept Disclosure and Barring Service certificates that have been applied for online through the Capita website.<sup>30</sup>
53. If you or anyone else who needs a certificate already has one, which was applied for through Ofsted, you should phone us on 0300 123 1231 to check with us to see if we will accept it as current. Alternatively, you may email us at [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). You should give as much detail about your past registration with Ofsted as possible.
54. If you and/or others do not hold acceptable Disclosure and Barring Service certificates, you must obtain one by making an online application via the Capita website. Capita is the organisation contracted by Ofsted to carry out all DBS checks.
55. To start your DBS application online, you will need a 'Capita Organisation Reference', this is **OFSTEDP**. There is further information about the DBS process including details concerning the fee, the arrangements for identity checking, the types of identity documents that are acceptable and how to complete the online application on the Capita website.<sup>31</sup>
56. When the necessary checks have been made, the Disclosure and Barring Service will send the certificate to you. You must not send your DBS certificate to Ofsted unless we contact you to request it. If there is a delay or you have a question regarding your Disclosure and Barring Service application you will need to contact Capita.<sup>32</sup>
57. Once you, and everyone else connected with the application, have an enhanced certificate issued through Ofsted, you can proceed with the application. You are asked to put your DBS registration number on the application form (SC2).
58. Please note if you, or anyone connected with the application, do not have a Disclosure and Barring Service certificate that complies with our requirements we will return the whole application to you until these are available, and you will have to resubmit the whole application.

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<sup>30</sup> <http://ofsteddbapplication.co.uk>

<sup>31</sup> As above

<sup>32</sup> Telephone 0870 850 2516 (Option 2) or email [OfstedEnquiries@capita.co.uk](mailto:OfstedEnquiries@capita.co.uk)

## The declaration and consent form (SC2)

59. The declaration and consent form asks for your consent for us to carry out a series of checks and to use information from these to decide if you are suitable to be a registered provider or a registered manager. We carry out checks with:

- the Director of Children’s Services in the area(s) where you live or have lived for the last five years
- the Disclosure and Barring Service<sup>33</sup>, including:
  - details of spent convictions normally exempt from disclosure under the Rehabilitation of Offenders Act 1974
  - the list of individuals barred from working with children.
- professional referees
- where necessary any other person or organisation who has relevant information about you, or where we need further details to make a decision about your suitability, for example your general practitioner or another medical professional.

60. We ask you to obtain a Disclosure and Barring Service certificate and we use the information from this to inform our decision about your suitability. We can ask to see your Disclosure and Barring Service certificate at any time. We may ask you to send this to us by post. We recommend that you consider using recorded delivery as this is a personal identity document. You will also have to bring your original Disclosure and Barring Service certificate to any fit person interview we conduct.

## Professional references

61. The declaration and consent form asks you for the details of two referees who can give you professional references. You should agree in advance with each referee that they are able to provide a reference. When we receive a complete application we ask the referees you have provided for information. Before we contact them we check the suitability of these two referees:

- One of the two referees must be your **most** recent employer. If this is not possible you should explain why in your application. We accept an employer’s reference from the owner or director of an organisation. We do not usually accept a reference from anyone other than these people unless the employer gives us their written permission for a named person to supply a reference on their behalf.
- The second reference must be from someone who has known you in a professional capacity and can comment on your work. It should also be from someone from a **different organisation** to your first referee.

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<sup>33</sup> Capita is contracted to carry out all checks with the Disclosure and Barring Service on Ofsted’s behalf.

- One of the two referees must have employed you for a minimum of three months.

62. Referees must be able to comment on:

- your ability to run, manage or supervise the type of establishment or agency for which you are making an application
- your skills and experience in relation to management and leadership, financial management, safeguarding and health and safety
- your honesty, reliability and trustworthiness
- your professional and technical qualifications
- any disciplinary investigation or action taken against you.

63. Where you put forward referees who do not comply with the guidance detailed in paragraph 61 or who would not be able to give answers to the bullet points in paragraph 62, we may have to ask you to provide details of another referee. This is likely to delay our registration decision.

### **Five-year address history**

64. We ask each individual connected with the application to complete a five-year address history as part of your SC2. We use this to carry out a check with the local authorities in all the areas where you have lived during this five-year period. We ask the local authorities listed to check their records to see whether:

- you have been subject to any child protection concerns; including whether you have had a child removed from your care
- there are records of you having any other involvement that might affect your ability to be a registered provider or a registered manager.

### **Fit person questionnaire**

65. We assess applicants' suitability to provide or manage a children's social care establishment or agency and, as part of this interview, everyone who is listed as being connected with the registration in the table at paragraph 42. To help you to prepare for the interview, we ask the provider and manager to complete a fit person questionnaire. This will also provide us with some information about your knowledge, skills and experience in relation to the establishment or agency you propose to carry on or manage. Please return this with your application pack. You may wish to retain a copy to help you at the interview. You will also need to bring original copies of the documents referred to paragraphs 93 and 94.

## Health declaration booklet

66. Everyone who completes a declaration and consent form, as detailed in the table above, must also complete a health declaration booklet and have it endorsed by his or her doctor. The booklet asks for information about your current and past health so that we can determine your mental and physical suitability to provide or manage a service for vulnerable children and young people or other service users. You must:

- complete section one of the health declaration booklet
- take the health declaration booklet to your doctor to verify the information provided. You will need to provide the doctor with a stamped, self-addressed envelope so that he or she can return the health declaration booklet to you by post. The doctor may charge you a fee for completing this form
- return the completed booklet(s) to us with your application.

