

Guide to registration for children's social care services

This guide provides you with information about how to register to provide social care services. It explains what processes your application will go through before Ofsted can decide whether you are fit to be registered as a social care provider or manager.

Age group: 0–17

Published: February 2018

Reference no: 090020



Corporate member of
Plain English Campaign
Committed to clearer communication

361

Contents

Introduction	3
How to get more information	4
Establishments and agencies that must register with Ofsted	5
Why we register children’s social care establishments and agencies	7
People connected with a registration	7
Before applying	10
Requirements for registration	11
Is there anything that could prevent me from registering?	12
Registration fees	13
How to apply	15
Forms and documents needed for an application to register an establishment or agency	21
Forms and documents needed for an application to register a manager at an existing establishment or agency	30
What happens next?	30
What happens after the registration visit?	37
Once you are registered	39
Sharing your information	40
Further help with applications to register	40
Complaints	40
Annex A: Conditions of registration for social care establishments and agencies and categories of registration for children’s homes and voluntary adoption agencies	42
Annex B: Minimum checks carried out on individuals as part of a new establishment or agency	51

Introduction

1. This guide provides information about the application process to register specific social care services under the Care Standards Act 2000. These fall into two categories. We refer to them as:
 - **establishments** (children's homes including secure children's homes¹, residential family centres and residential holiday schemes for disabled children)
 - **agencies** (adoption support agencies, independent fostering agencies and voluntary adoption agencies).
2. It also sets out the requirements for **registered managers**.
3. The guide will help you decide whether you must apply to register. It also explains what processes your application will go through before we can decide whether you are fit for registration as a social care provider or manager. You can find out more information about the above types of establishments and agencies (including definitions) in our introductory guides.²
4. Most providers and managers (apart from those related to residential holiday schemes for disabled children) can apply for registration online, through Ofsted Online.³
5. The establishments and agencies that can use Ofsted Online are:
 - adoption support agencies
 - children's homes, including secure children's homes
 - independent fostering agencies
 - residential family centres
 - voluntary adoption agencies.
6. If you need to submit an application, you can:
 - use Ofsted Online
 - email
 - post.

¹ Secure accommodation must also be approved by the Secretary of State. Regulation 3 of The Children (Secure Accommodation) Regulations 1991;
www.legislation.gov.uk/cy/uksi/1991/1505/made.

² 'Open as a children's social care provider: do you need to register?',
www.gov.uk/government/collections/open-as-a-childrens-social-care-provider-do-you-need-to-register.

³ <https://online.ofsted.gov.uk/OnlineOfsted/default.aspx>.

7. The registration process assesses your fitness to provide social care services. If we register you, we will continue to check this through regular inspections.
8. You are responsible for supplying us with the full, correct and suitable information to support your application.⁴
9. We make our registration decisions based on the original information you provide. The quality of this information informs our judgement about your fitness to provide or manage a social care establishment or agency.

How to get more information

10. To get copies of any of the guidance mentioned in this document, you can:
 - download the guidance from www.gov.uk/apply-for-registration-as-a-childrens-social-care-provider-or-manager
 - telephone our helpline on 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
Piccadilly Gate
Store Street
Manchester
M1 2WD.

⁴ It is an offence to provide a false or misleading statement in an application. Care Standards Act 2000, Section 27; www.legislation.gov.uk/cy/ukpga/2000/14/section/27.

Establishments and agencies that must register with Ofsted

11. The establishments and agencies that you **must** apply to register with Ofsted before starting to operate are:
 - voluntary adoption agencies
 - adoption support agencies
 - children's homes, including secure children's homes (these are types of establishments)
 - independent fostering agencies
 - residential family centres (this is a type of establishment)
 - residential holiday schemes for disabled children (this is a type of establishment referred to in this guide as 'holiday schemes').
12. Each application to register an establishment or agency, except voluntary adoption agencies, must also include an application to register a manager.
13. We can only register an organisation as a voluntary adoption agency if it operates on a 'not carried on for profit' basis.⁵
14. The children's social care services that are **not** required to register with Ofsted (but are inspected by Ofsted) are:
 - boarding schools (unless these require registration as a children's home)
 - local authority adoption services
 - local authority fostering services
 - private fostering arrangements
 - residential special schools (unless they require registration as a children's home)
 - secure training centres.
15. It is an offence to operate any of the establishments or agencies listed above in paragraph 11 without being registered to do so.⁶ We can prosecute any individual who provides and/or manages an establishment or agency without registration.

⁵ Adoption and Children Act 2002, Part 1, Chapter 2(2)(5)

⁶ 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.

16. The law requires you to register with us each and every establishment and agency and branch of an agency you provide, although there are some exceptions.
17. Residential holiday schemes for disabled children need to register once with us and can provide multiple schemes subject to particular conditions. Information on these conditions is available in annex A.
18. Voluntary adoption agencies may only have one principal office, but may have one or more separate branch offices.
 - Branches are part of the same registration and are listed on the same certificate as the principal office.
 - You must include an application form (SC1) and pay a fee for each branch that is connected to the principal office.
 - The fee you pay depends on the size of the principal office and the number of branches.
 - Once registered, you can add more branches without submitting an application or paying a registration fee. You must tell us about any new branches that you intend to provide using form SC4.⁷
19. Independent fostering agencies and adoption support agencies must separately register each branch of their agency. Refer to our separate guidance about registering an independent fostering agency branch.⁸

⁷ 'SC4 Notification of a new voluntary adoption agency branch', Ofsted, 2015;
www.gov.uk/government/publications/voluntary-adoption-agencies-sc4-notification-of-new-branch.

⁸ 'Guidance on the registration of an independent fostering agency branch' (080281), Ofsted, 2012;
www.gov.uk/government/publications/how-independent-fostering-agencies-can-register-with-ofsted.

Why we register children's social care establishments and agencies

20. We register providers and managers of children's social care establishments or agencies to:
- protect children, young people and adult service users
 - ensure that the establishment or agency meets the requirements of the relevant legislation
 - ensure that providers and managers are able to deliver good services for children, young people and adults
 - provide information about the quality of an individual establishment or agency to a range of stakeholders, including children and young people, adult service users, parents and carers, and commissioners.

People connected with a registration

The provider

21. Legally, everyone who wants to provide a social care establishment or agency must apply to register. This person, once registered, is the **registered provider** and is responsible for meeting the requirements of legislation. The registered provider may be:
- an individual (see paragraph 31)
 - a partnership: when a partnership makes an application to register, each person in the partnership must apply and be granted registration
 - an organisation: this includes companies⁹, 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.
22. If the registered provider is an organisation, we need to know about all the individuals that comprise the registered provider. This could be the director, manager, secretary, clerk, treasurer, trustee and any other similar officers. You must provide the details of all those who hold office. For more information about directors of children's homes, see paragraphs 24 to 30.
23. If the registered provider is a partnership, we will need to see a copy of the agreement or document that clearly establishes the partnership as a legal entity.

⁹ If an individual is operating as a limited company, he or she will be known as an organisation for registration purposes.

Directors of children's homes

24. Regulation 26(4)(i) of The Children's Homes (England) Regulations 2015 says that an organisation¹⁰ may only carry on a home if each director (who has an active role in the day-to-day operations of the home) satisfies the requirements in regulation 26(6) of The Children's Homes (England) Regulations 2015. Day-to-day role can include being involved in finance, human resources or in some other capacity.¹¹
25. For a director who is nominated as the responsible individual, see paragraph 29.
26. Each director must be of integrity and good character and full information as required by the regulations, must be available.¹² This means you must submit an SC2 form with your application and agree to Ofsted undertaking necessary checks. We do not require directors to get a DBS certificate.
27. If an organisation's sole purpose is to carry on children's homes, all directors must submit the information required by regulation 26(6) of The Children's Homes (England) Regulations 2015.
28. If an organisation has purposes other than carrying on children's homes, only those directors involved in the carrying on of the children's homes must submit the information required by regulation 26(6) of The Children's Homes (England) Regulations 2015.¹³
29. A proposed director of a children's home who is also nominated as the responsible individual for the organisation must satisfy all the requirements of regulation 26(7) of the regulations rather than those required of a director. He or she must submit details of a DBS check and will be interviewed.
30. Other directors will only be interviewed if a concern about their fitness comes to light in the application the person submits, or in the checks we undertake.

Individual providers

31. An individual provider (or where an individual proposes to carry on an establishment or agency with other individuals, each individual) must apply to register. Each person is wholly and equally responsible for ensuring that the establishment or agency operates in accordance with the Care Standards Act

¹⁰ Which includes a body corporate, see regulation 2(1) of The Children's Homes (England) Regulations 2015.

¹¹ 'Director' includes individuals who perform the functions of or functions similar, or equivalent to directors; see regulation 26(9) of the Children's Homes (England) Regulations 2015.

¹² In respect of the matters set out in paragraphs 1 and 3 to 6 of Schedule 2 to the Children's Homes (England) Regulations 2015.

¹³ We advise applicants to take their own legal advice where they are unclear about which directors should submit an SC2 form.

2000 and Regulations made under that Act, and is named on the registration certificate. We always undertake checks and interview these individuals. Any regulatory action we take against a registered provider may result in action against each individual person who makes up the registered provider.