**The following documents are required for full applications to register a service only and not as part of any manager's application for an already registered service.**

## Statement of purpose

67. You must have a statement of purpose for each establishment or agency you are applying to register.<sup>34</sup> You must send this in as part of your application. Its contents vary according to the type of service you intend to operate and must be specific to the particular establishment or agency you are applying to register. For example, if you are applying to register a children's home for disabled children you will need to demonstrate in your statement how you will do this.

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<sup>34</sup> The Children's Homes Regulations 2001, Regulation 4; [www.legislation.gov.uk/uksi/2001/3967/regulation/4/made](http://www.legislation.gov.uk/uksi/2001/3967/regulation/4/made).  
The Fostering Services (England) Regulations 2011, Regulation 3; [www.legislation.gov.uk/uksi/2011/581/regulation/3/made](http://www.legislation.gov.uk/uksi/2011/581/regulation/3/made).  
The Adoption Regulations 2003, Regulation 2; [www.legislation.gov.uk/uksi/2003/370/regulation/2/made](http://www.legislation.gov.uk/uksi/2003/370/regulation/2/made).  
The Residential Family Centre Regulations 2002, Regulation 4; [www.legislation.gov.uk/uksi/2002/3213/regulation/4/made](http://www.legislation.gov.uk/uksi/2002/3213/regulation/4/made).

68. Broadly, the statement of purpose should cover:

- a statement of the aims and objectives, facilities and services to be provided
- the name of the proposed registered provider and proposed registered manager (if applicable) and their relevant qualifications and experience
- the proposed organisational structure
- the numbers of staff who will be employed, their job roles and titles and the name and qualifications of any person you have already appointed
- the arrangements for staff supervision, training and development
- the age range, gender and which kinds of children's and young people's needs you intend to care for (children's homes only)
- admission and assessment criteria
- a description of the underlying philosophy and ethos of the service
- important policies and procedures such as safeguarding, fire, consultation with people who use your establishment or agency, care planning, the arrangements for dealing with complaints and the promotion of equality and diversity.

69. The establishment or agency must not provide services or accept placements unless children's and adults' needs are fully detailed in the statement. For example, where an establishment or agency provides for a specific learning disability, the statement must specifically cover the needs of this type of learning disability. Furthermore, where a children's home intends to take emergency placements, this must be detailed in the statement. If an establishment decides to accept emergency placements, doing so must not breach any conditions of registration in place at the time.

70. In essence, the statement shows that the provider and registered manager know the requirements placed on them by registration and understand how to meet them. It is therefore important that it is individual and specific to a particular establishment or agency. The provider, manager and senior staff must take ownership for ensuring that the document is up to date and remains appropriate. It is not acceptable to have one standardised statement of purpose for a number of establishments or agencies owned by one company.

71. The statement of purpose is likely to be read by a wide range of people, including:

- placing authorities
- children and their parents
- inspectors
- visiting professionals
- staff.

72. It is therefore essential that the statement of purpose is:

- easy to understand
- jargon free
- easily accessible to all interested individuals
- kept up to date.

73. Inspectors use the statement of purpose as a blueprint of what to expect when they inspect. We use this document as the basis for your regulatory accountability.

74. It is an offence for the provider of an adoption support agency or a residential family centre to operate their service in a manner that is not consistent with their statement of purpose.

75. For the provider of a children's home or an independent fostering service it is a breach of regulations if they do not comply with their statement of purpose.

76. Providers must keep their statement of purpose up to date<sup>35</sup> so that it describes the level and nature of the services provided at any time, the facilities that will be available to support service provision and the range of children's, and where appropriate adults', needs that the establishment or agency caters for. Providers must therefore ensure that the statement of purpose is maintained in accordance with statutory regulations at all times. Any changes to the statement must be notified to Ofsted. Please see our guidance: *Changes to children's social care services that are registered and/or inspected by Ofsted.*<sup>36</sup>

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<sup>35</sup> [The Children's Homes Regulations 2001](#) as amended, Regulation 5. [The Adoption Support Agencies \(England\) and Adoption Agencies \(Miscellaneous Amendments\) Regulations 2005](#), Regulation 6. [The Voluntary Adoption Agencies and the Adoption Agencies \(Miscellaneous Amendments\) Regulations 2009](#), Regulation 4. [The Residential Family Centres Regulations 2002](#), Regulation 4 (4). [The Fostering Services \(England\) Regulations 2011](#), Regulation 4.

<sup>36</sup> *Changes to children's social care services that are registered and/or inspected by Ofsted* (100253), Ofsted, 2011; [www.ofsted.gov.uk/resources/changes-childrens-social-care-services-are-registered-and-or-inspected-ofsted](http://www.ofsted.gov.uk/resources/changes-childrens-social-care-services-are-registered-and-or-inspected-ofsted).

## Children and young people's guide or resident's guide

77. All establishments or agencies requiring registration must also produce a children's, or service user's guide.<sup>37</sup> This must comply with the requirements of service specific regulations.<sup>38</sup> The guide must meet the needs of the children, young people or adults you intend to provide services for, for example it must be in a format they can understand. You must submit the guide as part of a children's home application and we recommend you submit the guide with your application for all other establishments or agencies as this will help reduce the time required for the registration visit.