The responsible individual

32. An organisation must appoint a responsible individual who is:
- a director of the organisation
 - a manager
 - a secretary of the organisation
 - another officer of the organisation.
33. The responsible individual must demonstrate that they meet the requirements for this role as set out in the service specific regulations. For more information on the role and responsibilities of the responsible individual, see 'Changes to social care services that we regulate and/or inspect'.¹⁴

The registered manager

34. Providers must ensure that each registered social care establishment and agency (and any branches) has a manager. This manager must also register with us **unless** you are applying to provide a voluntary adoption agency – in this instance, only the provider must register.
35. If the provider is not suitably skilled, experienced and qualified to manage the establishment or agency, he or she must appoint a manager to take full-time, day-to-day control of the establishment or agency and that manager must apply to register with Ofsted.
36. The manager's registration is personal to them. It is not transferable to another registered provider.
37. New managers must submit an application and pay a fee for each application. The manager must demonstrate that they have the skills, knowledge and experience to meet the requirements of the relevant establishment or agency in order to be registered.

¹⁴ 'Changes to children's social care services that are registered and/or inspected by Ofsted' (100253), Ofsted, 2015; www.gov.uk/government/publications/changes-to-childrens-social-care-services-that-are-registered-andor-inspected-by-ofsted.

38. We have separate information for when a manager applies to be the registered manager of an existing establishment or agency in our publication 'Changes to children's social care services that are registered and/or inspected by Ofsted'.¹⁵
39. For organisations, the registered manager **must** be a different person to the responsible individual. The law views these as distinct roles, with the responsible individual having oversight of the establishment or agency on behalf of the organisation and the registered manager having responsibility for delivery of the provision's regulated activities.
40. If the proposed provider and manager is the same person, their fitness will be assessed for each role.
41. We expect that a manager will only manage one children's home. However, in exceptional circumstances, we will consider an application for a manager to manage two homes. In these circumstances, the manager must demonstrate that they have the appropriate experience, qualifications and skills to meet the requirements of each children's home. They must be able to be in full-time, day-to-day charge of each home, which means they must be able to manage the home and lead the care of the children effectively.
42. For other establishments or agencies, the manager must also be able to be in full-time, day-to-day charge of each establishment or agency. We follow a similar approach to children's homes if we receive an application for someone to manage more than one establishment or agency.
43. Two individuals may apply to be the registered manager as a job share. In this case, both individuals must submit an application and they must each pay an application fee.
44. The procedure for registering a manager is the same whether the establishment or agency is proposed or already registered.

Before applying

45. You cannot operate an establishment or agency that requires registration until registration has been granted under section 13 of the Care Standards Act 2000.
46. An application for registration is only complete when you have supplied all the information that we need to process it, and you have paid the required fee. If you make your application by post and do not supply us with all the required information and/or the required fee, we will return the application to you without considering it. If you make your application using Ofsted Online, **you are not automatically requested** to provide all of the required documents.

¹⁵ 'Changes to children's social care services that are registered and/or inspected by Ofsted' (100253), Ofsted, 2014; www.gov.uk/government/publications/changes-to-childrens-social-care-services-that-are-registered-and-or-inspected-by-ofsted.

You must refer to the checklist¹⁶ and ensure that you submit everything required for your type of establishment or agency.

47. You should not submit an application to us until you:
- are familiar with the service specific regulations and national minimum standards (or quality standards for children’s homes) for the type of establishment or agency you wish to register
 - have a Disclosure and Barring Service certificate for everyone who needs one (this includes all those who must submit an SC2 form¹⁷) via the Capita website¹⁸
 - have all of your policies, documents and procedures in place as detailed in the service specific regulations and this guide (these must be bespoke to the establishment or agency you are applying to register)
 - have appointed a manager (and included his or her application to register with us as part of your application)
 - have appointed a responsible individual, where necessary
 - have a completed health declaration booklet for everyone who needs one (this includes all those who must submit an SC2 form)
 - have premises that meet any planning requirements and are ready to accommodate the proposed service.
48. There is more information about who needs to register in paragraph 68 and more on how to complete the documents required for application in paragraphs 78 to 125.

Requirements for registration

49. 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 legislation¹⁹ and summarised in our introductory guides to specific types of establishments and agencies.²⁰

¹⁶ ‘Checklist for a children’s social care application’, Ofsted, 2017;

www.gov.uk/government/publications/become-a-childrens-social-care-provider-checklist.

¹⁷ Apart from directors of children’s homes who are required to submit an SC2 form, but are not required to obtain a DBS certificate.

¹⁸ Capita website: <http://ofsteddbapplication.co.uk>.

¹⁹ www.gov.uk/guidance/apply-for-registration-as-a-childrens-social-care-provider-or-manager.

²⁰ www.gov.uk/government/collections/open-as-a-childrens-social-care-provider-do-you-need-to-register.

50. We assess your fitness by: scrutinising the information you submit with your application; carrying out checks, including reference checks; interviewing you and anyone else connected with the registration; and by visiting the proposed premises. We also consider relevant information about any previous applications you have made, even if you withdrew the application before a decision was made.
51. Once registered as a manager or provider, or nominated as the responsible individual, you must comply with any conditions placed on the registration²¹ and the regulations that apply to each establishment or agency.²²
52. Refusal of your application to provide or manage a children's home also disqualifies you in the future from:
 - carrying on a children's home
 - being involved in managing a children's home
 - having a financial interest in a children's home
 - working at a children's home.

Is there anything that could prevent me from registering?

53. Section 65 of the Children Act 1989 disqualifies some individuals from being registered as a provider or manager of a children's home and from being connected in any other way to the operation of a children's home. A number of factors lead to disqualification. You can find a full list of these in our 'Social care compliance handbook'²³ or in The Disqualification from Caring for Children (England) Regulations 2002.²⁴
54. We take any such disqualification into account when assessing an applicant's suitability to provide any other type of children's social care establishment or agency.
55. Any disqualified person who wishes to carry on, or be connected to the operation of a children's home must apply for written consent from us first. A disqualified person has 28 days to notify us that they are disqualified and apply for written consent. There is a right of appeal to the first tier tribunal health, education and social care chamber under section 65A if we refuse to give consent.

²¹ The Care Standards Act 2000, Section 24; www.legislation.gov.uk/ukpga/2000/14/section/24.

²² The Care Standards Act 2000, Section 25 (1); www.legislation.gov.uk/ukpga/2000/14/section/25.

²³ 'Social care compliance handbook' (140136), Ofsted, 2016;

www.gov.uk/government/publications/social-care-compliance-handbook-from-september-2014.

²⁴ Disqualification from Caring for Children (England) Regulations 2002;

www.legislation.gov.uk/uksi/2002/635/contents/made.

56. You must also ask us for written consent to employ a disqualified person to work at a children's home, including as a volunteer.
57. We will not give written consent to anyone who is included on the Disclosure and Barring Service's (DBS) list of individuals barred from working with children.
58. If we give consent for you to apply for registration this does not automatically mean we will grant registration.
59. It is an offence to knowingly employ a disqualified person to work in a children's home without written consent from us. You can find out more about disqualification by reading the section 'Disqualification and written consent' in the 'Social care compliance handbook'.²⁵

Registration fees

60. You must pay a registration fee as part of your application.²⁶ The Department for Education set different fees for each type of establishment and agency.
61. If you make an application via Ofsted Online, we will verify that you have provided all the necessary information. If the information is complete, you will receive a message that tells you how to pay the fee online. If you submit your application by post, 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.
62. We will only start processing your application once we receive your application fee in full.
63. The registration fee is non-refundable. If we grant registration, you must also pay an annual fee **immediately** and then again on the anniversary date for every subsequent year that your registration to provide a particular establishment or agency continues.²⁷
64. You must also pay a single non-refundable fee for each application for a registered manager. This applies to registered managers for both a new or an existing establishment or agency.
65. If the proposed manager changes during the application process you must submit the appropriate fee for the alternative manager's application.

²⁵ 'Social care compliance handbook' (140136), Ofsted, 2016;
www.gov.uk/government/publications/social-care-compliance-handbook-from-september-2014.

²⁶ 'Registration fee for children's social care', Ofsted, 2015;
www.gov.uk/government/publications/become-a-childrens-social-care-provider-registration-fee.

²⁷ 'Annual fees for children's social care services', Ofsted, 2016;
www.gov.uk/government/publications/become-a-childrens-social-care-provider-registration-fee.

66. If the nominated responsible individual changes you do not need to pay a new fee.
67. When you apply for a new registration, we always check if you owe us fees from any previous registration(s). We will take into account any outstanding fees when assessing your fitness, integrity and financial viability to provide a new service.

How to apply

Who must register for each type of provider?

68. The table below sets out who we register and who needs to complete the various forms submitted as part of that 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
Individual owner²⁸	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 as the registered provider and registered manager.

²⁸ An individual owner can be more than one person. Please see paragraph 31 for more information.

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
Company ²⁹	Companies: <ul style="list-style-type: none"> ■ are legally constituted ■ have a company name ■ have a company registration number ■ are registered with Companies House.³⁰ 	1) If you have no current registration with Ofsted: <ul style="list-style-type: none"> ■ a director of the company 2) If your company is already registered with Ofsted: <ul style="list-style-type: none"> ■ a director of the company or <ul style="list-style-type: none"> ■ a responsible individual who already represents the company. 	The person nominated to be the responsible individual and the registered manager. For more information on which directors must submit an SC2 form, please refer to paragraphs 24 to 30.	The company name and registration number and the name of the responsible individual and registered manager.

²⁹ Within this guide to registration, 'company' is covered by the term 'organisation'.

³⁰ For non-English companies, please contact Ofsted before submitting an 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
Statutory body ³¹	A statutory body is an organisation set up under legislation, for example a local authority.	1) If you have no current registration with Ofsted: <ul style="list-style-type: none"> ■ a senior official responsible for statutory body, for example the assistant director. 2) If your statutory body is already registered with Ofsted: <ul style="list-style-type: none"> ■ a senior official responsible for statutory body, for example the assistant director or <ul style="list-style-type: none"> ■ a known responsible individual who already represents the statutory body, for example the assistant director. 	The person nominated as the responsible individual and registered manager. For more information on which directors must submit an SC2 form, please refer to paragraphs 24 to 30.	The name of the statutory body and the name of the responsible individual and registered manager

³¹ Within this guide, '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
Partnership	A partnership is where two or more people (including entities) (partners) share the profits and liabilities of a business venture or undertaking subject to their agreement or mutual understanding.	If you have no registration with Ofsted or if you are already registered with Ofsted: <ul style="list-style-type: none"> ■ a partner on behalf of all partners or ■ two or more partners on behalf of all partners or ■ all partners. 	All partners and registered manager.	The partnership name and registered manager
Limited liability partnership	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"> ■ a partner on behalf of all partners or ■ two or more partners on behalf of all partners. 2) If you are a limited liability partnership which is already registered with Ofsted: <ul style="list-style-type: none"> ■ a partner on behalf of all partners or ■ two or more partners on behalf of all partners or 	The person nominated as the responsible individual and registered manager. For more information on which directors must submit an SC2 form, please refer to paragraphs 24 to 30.	The name of the limited liability partnership (company) and the name of the responsible individual and registered manager.

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"> ■ a responsible individual who already represents the limited liability partnership. 		
<p>Charity³² If the provider type is also a company, please follow the 'Company' guidance in this table.</p>	<p>Charitable bodies may be:</p> <ul style="list-style-type: none"> ■ charitable incorporated organisation (CIO) ■ charitable company (limited by guarantee) ■ unincorporated association ■ charitable trust. <p>Registered charities have a 'registered charity number' and may also have a registered company number.</p>	<p>1) If you have no registration with Ofsted:</p> <ul style="list-style-type: none"> ■ a director or trustee of the charity. <p>2) If you are a charity that is already registered with Ofsted:</p> <ul style="list-style-type: none"> ■ a director or trustee or a known responsible individual. 	<p>The person nominated as the responsible individual and registered manager.</p> <p>For more information on which directors must submit an SC2 form, please refer to paragraphs 24 to 30.</p>	<p>The name of the charity and the name of the responsible individual and registered manager.</p>

³² Within this guide to registration, charity is covered by the term 'organisation'.

Application forms

69. Applicants can apply for registration via Ofsted Online: <https://online.ofsted.gov.uk/OnlineOfsted/default.aspx>. If you are applying online you must also read 'Social care online applications: information for applicants'.³³
70. Application forms are also available to download, complete and print from: www.gov.uk/government/collections/childrens-social-care-registration-forms. You can also telephone or write to us to request an application form. Our contact details are available in paragraph 10.
71. You must always submit your **full** hard copy application to the address in paragraph 10. A full application must contain all of the information listed in our checklist and detailed in paragraphs 78 to 125.³⁴

Correspondence about your application

72. If we need to contact you about your application, we send any correspondence by email or post to:
 - an individual provider – at the proposed address for the establishment or agency, or at the principal office used to carry out the administration
 - an organisation or limited liability partnership – at the organisation or limited liability partnership's registered office or address
 - a manager – at his or her personal address.

Completing the application

73. You must complete the relevant forms and include all of the relevant documents as detailed in paragraphs 78 to 125.
74. You are responsible for providing all the information we need to make our registration decision. You must check that it 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.
75. If your application is incomplete, we will not begin processing it until you have submitted everything required.
76. It is an offence if you knowingly make a statement that is false or misleading in an application.³⁵

³³ 'Social care online applications: information for applicants', Ofsted, 2017; www.gov.uk/government/publications/guide-to-registration-for-childrens-social-care-services.

³⁴ 'Checklist for a children's social care application', Ofsted, 2017; www.gov.uk/government/publications/become-a-childrens-social-care-provider-checklist.

77. If you or your organisation previously made a social care application, you are not required to supply us with information provided as part of the previous application, if that information has not changed.³⁶

Forms and documents needed for an application to register an establishment or agency

The application form (SC1)

78. The SC1 application form asks for information about the people applying to register, the type of establishment or agency you intend to offer and the premises that you intend to use.
79. You will be asked to tell us about any **conditions of registration** that you believe are appropriate for the establishment or agency you are applying for. 'Conditions of registration' are restrictions on your registration. They commonly include the number of children and young people you can accommodate in a children's home or the type of services you intend to provide. The conditions will depend on the type of establishment or agency you are applying to register. You can find out more information about conditions of registration in annex A of this guide.

Disclosure and Barring Service (DBS) certificates

80. Before submitting your application to register an establishment or agency, everyone who is completing an SC2 declaration and consent form as listed in the table above must have a DBS certificate.³⁷ The certificate must be at an enhanced level and include barring information.
81. To get your DBS certificate, you must either:
- apply for it through the Capita website³⁸ (your certificate must be obtained before you submit your application and it must be dated within the last three months or you must be subscribed to the DBS update service)
 - or
 - provide us with an enhanced DBS certificate carried out via another organisation and be a subscriber to the DBS update service.

³⁵ The Care Standards Act Section 2000 27(1); www.legislation.gov.uk/ukpga/2000/14/section/27.

³⁶ The Care Standards Act 2000 (Registration)(England) Regulations 2010, Part 2 (3); www.legislation.gov.uk/uksi/2010/2130/regulation/3/made.

³⁷ Apart from directors of children's homes who are required to submit an SC2 form, but are not required to obtain a DBS certificate.

³⁸ Capita is the organisation contracted by Ofsted to carry out all DBS checks; you can apply online at <http://ofsteddbapplication.co.uk>.

82. If you or anyone else who needs a certificate already has one, which was applied for through Ofsted, please check with us to see if we will accept it as current. You can phone us on 0300 123 1231 or email us at enquiries@ofsted.gov.uk. You should give as much detail about your past registration with Ofsted as possible.
83. To start your DBS application online, you will need a 'Capita organisation reference'. This is **OfSTEDP** (please note that the requested password at this stage is not required). There is further information about the DBS process including details about 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.³⁹
84. We strongly recommend that you also register with the DBS update service.⁴⁰ By subscribing to the update service, you can provide Ofsted or your current or new employer with the ability to continually check the status of your existing certificate. You can register with the DBS update service once you have your DBS application form reference number or you can wait until you have your certificate. If you wait for your certificate, **you must register with the update service within 19 days from the date your DBS certificate was issued.**
85. When the necessary checks have been carried out, the DBS will send the certificate to you. You must include your original certificate with your Ofsted application unless you applied for your certificate via the Capita website and the certificate shows no recorded information on it.⁴¹ If there is a delay or you have a question about your DBS application, contact Capita.⁴²
86. Each person must put his or her DBS registration number on the 'Declaration and consent form (SC2)' and confirm if they subscribe to the DBS update service and give consent for Ofsted to check their DBS status.
87. If you apply online to register an establishment or agency, you will get an application ID number. You must provide this ID number to each individual who is required to complete an SC2 form. Each individual must include the ID number in section A of their SC2 form.
88. We will not accept your application if you, or anyone connected with the application, does not, where required include an original DBS certificate that complies with our requirements.
89. We use the information from the certificate to inform our decision about your suitability and fitness. We can ask to see your DBS certificate at any time. We

³⁹ <http://ofsteddbapplication.co.uk>.

⁴⁰ To register with the DBS update service go to: <https://www.gov.uk/dbs-update-service>.

⁴¹ The certificate will state 'none recorded' in each section.

⁴² Telephone 0870 850 2516 (Option 2) or email OfstedEnquiries@capita.co.uk.

may ask you to send this to us by post. You will also have to bring your original certificate to any fit person interview we conduct, unless you subscribe to the DBS update service and your certificate contained no recorded information.

The declaration and consent form (SC2)

90. 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
 - professional referees
 - where necessary, any other person or organisation who has relevant information about you, or when we need further details to make a decision about your suitability, for example your GP or another medical professional.

Professional references

91. 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 and let them know what we will ask them to comment on (see paragraph 96). When we receive a complete application, we ask your referees for information about you. Before we contact them, we check they meet the criteria in paragraphs 92 to 94.
92. You must always provide your most recent employer as a referee. If this is your current employer and you have been employed for less than three months, you must also provide details of your previous employer (unless you have not previously been employed).
93. The second referee must be someone who has known you in a professional capacity and can comment on your work. They should be from a different organisation to your first referee.
94. One of the two referees must have employed you for a minimum of three months. Neither referee can be a relative or live at the same address as you.
95. We accept an employer's reference from a senior officer of an organisation, for example the owner, director or an HR manager. We do not usually accept a reference from anyone else unless the employer gives us their written permission for a named person to supply a reference on their behalf.
96. At least one referee **must** be able to comment on all of the below points:
- a. any disciplinary processes you have been subject to
 - b. your financial management skills
 - c. your honesty and integrity

- d. your ability to safeguard and protect children, and where applicable, vulnerable adults
 - e. your leadership and management skills
 - f. your knowledge and understanding of the particular type of service you are applying to register for.
97. Your second referee **must** be able to comment on points c to f.
98. If your referees do not comply with the guidance detailed in paragraphs 92 to 95 or are unable to give answers to the bullet points in paragraph 96, we may ask you to provide another suitable referee. This will stop your application from progressing to the next stage.