## Behaviour management policy (children's homes only)

78. A behaviour management policy must be included with all applications to register a children's home. The policy must meet with requirements set out in legislation.<sup>39</sup>

## Financial reference

79. You must provide a financial reference, signed and/or stamped by your bank manager.<sup>40</sup> This must include details about the viability of the proposed establishment or agency. There is a form for a financial reference included within the application pack. We prefer you to use this form but you can supply the detail in other ways. However, this must be in hard copy, submitted at the time you first make your application and must contain:

- the name and address of your bank manager
- details of the service you are applying to register
- details about why you are asking for a banker's reference for Ofsted
- details about your financial position
- details about your reliability to run the establishment or agency you have applied to register.

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<sup>37</sup> The Care Standards Act 2000 (Registration)(England) Regulations 2010, Regulation 3(2)(b) Schedule 2, 10, Regulation 3(4) Schedule 4, 13; [www.legislation.gov.uk/uksi/2010/2130/made](http://www.legislation.gov.uk/uksi/2010/2130/made).

<sup>38</sup> The Children's Homes Regulations 2001, Regulation 4(3); [www.legislation.gov.uk/uksi/2001/3967/regulation/4/made](http://www.legislation.gov.uk/uksi/2001/3967/regulation/4/made).

The Fostering Service (England) Regulations 2011, Regulation 3(3); [www.legislation.gov.uk/uksi/2011/581/regulation/3/made](http://www.legislation.gov.uk/uksi/2011/581/regulation/3/made).

The Adoption Support Agency Regulations 2005, Regulation 5(1)(5) (required for adoption support agencies who provide services to children); [www.legislation.gov.uk/uksi/2005/691/regulation/5/made](http://www.legislation.gov.uk/uksi/2005/691/regulation/5/made).

The Residential Family Centre Regulations 2002, Regulation 4(3); [www.legislation.gov.uk/uksi/2002/3213/regulation/4/made](http://www.legislation.gov.uk/uksi/2002/3213/regulation/4/made).

<sup>39</sup> The Children's Homes Regulations 2001, Regulation 17.

<sup>40</sup> This does not apply where the applicant is a local authority.

## **Fees form**

80. You must complete and return the fees form together with a cheque for the relevant fee made payable to 'Ofsted'. Please make sure your cheque is signed and dated. We cannot accept an application without the relevant fee.

## **Application checklist**

81. To ensure that we can deal with your application in a reasonable timescale, we will only accept complete applications. To help you ensure that your application is complete, we provide an application checklist with each application pack. Please complete the checklist and send it back with your application.

82. Responsibility for providing all the information we require to arrive at a decision about your application rests with you. You must check that information we require is submitted or available to us. For example, you must ensure that we receive responses to our requests for references and that the premises you propose to operate from are ready for use when you apply for registration.

## Types of communication systems you intend to use

83. We ask you to complete and return a form about any communications systems you intend to use regularly, such as Makaton or British sign language, with your application. There is a list of regularly used communication systems on the form and we have left space for you to add any others you use that are not listed. We use this information to help us communicate better with the children or young people for whom you wish to provide a service.

84. If you do not use any specific communication system with children and young people you do not have to return this form with your application. We **do not** consider your application incomplete because you have not returned a copy of the 'types of communication systems used at an establishment or agency' form.

## Planning permission

85. You are responsible for checking with the local authority planning department whether or not planning permission is required. We ask you to provide a copy of planning permission granted or evidence from the local authority planning department that no planning permission is needed. Although this does not have to be supplied as part of your initial application, we do need a copy before we can make a registration decision. If you experience any problems whilst obtaining planning permission or evidence that permission is not required, please contact us using the details provided in paragraph 4.

## Certificate of insurance

86. You must provide a certificate of insurance in respect of death, injury, public liability, damage or other loss, before registration.<sup>41</sup> The certificate must show that there is public liability insurance cover for your service. Where an organisation has a corporate insurance policy, the certificate may not list every premises, but you must be able to demonstrate that the service is covered.

## What happens next?

87. We aim to complete the registration process within 16 weeks of receiving a complete application for a new service and within 12 weeks for a proposed registered manager of an already registered establishment or agency. The flowchart below shows the steps of the application process.

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<sup>41</sup> Under regulation 3(2)(b), schedule 2, paragraph 8 of The Care Standards Act 2000 (Registration) (England) Regulations 2010.