Five-year address history

99. We ask each individual who submits an SC2 to give a five-year address history. 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 inquiries 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

100. To assess an applicants' suitability to provide or manage a children's social care establishment or agency we carry out a 'fit person interview'. We interview everyone who is listed as being connected with the registration in the table at paragraph 68 (apart from directors of children's homes).
101. To help you to prepare for the interview, your allocated inspector asks the manager and the provider and/or the responsible individual to complete a fit person questionnaire. The inspector requests this during their first contact with you. The completed questionnaire gives us information about your knowledge, skills and experience in relation to the establishment or agency you propose to carry on or manage. Your inspector will refer to this during your interview. You can get a copy of the relevant fit person questionnaire online.⁴³ You may wish to keep a copy to help you at the interview.

⁴³ There are four different fit person questionnaires: registered manager for children's homes; registered manager for all other types of establishment or agency; registered provider / responsible individual for children's homes; and registered provider / responsible individual for all other types of establishment or agency.

www.gov.uk/government/publications/childrens-social-care-fit-person-assessment-questionnaires.

Qualifications for managers

102. Your qualifications are an important part of how we decide your fitness to register. As a manager, you must prove one of the following to us. You:

- hold the qualification outlined in service-specific national minimum standards or for children's homes as set out in The Children's Homes (England) Regulations 2015
- have an equivalent level of qualification. To do this, you must give us evidence from the provider of the establishment or agency that you are applying to manage, that they have checked and are satisfied that your qualification is equivalent to that specified in the national minimum standards
- do not hold the relevant qualification but can prove that you are working towards attaining this. In this instance, you will need to show that you have the necessary experience and skills⁴⁴ to manage the establishment or agency that you are applying to manage.

103. You must show the **original** versions of your qualifications at your fit person interview.

⁴⁴ The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, Regulation 9(2)(b)(i); The Children's Homes (England) Regulations 2015, Regulation 28(1)(b)(i); The Fostering Services(England) Regulations 2011, Regulation 7(2)(b)(i) The Residential Family Centre Regulations 2002, Regulation 7(2)(b)(i); The Residential Holiday Schemes (England) Regulations 2013, Regulation 7(2)(b)(i).

Health declaration booklet

104. Everyone who completes a declaration and consent form (SC2), apart from directors of children’s homes, must also complete a health declaration booklet and have it endorsed by his or her doctor. The booklet contains questions about your current and past health so that we can determine your mental and physical suitability to provide or manage a service for 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 or submit it as part of your online application.

Statement of purpose

105. You must have a **bespoke** statement of purpose for each establishment or agency that you are applying to register.⁴⁵ Its contents vary according to the type of establishment and agency that you intend to operate. The content must be specific to the establishment or agency that you are applying to register.
106. The statement of purpose should meet the requirements of the service-specific regulations.
107. We take the quality of the statement of purpose into account when making our decision about fitness.

Equalities policy

108. The equalities policy must set out how the establishment or agency intends to value individuals, combat discrimination and safeguard those who may face

⁴⁵ The Children’s Homes (England) Regulations 2015, Regulation 16;
www.legislation.gov.uk/uksi/2015/541/contents/made.

The Fostering Services (England) Regulations 2011, Regulation 3;
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.

The Residential Family Centre Regulations 2002, Regulation 4;
www.legislation.gov.uk/uksi/2002/3213/regulation/4/made

The Residential Holiday Schemes for Disabled Children (England) Regulations 2013, Regulation 3
www.legislation.gov.uk/uksi/2013/1394/regulation/3/made.

inequality or harassment due to one or more of the characteristics protected under the Equality Act 2010.⁴⁶

Fees form and application fee

109. See paragraphs 60 to 67 for information about fees.

A copy of a certificate of insurance

110. You must get a certificate of insurance for death, injury, public liability, damage or other loss before your establishment or agency starts to operate. The certificate must show that you have 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 prove that it is covered.

111. If you are unable to provide a certificate of insurance with your application, you must give written confirmation from a director or other authorised person that you will have insurance before operating. You must provide the inspector with a copy of your insurance before you operate.

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

112. All establishments and agencies (but not holiday schemes) must also produce a children's or service user's guide.⁴⁷ This must comply with the requirements of service-specific regulations.⁴⁸ The guide must meet the needs of the children, young people or adults who you intend to provide services for, for example it must be in a format they can understand.

Planning permission

113. In all applications, except for holiday schemes you must tell us whether any planning permission is required or not. You must provide us with a copy of one of the following:

- evidence that planning permission was required and granted

⁴⁶ The Equality Act 2010; www.legislation.gov.uk/ukpga/2010/15/contents.

⁴⁷ 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.

⁴⁸ The Children's Homes (England) Regulations 2015, Regulation 2(1);

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.

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.

The Residential Family Centre Regulations 2002, Regulation 4(3);

www.legislation.gov.uk/uksi/2002/3213/regulation/4/made.

- evidence from the local authority planning department that no planning permission is needed (that is written, formal evidence that the proposed use of the premises would still fall within the premises' existing use class)
 - evidence of a certificate of lawful use, if issued by the local authority.
114. If you are applying to register a holiday scheme, you do not have to obtain planning permission, but you must check that the use of the premises as a holiday scheme is not inconsistent with existing planning permission requirements or restrictions. You will be asked about this at the registration visit.
115. If you experience any problems while obtaining planning permission or evidence that permission is not required, please contact us using the details provided in paragraph 10.

Financial reference

116. You must provide a financial reference (unless you are applying as a local authority or an NHS Trust), signed and/or stamped by your bank manager. This must include details about the viability of the proposed establishment or agency. There is a form available on our website for a financial reference, but you can provide the reference in a different format if you want to.
117. A financial reference 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.
118. You must provide the original version of the financial reference at your registration visit.

Business plan, cash-flow forecast, annual reports and annual accounts

119. You must include these documents for all applications, except if you are applying from a local authority or an NHS trust (for other types of trust, please see paragraph 122). As a minimum, the business plan should cover the following five major areas: background information; a marketing plan; an operational plan; a financial plan; and a discussion of the decision-making criteria that should be used to approve the plan.
120. A cash-flow forecast sets out the projected monthly income and expenditure for the first 12 months of operation. This is simply a summary of the money that is

expected to be paid into and out of the establishment or agency, in cash terms, over the period. This is usually broken up into a month-by-month forecast.

121. You should provide the last two annual reports and accounts and where applicable, you should include the annual reports for the holding company and any subsidiaries of that holding company. New companies do not need to submit annual reports or accounts.
122. If you are a type of trust, other than an NHS trust, you have an alternative option to providing a financial reference, business plan, cash-flow forecast and the last two annual reports. Instead you can provide in writing from the local authority:
- assurance that they are content with the financial viability of the trust (this could be in the form of a service level agreement or a memorandum of understanding)
 - what mechanisms they have in place to review the on-going performance of the trust, including their financial standing.

We also require the latest set of accounts.

Policies, procedures and agreements

123. **All applications** must include a safeguarding policy and a complaints procedure. Some establishments and agencies must include additional documents. These are set out in the table below. All policies and procedures must meet with the requirements set out in the relevant legislation.

	Children's homes	Holiday schemes	Independent fostering agencies	Residential family centres
Missing child policy	Yes	Yes	Yes	No
Accident and missing resident procedure	No	No	No	Yes
Behaviour management policy (including restraint)	Yes	Yes	Yes	No
Prevention of bullying policy	Yes	Yes	Yes ⁴⁹	Yes
Location assessment	Yes	No	No	No

⁴⁹ For independent fostering agencies the prevention of bullying policy is not required in regulations but we expect the agency to provide this as good practice.

124. Children’s homes must also provide a location assessment showing the steps taken to assess that the home is appropriately located and any identified risks are addressed, in accordance with regulations 12(2)(c) and 46 of The Children’s Homes (England) Regulation 2015. We expect the provider to contact the local authority children’s services as part of the assessment. This is so that the local authority is aware of the plans to open a children’s home and can provide any comments regarding the location of the proposed home.
125. Applications from partnerships must include a copy of the agreement or a document that clearly establishes the partnership as a legal entity.

Forms and documents needed for an application to register a manager at an existing establishment or agency

126. For an application to register a manager at an existing establishment or agency, you must include:
- a Disclosure and Barring Service (DBS) certificate⁵⁰ (see paragraphs 80 to 89)
 - a declaration and consent form (SC2) (see paragraphs 90 to 99)
 - a fit person questionnaire (see paragraphs 100 to 101)
 - a health declaration booklet (see paragraph 104)
 - an application fee (see paragraphs 60 to 67).

What happens next?

127. The application process has three stages. The flowcharts at paragraphs 136 and 137 show the steps of the application process.
128. Please note that applications are not subject to tacit approval under the European Union (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.⁵¹

⁵⁰ Unless the manager is already registered with Ofsted at a different establishment or agency and their DBS certificate is less than three years old or they subscribe to the DBS update service and they have a clear certificate and there has been no change.

⁵¹ Provision of Services Regulations 2009, Regulations 19(5) and (6); www.legislation.gov.uk/ukxi/2009/2999/contents/made.