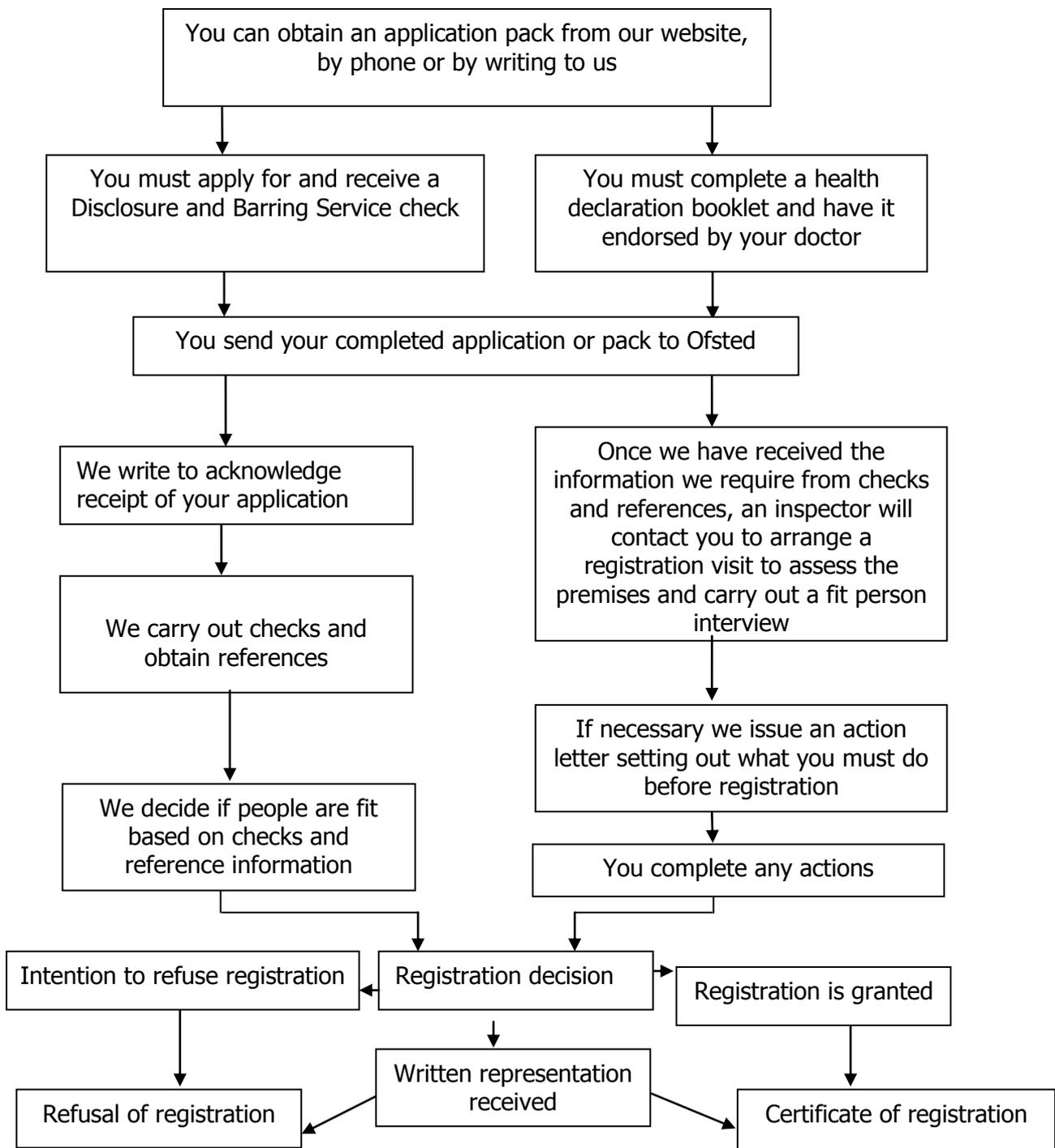
88. Please note that applications are not subject to tacit approval under the EU Services Directive. Tacit approval relates to a situation in which an authority does not process an application for registration within the published timescales and the application as a result becomes deemed as having been granted. It does not apply to applications to Ofsted for registration as a children's social care provider because different arrangements are in place for overriding reasons relating to the public interest, namely the need to safeguard and protect children's welfare.<sup>42</sup>

89. When we have received your application we assess it to see whether it is complete. If it is:

- incomplete, we return it to you
- complete, we start to process your application.

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<sup>42</sup> Provision of Services Regulations 2009, Regulations 19(5) and (6); [www.legislation.gov.uk/uksi/2009/2999/contents/made](http://www.legislation.gov.uk/uksi/2009/2999/contents/made).



## The registration visit

90. We aim to undertake one registration visit during which we assess the premises and services you intend to provide, and interview all those connected with the application. We do not usually carry out the registration visit and fitness interviews until we have received all the other required information from checks and references.

91. In some cases it may be necessary to make more than one visit during the registration process if several people need to be interviewed. For example, if a partnership is registering and we need to interview several partners as well as the manager.

## How can I prepare for the inspector's visit?

92. The inspector's role at the visit is to:

- check that the premises are safe and suitable for the purposes intended in the application
- assess how many children and young people or service users you may be registered to provide services for
- check whether all the applicable policies and procedures are in place to meet the relevant national minimum standards, and regulations for the type of service you propose to register
- check and assess whether you meet the requirements of other relevant bodies for example, the fire authority or local authority planning department
- check your identity by looking at identity documents, including your Disclosure and Barring Service certificate
- check your qualifications (we will need to see original copies of your qualifications)
- interview you about your fitness to provide or manage an establishment or agency.

## **What documents do I need to show the inspector during the registration visit?**

93. You must provide identity documents that prove your current name and any other names you have used. These are:

- photographic identification such as a current passport or a new-style driving licence
- your full birth certificate
- evidence of any change of name. If you have changed your name by marriage, deed poll, adoption, statutory declaration or any other means you need to provide evidence of this change, for example a marriage certificate or decrees
- two pieces of evidence confirming your current address, for example:
  - a utility bill (gas, telephone, electricity)
  - a credit card, bank or mortgage statement
  - any recent communication from your local authority or a government agency, for example the Department for Work and Pensions or HM Revenue and Customs.

94. You must bring original copies of your qualifications (the inspector will ask to see any certificates you have) and your Disclosure and Barring Service certificate to your interview. We do not accept photocopies.

95. The inspector will ask questions about your understanding of important aspects of your establishment or agency, such as how you propose to lead and manage the service, safeguarding, staff recruitment and management, how your proposed establishment or agency intends to promote good outcomes for children, and your professional knowledge. Inspectors base the interview on your completed pre-registration questionnaire, the statement of purpose, children's guide or service user guide and any other information we have about you.

96. Inspectors expect to see all the policies and procedures you need to have in place for registration, as set out in the relevant national minimum standards and regulations for each establishment or agency. Further information about which policies and procedures you need are in our introductory guides.

97. You must have available all the necessary certificates relating to the premises. There are more details about the evidence we need for the premises below. We need to see, for example, the landlord's gas safety certificate, electrical installation test certificate, portable appliance testing, certificates for equipment (for example lifts, hoists) and insurance certificates.

98. You must have available all recruitment records for the staff you have recruited before the registration visit, including those of the proposed manager and, where applicable, the responsible individual. We will want to see the records for a responsible individual where this person has not been assessed by us at a previous registration. If you normally hold these elsewhere please arrange for them to be available for the inspector at the registration visit.

### **The premises of the proposed establishment or agency**

99. You must demonstrate to us that the premises you propose to use are fit for purpose. We require evidence that the premises comply with:

- national and local planning, building and environmental legislation including disability discrimination requirements where appropriate.<sup>43</sup> We accept written confirmation from the local authority planning department that the premises meet their requirements. If planning permission is required then we must see a copy to show this has been granted. If planning permission is not required, we must see confirmation of this. You must show us a copy of these documents at the registration visit unless you have already submitted it to Ofsted as part of the application.
- fire regulations. We accept a certificate from a local authority that the premises comply with building regulations, certificate of lawful completion and/or written confirmation from the local fire authority
- environmental health regulations. This is only necessary for establishments where food is to be prepared. We accept written confirmation from the local authority environmental health department or planning department that the premises meet the required standards.

100. Regulations require that you must provide a certificate of insurance in respect of death, injury, public liability, damage or other loss.<sup>44</sup> The certificate must show that there is public liability insurance cover for the establishment or agency. If your organisation has a corporate insurance policy the certificate may not list every premises that is covered. If the name and the address of the establishment or agency are not included on the certificate you must demonstrate that it is covered.

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<sup>43</sup> Disability Discrimination Act 1995; [www.legislation.gov.uk/ukpga/1995/50/contents](http://www.legislation.gov.uk/ukpga/1995/50/contents).

<sup>44</sup> The Care Standards Act 2000 (Registration)(England) Regulations 2010, Regulation 3(2)(b) Schedule 2 Regulation 8.

## Outcome of the visit

101. Before leaving, the inspector will tell you the outcome of the visit. The inspector will:

- set out any statutory requirements you must meet before we can make a final decision about your application. You must fully comply with any statutory requirements we raise before we can grant registration. Where this is the case we will follow up our discussion with you at the registration visit with a letter
- usually tell you whether he or she proposes to recommend that we grant or refuse registration
- tell you if he or she needs to take further advice about the outcome of our registration visit, receive additional information or complete outstanding checks before we can make a registration decision. This does not necessarily mean we have concerns about your ability to provide the service. If we do not have enough information we will tell you our reasons and discuss when we expect to be able to tell you about our decision. This could be via a further meeting or via a telephone conversation.

102. If the inspector is going to recommend registration, he or she will discuss any conditions of registration that you have requested or confirm that no conditions of registration are necessary. Any conditions that inspector agrees must follow our guidance on conditions.<sup>45</sup> We can impose any conditions of registration we think necessary in order to safeguard and promote the welfare of children, young people and other service users. However, you can make written representation to us and subsequently appeal to the First-tier tribunal if we decide to impose a condition of registration that you do not agree to.

## What happens after the registration visit?

103. Once we have all the information from the visit and checks we make a decision about whether to register the establishment or agency or not. You must not start to operate until you have a certificate of registration.

### Statutory requirements letter

104. Where the inspector decided at the visit that you needed to take further action to meet the regulations and service specific national minimum standards, we send you a 'statutory requirements' letter. This sets out what you need to do and by when.

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<sup>45</sup> *Conditions of registration for all regulated social care services and categories of registration for children's homes and voluntary adoption agencies* (110049), Ofsted, [www.ofsted.gov.uk/resources/conditions-of-registration-for-all-regulated-social-care-services-and-categories-of-registration-for](http://www.ofsted.gov.uk/resources/conditions-of-registration-for-all-regulated-social-care-services-and-categories-of-registration-for).

105. You must reply to us telling us what you have done to meet any statutory requirements by the date we set in the letter. We may visit to check the actions you have taken. If we do not receive your response by the date set we make a decision about your application based on the information available to us. It is therefore important that you respond within the timescale set.

## **Registration decision**

106. When we have completed the registration visit, all the checks are complete and, where necessary, we have received your response to a statutory requirements letter, we decide whether to grant registration or refuse your application.