Stage one of the application process: submitting an application

129. Within two working days of receiving your application, we assess it to see whether it is complete. If an application via Ofsted Online is:

- incomplete: you will not be able to submit it to us
- complete: we send you a request for the application fee and within two working days of receiving payment, we start to process your application and request references and the local authority check(s).

130. If a hard copy application is:

- incomplete: we will return the whole application to you
- complete and includes the relevant application fee: we start to process your application and request references and the local authority check(s).

Stage two of the application process: receiving responses to checks and references

131. During stage two, an inspector is allocated to the application and contacts you to introduce themselves, explain what happens next and request the relevant fit person questionnaire.

132. During this stage, we also receive references and local authority checks. Your application remains in stage two until all responses are received for all the people connected to your application. It is your responsibility to ensure that the referees you have provided are able to return their responses in a timely manner.

Stage three of the application process: site visit/interview and decision

133. When all references and checks have been received, your application moves into stage three. During this stage, the inspector contacts you to arrange a site visit (only for applications to register an establishment or agency) and the fit person interview(s).

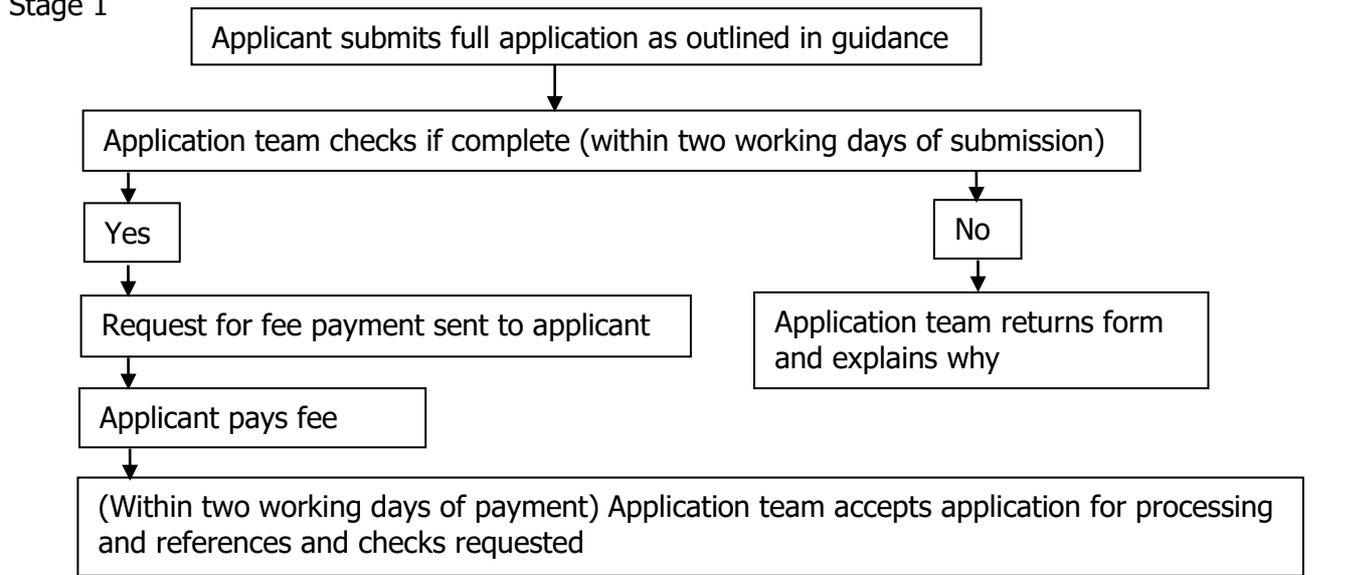
134. For an application to register an establishment or agency, the site visit will take place within 40 working days of your application moving to stage three.

135. For an application to register a manager at an existing establishment or agency, the interview will take place within 30 working days of your application moving to stage three. When the visit and interview(s) are completed, the inspector discusses their findings with their manager.

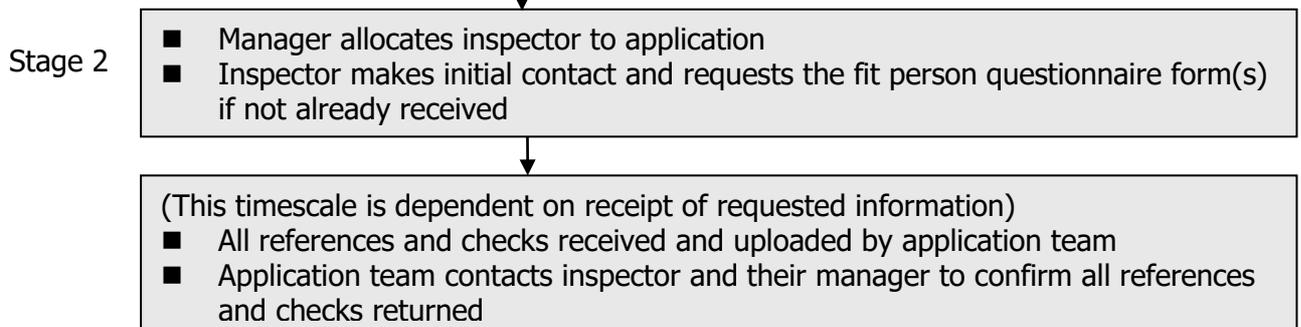
136. Usually within seven working days of the visit and interview(s) being completed, the inspector's manager makes a decision to grant or refuse registration. See paragraphs 154 – 163 for more information about what happens after the registration visit.