107. If we propose to grant registration, we will send you a:

- notice of decision to register, if the decision was to register with no conditions or agreed conditions; **or**
- notice of proposal to register, if we decide to impose conditions to which you have not agreed.

108. If we intend to refuse registration we will send you a notice of our proposal to do so. Refusing registration is a serious step and may adversely affect any subsequent application you wish to make. Refusal disqualifies you from being a private foster carer and providing, managing and working in a children's home or having a financial interest in a children's home. It will also be taken into account if you make application to register any other type of establishment or agency or want to become a registered manager.

109. Where we issue a notice of proposal to refuse registration or to impose conditions on your registration you may object to our proposal by making a written representation to us. You may thereafter also appeal against any notice of decision we make regarding your registration.

110. If you intend to make a written representation, you must tell us within 28 days of the receipt date of the notice of proposal. Please see Annex A for more information about the representation and appeals process.

## Your registration certificate

111. If we decide to register you we issue a certificate of registration. The certificate includes:

- your registration number
- the name of the Registered Provider
- the name of the Registered Manager (if applicable)
- the name of the responsible individual (if applicable)
- the name and address of the service
- date of registration
- any conditions that apply to your registration.

112. The law requires you to display the certificate. If you lose, damage or destroy your certificate, you must apply to us for a replacement. Your certificate remains valid until it is replaced by a subsequent certificate, we cancel your registration or you voluntarily cancel your registration: [www.ofsted.gov.uk/publications/070094](http://www.ofsted.gov.uk/publications/070094).

113. Please be aware that you are required by law to return your certificate to us if you receive a new certificate, if we cancel your registration or if you voluntarily cancel your registration.<sup>46</sup>

## Withdrawing your application

114. During the registration process you may change your mind about continuing your application to register as a children's social care provider or manager. You must tell us in writing if this is what you decide in order to stop the registration process. If you do not tell us that you want to withdraw your application, then we will continue the process and may have to refuse your registration if you have not supplied all the information necessary. If you decide to withdraw your application, the application fee is non-refundable.

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<sup>46</sup> This is a legal requirement under Regulation 9 of The Care Standards Act 2000 (Registration)(England) Regulations 2010.

## Changes to an application we are processing

115. If you want to change your application before we have granted registration you must write to tell us about changes:<sup>47</sup>

- to the name or address of the proposed provider, responsible individual or manager
- to members of a partnership
- of director, manager, secretary, trustee, clerk, treasurer or other similar officer of the organisation.

If you do not tell us about these changes it will delay registration or may result in our refusing your registration.

## Applications made by existing registered providers

116. You may choose to expand or change your business by:

- applying to register a new establishment or agency
- buying an existing registered establishment or agency
- changing the premises you use to provide your service
- appointing a new registered manager
- changing your legal entity, for example from a partnership to a company
- selling a franchise.

117. Most of these changes require a new application. You may not need to submit a full application if you already hold a registration with us. You only need to supply the information necessary for us to make a registration decision. Where a provider sells a franchise it is the franchisee (buyer) who must register.

118. There is more information about the information you need to supply for these types of change in our guidance *Changes to children's social care services that are registered and/or inspected by Ofsted*.<sup>48</sup>

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<sup>47</sup> Regulation 6 of The Care Standards Act 2000 (Registration)(England) Regulations 2010.

<sup>48</sup> *Changes to the children's social care services that are registered and/or inspected by Ofsted* (100253), Ofsted, 2011; [www.ofsted.gov.uk/resources/changes-childrens-social-care-services-are-registered-andor-inspected-ofsted](http://www.ofsted.gov.uk/resources/changes-childrens-social-care-services-are-registered-andor-inspected-ofsted).

## Once you are registered

### Continuing registration

119. You must continue to demonstrate your continued suitability to be a social care provider or registered manager throughout the time that you remain registered. We expect you to reflect on your practice and consider how you might improve on what you do. We give you more information about this with your certificate of registration.

120. We monitor your continued compliance through:

- regular inspections
- other visits, for example to follow up any concerns we receive about the service you provide
- repeating or carrying out additional checks where we receive information that brings your fitness into question.

121. There are certain changes that you must tell us about once you are registered. There is more information about this in our guidance *Changes to children's social care services that are registered and or inspected by Ofsted*.<sup>49</sup> You should familiarise yourself with the detail in this guidance if we agree your registration.

### Inspection

122. After your registration we inspect your establishment or agency within a short time; this is normally within seven months of registration for children's homes and between seven and 12 months for residential family centres, independent fostering agencies, voluntary adoption agencies and adoption support agencies. This is dependent on whether you are providing services to children and young people or other service users. Following this inspection we will inspect your establishment or agency at intervals set in the law. There are different intervals for each type of establishment or agency set in regulations.<sup>50</sup>

123. The inspector will judge the quality of the care and support you provide and write a report. We will send you the report and publish a copy on our website.

124. You can find more information about the inspection of social care services on our website.

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<sup>49</sup> [www.ofsted.gov.uk/resources/changes-childrens-social-care-services-are-registered-and-or-inspected-ofsted](http://www.ofsted.gov.uk/resources/changes-childrens-social-care-services-are-registered-and-or-inspected-ofsted)

<sup>50</sup> Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections)(Children's Homes etc.) Regulations 2007; [www.legislation.gov.uk/uksi/2007/694/contents/made](http://www.legislation.gov.uk/uksi/2007/694/contents/made).

## **What other visits might inspectors make?**

125. We may visit at other times, for example:

- to check on how you have met any statutory requirements set at an inspection
- to consider a request to vary the conditions of your registration
- because you have applied to change your registration in some way
- because we have received a complaint from a child or young person, parent or other person that brings into question your continued registration.

126. After these visits you will receive a letter that sets out the outcome of the visit. This may include any action we take or intend to take to bring about compliance with requirements for registration.

## **Sharing your information**

127. We will process any personal information we hold about you in accordance with the law, and in particular the Data Protection Act 1998. Under this act you can request in writing to see any information we hold about you.

128. Ofsted uses the information from checks and any interviews to make a decision about your fitness to work with or be in regular contact with children. It may be necessary to repeat these checks from time to time in order to assess your ongoing fitness.

129. We may provide information about social care providers to other government departments and local authority departments such as social work teams.

130. We may also give information to a local authority, or the police, if there are any concerns about the welfare of children and young people in a provider's care.

131. When providing information to someone who is not a local authority, the police or the Department for Education, we cannot provide the following details.<sup>51</sup>

- Children’s homes
  - Name and address of each person registered
  - Address of registered or principal office (for organisations only)
  - Name and address of any responsible individual (for organisations only)
  - Name address and telephone number of the home
  - Date and any enforcement action
  - An inspection report that contains the name and address of the children’s home or any other information that could identify the home.
- Residential family centres, fostering agencies, voluntary adoption agencies and adoption support agencies
  - Name, address and date of birth of each person registered
  - Address of registered or principal office (for organisations only)
  - Name and address of any responsible individual (for organisations only)
  - Date and nature of any enforcement action.

## Further help with applications to register

132. If you require help with a query that is not covered in this guidance or you do not understand what you need to do in your particular circumstances please contact us by:

- telephoning our help line 0300 123 1231
- writing to us asking for the information at the following address:

Ofsted  
 National Business Unit  
 Piccadilly Gate  
 Store Street  
 Manchester  
 M1 2WD.

133. We provide regular updates about all aspects of our work on our website. We produce a free newsletter called *Ofsted News*, which we recommend you subscribe to. This includes information about changes to the way we register and inspect social care establishments and agencies. You can subscribe to the newsletter through <http://live.ofsted.gov.uk/newsletter/> or read the latest version at <http://www.ofsted.gov.uk/news/ofsted-news/professionals>.

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<sup>51</sup> The Care Standards Act 2000 (Registration)(England) Regulations 2010 Regulation 7 (4) and (5).

## **Annex A. Useful legislation and guidance for those applying to register as a social care provider or manager**

The following is a set of links for legislation and guidance that relates to registration. It is not authoritative advice and you should always check that the links provide you with the most up to date information, including any amendments to regulations.

You can also contact The Stationery Office on 0870 600 55 22 for hard copies of regulations.

### **Application packs**

You can obtain an application pack from our website: [www.ofsted.gov.uk/children-and-families-services/for-childrens-social-care-providers-and-commissioners/regulating-ch-5](http://www.ofsted.gov.uk/children-and-families-services/for-childrens-social-care-providers-and-commissioners/regulating-ch-5)

### **Generic legislation for all services**

1. The Care Standards Act 2000 – Legal definitions of all services we register [www.legislation.gov.uk/ukpga/2000/14/contents](http://www.legislation.gov.uk/ukpga/2000/14/contents)
2. The Care Standards Act 2000 (Registration)(England) Regulations 2010 [www.legislation.gov.uk/uksi/2010/2130/made](http://www.legislation.gov.uk/uksi/2010/2130/made)
3. Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (Fees and Frequency of Inspections) (Children’s Homes etc) Regulations 2007 [www.legislation.gov.uk/uksi/2007/694/contents/made](http://www.legislation.gov.uk/uksi/2007/694/contents/made)
4. The Care Standards Act 2000 (Establishments and Agencies) (Miscellaneous Amendments) Regulations 2002 [www.legislation.gov.uk/uksi/2002/865/contents/made](http://www.legislation.gov.uk/uksi/2002/865/contents/made)

### **Adoption legislation**

5. The Adoption Agency Regulations 2005 [www.legislation.gov.uk/uksi/2005/389/contents/made](http://www.legislation.gov.uk/uksi/2005/389/contents/made)
6. The Adoption Support Agency (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005 [www.legislation.gov.uk/uksi/2005/2720/contents/made](http://www.legislation.gov.uk/uksi/2005/2720/contents/made)
7. The Adoption Agencies and Independent Review of Determinations (Amendment) Regulations 2011 [www.legislation.gov.uk/uksi/2011/589/contents/made](http://www.legislation.gov.uk/uksi/2011/589/contents/made)

## Children's home legislation

8. The Children's Homes Regulations 2001  
[www.legislation.gov.uk/uksi/2001/3967/contents/made](http://www.legislation.gov.uk/uksi/2001/3967/contents/made)
9. The Children's Homes (Amendment) Regulations 2011  
[www.legislation.gov.uk/uksi/2011/583/contents/made](http://www.legislation.gov.uk/uksi/2011/583/contents/made)
10. The Children (Secure Accommodation) Regulations 1991;  
[www.legislation.gov.uk/uksi/1991/1505/contents/made#mdiv17](http://www.legislation.gov.uk/uksi/1991/1505/contents/made#mdiv17)
11. The Children (Homes and Secure Accommodation) (Miscellaneous Amendments) Regulations 1996;  
[www.legislation.gov.uk/uksi/1996/692/contents/made](http://www.legislation.gov.uk/uksi/1996/692/contents/made)
12. The Refuges (Children's Homes and Foster Placements) Regulations 1991  
[www.legislation.gov.uk/uksi/1991/1507/contents/made](http://www.legislation.gov.uk/uksi/1991/1507/contents/made)