137. The following is a flowchart of the application process for a full application:

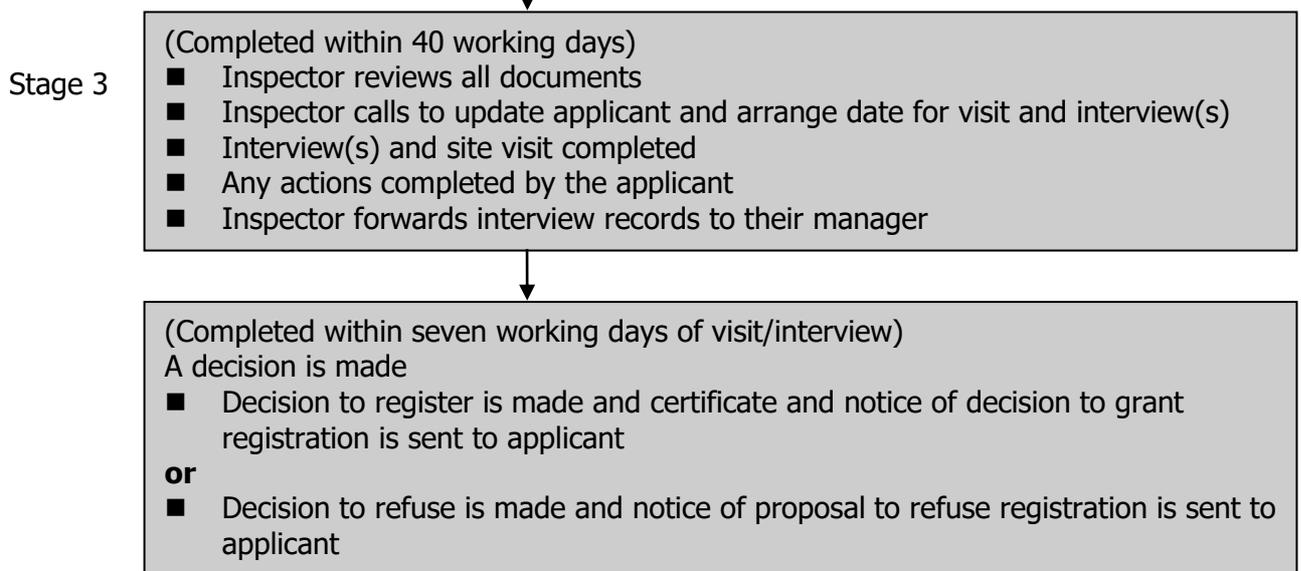
Stage 1



Stage 2

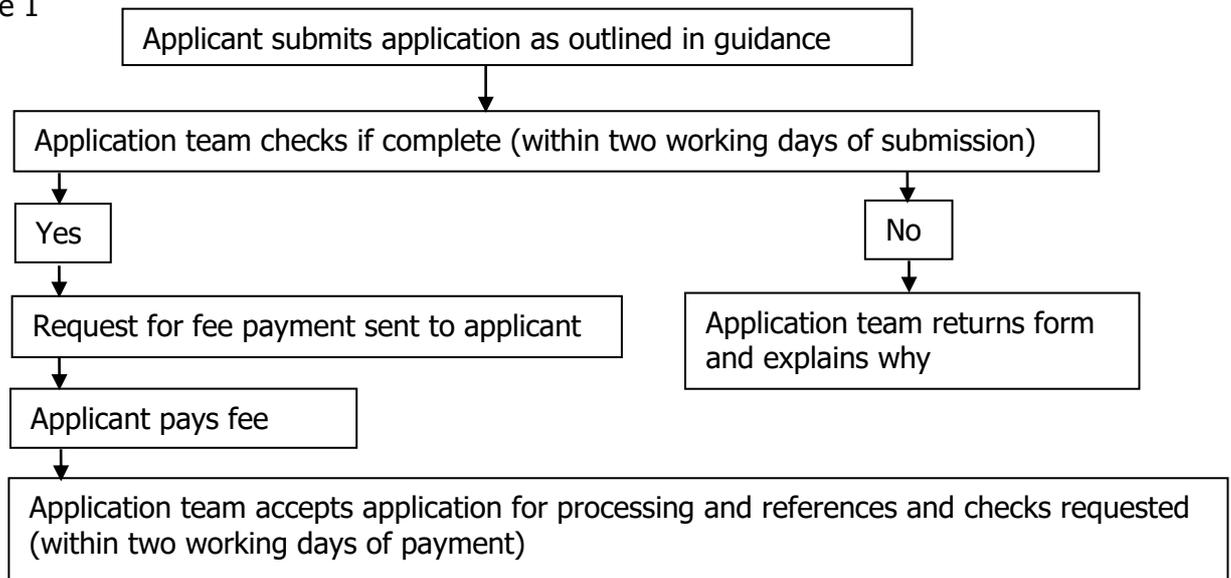


Stage 3

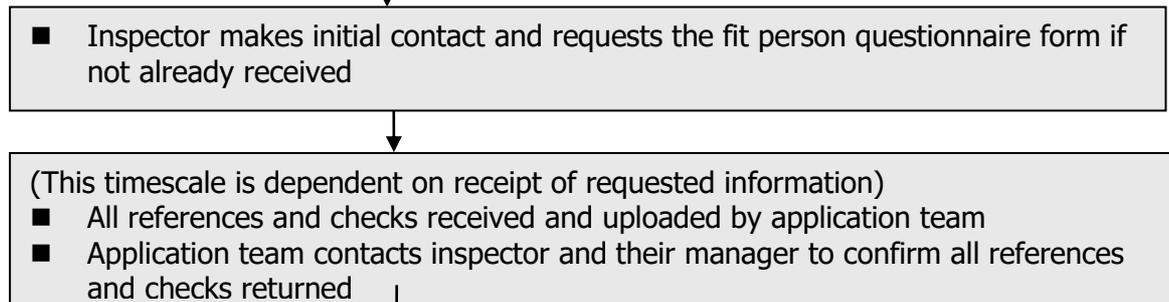


138. The following is the flowchart for an application to register a manager at an existing establishment or agency:

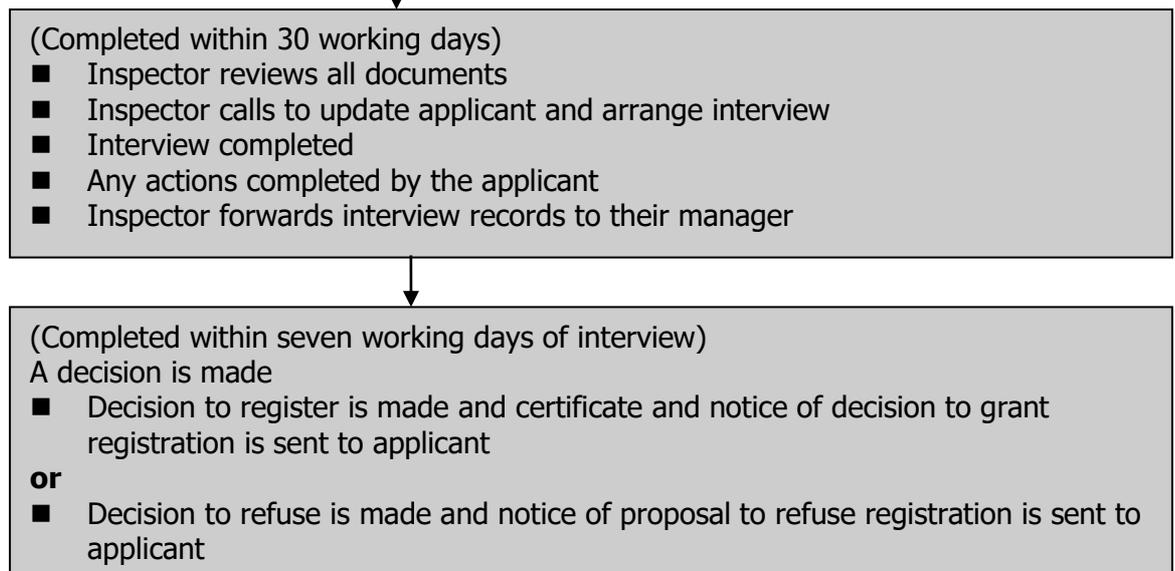
Stage 1



Stage 2



Stage 3



Changes to an application we are processing

139. If you want to change your application before we have granted registration, you must write to tell us about changes:⁵²
- 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.
140. If you do not tell us about these changes, it will delay registration or may result in our refusing your registration.
141. If the changes include an individual who is required to complete an SC2 form, the application will not progress from stage two until a new SC2 form is submitted and all checks and references have been returned.

The registration visit

142. We do not arrange to carry out the registration visit and fitness interviews until we have received all the required information from checks and references. We expect to undertake one registration visit for each application. During the visit, we assess the premises and services you intend to provide and interview all those connected with the application.
143. For holiday schemes, we do not assess the premises. But, we arrange to interview you to discuss the service you intend to provide and the information in your application form.
144. 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 registration visit?

145. The inspector's role at the registration visit is to assess:
- whether the proposed services protect and promote children, young people and adult service users' safety and welfare
 - your fitness to provide or manage an establishment or agency
 - whether the proposed premises are safe and suitable for the purposes intended in the application (this does not apply to holiday schemes).

⁵² Regulation 6 of The Care Standards Act 2000 (Registration)(England) Regulations 2010.

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

146. You must provide documents that prove your identity with your current name and any other names you have used. You must provide original versions or authenticated copies (photocopies will not be accepted). These are:

- government-issued 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 (dated within the last 12 months) 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 (DWP) or HM Revenue and Customs (HMRC).

147. You must provide:

- original versions (or authenticated copies) of your qualifications (the inspector will ask to see any certificates you have)
- your DBS certificate. We do not accept photocopies.

148. The inspector asks 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 (where applicable) and any other information we have about you.

149. 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 (the quality standards for children's homes) and regulations for each establishment or agency.

150. You must have available all the necessary certificates relating to the premises (this does not apply to holiday schemes). For example, utility safety certificates, maintenance certificates for equipment (such as lifts and hoists) and insurance certificates.

151. 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 need to see the records for a responsible individual if we have not assessed them for a previous registration. If you normally hold these records elsewhere, you must arrange for them to be available for the inspector at the registration visit.

The premises of the proposed establishment or agency

152. You must show us that the premises you propose to use are fit for purpose. You must provide the evidence set out in paragraph 113 and be able to prove that you have assessed and managed any risks associated with the building, for example asbestos and Legionella.
153. We require evidence that the premises comply with:
- national and local planning, building and environmental legislation including disability discrimination requirements where appropriate.⁵³ We accept written confirmation from the local authority planning department that the premises meet their requirements. If planning permission is required, we must see a copy to show this has been granted. If planning permission is not required, we must see confirmation of this in the form of a certificate of lawful use or formal written evidence from the local planning department that the proposed use of the premises would still fall within the premises' existing planning use class
 - fire regulations. We need you to demonstrate that you comply with the requirements of your local fire authority and have taken advice from the fire brigade or a private consultant and have in place a fire safety officer who has had fire safety training. This person should have completed a fire risk assessment of the premises and should be able to describe what fire safety procedures will be in place
 - environmental health regulations. This is only necessary for establishments that prepare food on site. You must ensure that you meet environmental health legislation and have up-to-date information on the requirements.

Outcome of the visit

154. Before leaving, the inspector will:
- summarise the evidence that they have collected
 - check that your proposed conditions of registration follow our guidance in annex A
 - explain what happens next.

⁵³ Disability Discrimination Act 1995; www.legislation.gov.uk/ukpga/1995/50/contents.

What happens after the registration visit?

155. When we have all the information from the visit and checks, we make a decision about whether or not to register the establishment or agency.
156. We can impose any conditions of registration that we think necessary to safeguard and promote the welfare of children, young people and other service users. If we decide to grant registration subject to a condition of registration that you do not agree to, you can make written representation to us and subsequently appeal to the first-tier tribunal.

Registration decision

157. When we have completed the registration visit, we decide whether to grant registration or propose to refuse registration.
158. If we grant, or propose to grant registration subject to conditions, we send you a:
- notice of decision to register, if the decision was to register with no conditions or with conditions agreed with you, and your certificate
- or a
- notice of proposal to register, if we decide to impose conditions to which you have not yet agreed.
159. If we propose to refuse registration, we 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.
160. Refusal to register, once confirmed by a notice of decision under the Care Standards Act 2000, in relation to a children's home means a person is disqualified from private fostering under section 68 of the Children Act 1989.
161. A person who is disqualified from private fostering cannot carry on, manage, or have any connection with the operation of a children's home or provide childminding or childcare, without our consent.⁵⁴ It will also be taken into account if you make application to register any other type of establishment or agency under the Care Standard Act 2000, or want to become a registered manager.
162. If we issue a notice of proposal to grant registration subject to conditions you did not originally request, you can write to us and accept the proposal and we will issue a notice of decision and your certificate.

⁵⁴ Further information on this is available in the 'Disqualification and written consent' section of the 'Social care compliance handbook'.

163. If we issue a notice of proposal to refuse registration or to grant registration subject to conditions you do not agree to, you may object to our proposal by making a written representation to us on or before the cut-off date stated in your notice of proposal to refuse. After any representations have been made and a decision has been taken to refuse your registration, you may also lodge an appeal with the first-tier tribunal against any notice of decision we make.
164. If you intend to make a written representation, you must do so within 28 days of the date that we serve you with the notice of proposal. The 28-day representation period is a statutory timeframe and cannot be extended by Ofsted. Please see the 'Representations' section of the 'Social care compliance handbook' for more details.
165. If no response or representation is received within 28 days, we issue a notice of decision. If the decision is to grant registration subject to conditions you have not agreed to, those conditions will be included on your certificate.

Your registration certificate

166. 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.
167. Legally, you must 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.gov.uk/government/publications/social-care-apply-to-cancel-registration.
168. Legally, you must return your certificate to us if you receive a new certificate, if we cancel your registration or if you voluntarily cancel your registration.⁵⁵

⁵⁵ This is a legal requirement under Regulation 9 of The Care Standards Act 2000 (Registration)(England) Regulations 2010.

Withdrawing your application

169. 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 so that we can 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 decide to withdraw your application, the application fee is non-refundable.
170. If we have concerns about your fitness to register as a provider or manager, but you withdraw your application before we have made a registration decision, we will consider those concerns if you apply to register as a provider or manager of a social care establishment or agency in the future.

Once you are registered

Continuing registration

171. You must continue to demonstrate your 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.
172. We monitor your continued compliance through:
- inspection
 - 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, including a check on your DBS status (for those who subscribe to the DBS online update service).
173. There are certain changes that you must tell us about once you are registered. There is more information about this in 'Changes to children's social care services that are registered and or inspected by Ofsted'.⁵⁶ You should familiarise yourself with the detail in this guidance if we agree your registration.

⁵⁶ 'Changes to children's social care services that are registered and or inspected by Ofsted' (100253), Ofsted, 2014; www.gov.uk/government/publications/changes-to-childrens-social-care-services-that-are-registered-and-or-inspected-by-ofsted.

Inspection

174. You can find more information about the inspection of social care services at: www.gov.uk/government/collections/social-care-common-inspection-framework-sccif.

Sharing your information

175. 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.

176. We use 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.

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

178. 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.

Further help with applications to register

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

- telephoning our helpline on 0300 123 1231
- writing to us at the following address:
Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD.

180. We provide regular updates about all aspects of our work on our website. You can subscribe to alerts at www.gov.uk/government/email-signup/new?email_signup%5Bfeed%5D=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Forrganisations%2Fofsted.atom.

Complaints

181. The great majority of our work is carried out smoothly and without incident. If concerns arise during registration, these should be raised with the inspector, their manager or the applications team as soon as possible. This provides an opportunity to resolve the matter before the registration is completed.

182. If it has not been possible to resolve concerns through these means, a formal complaint can be raised under our complaints procedure:
www.gov.uk/government/publications/complaints-about-ofsted.

Annex A: Conditions of registration for social care establishments and agencies and categories of registration for children’s homes and voluntary adoption agencies

Introduction

1. This annex sets out our approach to applying conditions of registration for children’s social care services under the Care Standards Act 2000 (Registration) (England) Regulations 2010.⁵⁷
2. The application of this policy is intended to meet our legal obligations under the Care Standards Act 2000 (Registration) (England) Regulations 2010, while being consistent and transparent in our practice. Section 13(3) of the Care Standards Act 2000⁵⁸ states that we may grant an application for registration unconditionally or subject to any conditions that we think fit.
3. We only apply conditions of registration to:
 - protect children young people and adult service users
 - address specific issues relating to a particular establishment or agency or service type:
 - adoption support agency
 - children’s home
 - independent fostering agency⁵⁹
 - residential family centre
 - holiday scheme
 - voluntary adoption agency.
4. It is not our intention to prevent the development of diverse and innovative provision for children and young people by imposing unnecessarily restrictive conditions on a registration.
5. For consistency, we:
 - have set wording for some frequently used conditions of registration
 - have guidance on how we impose individualised conditions of registration

⁵⁷ Care Standards Act 2000 (Registration) (England) Regulations 2010; www.legislation.gov.uk/uksi/2010/2130/contents/made.

⁵⁸ Care Standards Act 2000; www.legislation.gov.uk/ukpga/2000/14/contents.

⁵⁹ Although no conditions of registration are normally applied to independent fostering agencies, the guidance on imposing conditions and specific conditions remains valid.

- use numerals and not words on certificates of registration: for example '6' and not 'six'.
6. We only apply conditions of registration that do not:
- duplicate any requirements placed on providers and/or managers by the Care Standards Act 2000, or regulations made under this Act
 - conflict with or exempt a provider or manager from complying with any of the regulations made under the Care Standards Act 2000
 - name an individual other than the registered person(s), because we have no powers to make or enforce conditions other than those that apply to registered person(s).⁶⁰
7. For guidance on how a provider can request to vary their conditions after registration, please refer to 'Changes to children's social care services that are registered and/or inspected by Ofsted'.⁶¹ For guidance in relation to when we will impose, remove or vary a provider's conditions of registration, please refer to the 'Social care compliance handbook'.⁶²

Children's homes

8. We always apply one condition of registration to all children's homes, including secure children's homes. This condition sets out the total number of children and young people that can be accommodated at the home. The overall number is based on the total number of children and young people that an applicant applies to accommodate. The condition is worded as follows.

The registered person:

- may only provide care and accommodation for up to XX (number of) children.
9. If we consider that an applicant is applying to accommodate too many children, we can propose to grant registration subject to conditions that have not been agreed by the applicant. The applicant may object to the proposal by making a written representation to Ofsted.

Accommodating a mother and baby at a children's home

10. When an applicant intends to provide care and accommodation for a mother and her child, the overall numbers that the home can accommodate (see

⁶⁰ 'The registered person' covers both the registered provider and registered manager.

⁶¹ 'Changes to children's social care services that are registered and/or inspected by Ofsted', (100253), Ofsted, 2014; www.gov.uk/government/publications/changes-to-childrens-social-care-services-that-are-registered-and-or-inspected-by-ofsted.

⁶² 'Social care compliance handbook' (140136), Ofsted, 2016; www.gov.uk/government/publications/social-care-compliance-handbook-from-september-2014.

paragraph 8 of this annex) will include the baby. Applicants must take this into consideration when applying for registration to accommodate a mother and baby at a children's home. However, if the children's home is to be registered as a single-bedded home, this condition will not be applied.

Single gender occupancy

11. If an applicant intends to offer care and accommodation to only boys or only girls, we apply the following condition to the children's home. This is based on information within the application submitted.

The registered person:

- may provide care and accommodation for single gender occupancy only.

Short breaks children's homes

12. We apply the following condition of registration to a children's home that only provides short breaks.

The registered person:

- may only accommodate children or young adults under short break arrangements and not for children or young people to live permanently at the home.

13. We apply the following condition of registration to a children's home in which children and young people have short breaks and live permanently.

The registered person:

- may only provide care and accommodation for up to XX children under short break arrangements.
- may only provide care and accommodation for up to XX children to live permanently in the home.

Categories of registration for children's homes

14. Categories of registration for children's homes are intended to provide an indication of the types of children and young people's needs that a particular home caters for. The categories of registration for a children's home are identified in regulation as:

- children with emotional and/or behavioural difficulties (EBD)
- children with physical disabilities (PD)
- children with learning disabilities (LD)
- children with mental disorders, excluding learning disability (MD)
- children with present drug dependence (D)

- children with present alcohol dependence (A)
 - children with sensory impairment (SI).⁶³
15. Children’s homes can have more than one category of registration. Paragraphs 22 – 33 of this annex provide additional guidance on definitions for each type of category of registration for children’s homes.

Deciding which categories of registration should apply to a children’s home

16. The applicant must decide what they want to include as categories of registration when they apply to register the children’s home.⁶⁴ The intended overall operation of the home influences what categories of registration a provider should apply for. An inspector takes account of any categories that an applicant applies for during the registration process, assessing how the applicant’s proposed services would meet these.

Wording categories of registration for children’s homes

17. Conditions of registration in relation to categories of registration for children’s homes usually state ‘may provide care and accommodation...’. If we consider it necessary to restrict the types of needs a children’s home caters for, the wording is changed to state ‘may only provide care and accommodation...’.
18. The following wording is used when we apply a category of registration. The registered person:
- may provide care and accommodation for children with emotional and/or behavioural difficulties (EBD)
 - may provide care and accommodation for children with physical disabilities (PD)
 - may provide care and accommodation for children with learning disabilities (LD)
 - may provide care and accommodation for children with mental disorders, excluding learning disability (MD)
 - may provide care and accommodation for children with present drug dependence (D)
 - may provide care and accommodation for children with present alcohol dependence (A)
 - may provide care and accommodation for children with sensory impairment (SI).

⁶³ The Care Standards Act 2000 (Registration) (England) Regulations 2010.

⁶⁴ Care Standards Act 2000, section 12(2)(b).

19. It is possible to combine the above list of categories, as illustrated by the example below. The registered person:
- may provide care and accommodation for children with sensory impairment, learning disabilities and physical disabilities.

Children’s homes with no categories of registration

20. We do not generally apply any categories of registration to secure children’s homes.
21. Other children’s homes can be registered without applying any of the categories of registration. We only do this where the home does not fit into any of the categories, for instance, where the home is intended to provide services for young mothers and their babies.