## Independent fostering agency legislation

13. The Fostering Services (England) Regulations 2011  
[www.legislation.gov.uk/uksi/2011/581/contents/made](http://www.legislation.gov.uk/uksi/2011/581/contents/made)

## Residential family centre legislation

14. The Residential Family Centre Regulations 2002  
[www.legislation.gov.uk/uksi/2002/3213/contents/made](http://www.legislation.gov.uk/uksi/2002/3213/contents/made)
15. The Residential Family Centres (Amendment) Regulations 2013  
[www.legislation.gov.uk/uksi/2013/499/contents/made](http://www.legislation.gov.uk/uksi/2013/499/contents/made)

## Statutory guidance

16. Adoption statutory guidance, DfE,  
[www.education.gov.uk/childrenandyoungpeople/families/adoption/g0072314/guidance](http://www.education.gov.uk/childrenandyoungpeople/families/adoption/g0072314/guidance)
17. Children's homes statutory guidance, DfE,  
[www.education.gov.uk/publications/standard/publicationDetail/Page1/D FE-00024-2011](http://www.education.gov.uk/publications/standard/publicationDetail/Page1/D FE-00024-2011)
18. Fostering statutory guidance, DfE,  
[www.education.gov.uk/publications/standard/publicationDetail/Page1/D FE-00023-2011](http://www.education.gov.uk/publications/standard/publicationDetail/Page1/D FE-00023-2011)

## General guidance

19. *Registration of independent schools*, DfE, [www.dfe.gov.uk/reg-independent-schools/](http://www.dfe.gov.uk/reg-independent-schools/)

20. *How to make representations and appeals* (110041), Ofsted, 2011;  
[www.ofsted.gov.uk/resources/how-make-representations-and-appeals](http://www.ofsted.gov.uk/resources/how-make-representations-and-appeals)
21. *Disqualification – applying for written consent to carry on or manage, have a financial interest in, or be employed at, a children’s home* (080157), Ofsted,2011; [www.ofsted.gov.uk/resources/disqualification-applying-for-written-consent-carry-or-manage-have-financial-interest-or-be-employed](http://www.ofsted.gov.uk/resources/disqualification-applying-for-written-consent-carry-or-manage-have-financial-interest-or-be-employed)
22. *Changes to children’s social care services that are registered and / or inspected by Ofsted* (100253), Ofsted,2012;  
[www.ofsted.gov.uk/resources/changes-childrens-social-care-services-are-registered-andor-inspected-ofsted](http://www.ofsted.gov.uk/resources/changes-childrens-social-care-services-are-registered-andor-inspected-ofsted)
23. *Application for cancellation of registration* (070094), Ofsted,2012;  
[www.ofsted.gov.uk/resources/application-for-cancellation-of-registration](http://www.ofsted.gov.uk/resources/application-for-cancellation-of-registration)
24. *Conditions of registration for all regulated social care services and categories of registration for children’s homes and voluntary adoption agencies* (110049), Ofsted,2012;  
[www.ofsted.gov.uk/resources/conditions-of-registration-for-all-regulated-social-care-services-and-categories-of-registration-for](http://www.ofsted.gov.uk/resources/conditions-of-registration-for-all-regulated-social-care-services-and-categories-of-registration-for)

## **Guidance for independent fostering agencies**

25. *Guidance on the registration of an independent fostering agency branch* (080281), Ofsted, 2012; [www.ofsted.gov.uk/resources/guidance-registration-of-independent-fostering-agency-branch](http://www.ofsted.gov.uk/resources/guidance-registration-of-independent-fostering-agency-branch)

## **Guidance for children’s homes**

26. *Conducting inspections of children’s homes* (100194), Ofsted, 2012;  
<http://www.ofsted.gov.uk/resources/conducting-inspections-of-childrens-homes-for-inspections-1-april-2012>
27. *Guidance on the registration of multi-site children’s homes* (080239), Ofsted,2012; [www.ofsted.gov.uk/resources/guidance-registration-of-multi-site-childrens-homes](http://www.ofsted.gov.uk/resources/guidance-registration-of-multi-site-childrens-homes)
28. *Guidance on inspecting and regulating children’s homes with accommodation for adults (wholly or mainly a children’s home)* (100116), Ofsted, 2011; [www.ofsted.gov.uk/resources/guidance-inspecting-and-regulating-childrens-homes-accommodation-for-adults-wholly-or-mainly-childre](http://www.ofsted.gov.uk/resources/guidance-inspecting-and-regulating-childrens-homes-accommodation-for-adults-wholly-or-mainly-childre)
29. *Guidance for mobile services* (100252), Ofsted, 2011;  
[www.ofsted.gov.uk/resources/guidance-for-mobile-services](http://www.ofsted.gov.uk/resources/guidance-for-mobile-services)