Additional guidance on categories of registration for children’s homes

Children with emotional or behavioural difficulties (EBD)

22. When children have a difficulty with interpersonal relationships and behaviour, but this is not formally associated with mental disorder, it is defined as an emotional or behavioural difficulty.

Children with physical disabilities (PD) and children with learning disabilities (LD)

23. Disability is defined in the Equality Act 2010 as:
- ‘a physical, (children with physical disabilities (PD)), or mental impairment, (children with learning disabilities (LD)), which has a substantial⁶⁵ and long-term adverse effect on a person’s ability to carry out normal day-to-day activities.’
24. The effect of an impairment is long term if it has lasted at least 12 months, or if it is likely to last at least that long, or if it is likely to recur if in remission. The impairment must affect a person’s ability to carry out normal day-to-day activities, which means it must affect one of the following:
- mobility
 - manual dexterity
 - physical coordination
 - continence
 - ability to lift, carry or otherwise move everyday objects

⁶⁵ ‘Substantial’ is taken to mean more than minor or trivial.

- speech, hearing or eyesight
- memory or ability to concentrate, learn or understand
- perception of the risk of physical danger.

25. In considering what an adverse effect is, the fact that a person can, with great difficulty and effort, carry out the activities, does not mean that their ability to carry them out has not been impaired. In addition, where the person is on medication or their impairment can be controlled or corrected by medical treatment or the use of an aid, consideration must be given to how the activities would have been affected without the medication or aid.

Children with mental disorders, excluding learning disability (MD)

26. The Mental Health Act 1983, as amended, provides the following definitions.

- ‘Mental disorder’ means any disorder or disability of the mind and ‘mentally disordered’ shall be construed accordingly.⁶⁶
- A person with a learning disability shall not be considered by reason of that disability to be:
 - suffering from mental disorder for the purposes of the provisions mentioned in subsection (2B) below
 - requiring treatment in hospital for mental disorder for the purposes of sections 17E and 50 to 53, unless that disability is associated with abnormally aggressive or seriously irresponsible conduct on his part.⁶⁷

27. When a child has a substantial level of mental health problems, we consider that this falls within the category of emotional and behavioural difficulties unless a formal medical diagnosis has been given.

Children with present drug dependence (D)

28. ‘Drug misuse is when a person regularly takes one or more drugs to change their mood, emotion or state of consciousness. One of the biggest risks of drug misuse is that you can develop a drug addiction.’⁶⁸

29. Unless a formal medical diagnosis of drug addiction has been given to a child, and the children’s home’s aims and objectives are to undertake detox programmes, the category of children with present drug dependence (D) should not be applied.

⁶⁶ Mental Health Act 1983, section 1(2); www.legislation.gov.uk/ukpga/1983/20/contents.

⁶⁷ Mental Health Act 1983, section 1(2A).

⁶⁸ ‘Drug misuse’, NHS Choices; www.nhs.uk/conditions/drug-misuse/Pages/Introduction.aspx.

Children with present alcohol dependence (A)

30. There are many definitions of alcohol dependence. A helpful definition can be found in the Driver and Vehicle Licensing Agency (DVLA) guidance, which we apply. The DVLA guidance⁶⁹ defines alcohol misuse as:
- ‘a state which, because of consumption of alcohol, causes disturbance of behaviour, related disease or other consequences, likely to cause the patient, his/her family or society harm now, or in the future, and which may or may not be associated with dependency.’
31. Alcohol dependency is defined in the DVLA guidance as:
- ‘A cluster of behavioural, cognitive & physiological phenomena that develop after repeated alcohol use & which include a strong desire to take alcohol, difficulties in controlling its use, persistence in its use despite harmful consequences, with evidence of increased tolerance and sometimes a physical withdrawal state.’
32. A category of present alcohol dependence is only required where the purpose of the children’s home is to specifically reduce children’s misuse and dependence on alcohol.

Children with sensory impairment (SI)

33. The term sensory impairment is used as a generic term to cover a range of sensory impairments such as the following examples.
- Hearing impairment – this covers the spectrum of those who have some hearing to those who have no hearing at all.
 - Visual impairment – this covers the spectrum of those who have some residual vision to those who have no vision at all.
 - Deafblindness is a mixture of hearing impairment and visual impairment. Children may also have no ability to speak. Children can be born with such impairment or acquire this after birth.

Adoption support agencies

34. We apply one of the first three conditions of registration depending on the types of service that an applicant intends to provide. We also adjust the fourth condition of registration depending on which groups an applicant states that they intend to provide adoption support services for.

⁶⁹ At a glance to the current Medical Standards of Fitness to Drive, Driver and Vehicle Licensing Agency, February 2010.

The registered person:

- may only provide birth records counselling
- may only provide intermediary services
- may provide both birth records counselling and intermediary services
- may provide adoption support services to children/adults/children and adults (delete as applicable).

Independent fostering agencies

35. We do not usually apply conditions of registration to independent fostering agencies. However, we may impose conditions at registration in specific circumstances.

Residential family centres

36. We apply the following condition to all residential family centres. The registered person:

- may only accommodate XX (number of) families at any one time.

Holiday schemes

37. We apply the following conditions to all holiday schemes. The registered person:

- a) must notify Ofsted by the 31 March in each year of the address of all premises or sites scheduled to be used for the purposes of a residential holiday scheme for disabled children ('scheduled provision') in the 12 month period commencing on the 1 April in that year and ending on the 31 March the following year ('the 12-month period').
- b) must notify Ofsted of the address of any other additional premises or sites to be used for the purposes of a residential holiday scheme for disabled children in the 12 month period no later than 28 days before that scheme is to provide care and accommodation for children.
- c) must notify Ofsted as soon as reasonably practicable-
 - i. where the address of the premises or the site to be used for the purposes of the residential holiday scheme for disabled children, originally notified to Ofsted in accordance with condition (a) or (b) changes (including with that notification details of the new premises or site to be used by the scheme), or
 - ii. where any scheduled provision is not to be provided in the 12-month period.

Voluntary adoption agencies

38. Conditions of registration that relate to categories for voluntary adoption agencies define the work of a particular agency.

Wording categories of registration for voluntary adoption agencies

39. The applicant must apply for at least one of the following conditions depending on the services that the adoption agency intends to provide. If registered, a provider will need to apply for a variation to their conditions of registration if they intend to undertake other services listed below. The registered person may only provide the following services:
- domestic adoption services (DA)
 - inter-country adoption services (ICA)
 - adoption support services for children/adults/children and adults (delete as applicable) (AS)
 - birth records counselling
 - intermediary services.

Breaches of conditions of registration

40. Any breach of a condition of registration is an offence⁷⁰ and therefore liable to enforcement action. Any breach will be treated seriously and action must follow the procedures in the 'Social care compliance handbook'.⁷¹

⁷⁰ Care Standards Act 2000, section 24.

⁷¹ 'Social care compliance handbook' (140136), Ofsted, 2016;

www.gov.uk/government/publications/social-care-compliance-handbook-from-september-2014.

Annex B: Minimum checks carried out on individuals as part of a new establishment or agency

This table details the application information required from applicants and the minimum checks that will be completed.

Type of individual	SC2 required?	DBS check required?	References required?	Local authority check?	Interview?
Manager, never registered before	Yes	Yes	Yes	Yes	Yes
Manager currently registered at a different setting (same provider)	Yes	Yes (unless their DBS certificate is less than three years old or they have joined the DBS update service and certificate is clear and there's been no change)	Yes (unless previously obtained by Ofsted)	Yes (unless previously obtained by Ofsted within the last three years)	At the inspector's discretion
Manager currently registered at a different setting (different provider)	Yes	Yes (unless their DBS certificate is less than three years old or they have joined the DBS update service and certificate is clear and there's been no change)	Yes	Yes (unless previously obtained by Ofsted within the last three years)	Yes
Manager previously registered	Yes	Yes (unless their DBS certificate is less than three years old or they have joined the DBS update service and certificate is clear and there's been no change)	Yes	Yes (unless previously obtained by Ofsted within the last three years)	Yes, unless an inspection manager agrees an interview is not required
Manager previously	Yes	Yes (unless their DBS	Yes	Yes (unless previously	Yes

checked as an RI for the same or a different provider		certificate is less than three years old or they have joined the DBS update service and certificate is clear and there's been no change)		obtained by Ofsted within the last three years)	
Responsible individual not known to Ofsted	Yes	Yes	Yes	Yes	Yes
Responsible individual previously checked as part of an application for the same provider	Yes	No	No	No	At the inspector's discretion
Responsible individual previously checked as part of an application for a different provider	Yes	Yes (unless their DBS certificate is less than three years old or they have joined the DBS update service and certificate is clear and there's been no change)	Yes	Yes (unless previously obtained by Ofsted within the last three years)	Yes
Responsible individual previously registered as a manager for the same or different provider	Yes	Yes (unless their DBS certificate is less than three years old or they have joined the DBS update service and certificate is clear and there's been no change)	Yes	Yes (unless previously obtained by Ofsted within the last three years)	Yes
Individual provider never registered before	Yes	Yes	Yes	Yes	Yes
Individual provider already registered as	Yes	Yes (unless their DBS certificate is	No, unless providing a different	Yes (unless previously obtained by	Yes

provider		less than three years old or they have joined the DBS update service and certificate is clear and there's been no change)	type of service	Ofsted within the last three years)	
Partner never previously registered	Yes	Yes	Yes	Yes	Yes
Partner already registered as a provider	Yes	Yes (unless their DBS certificate is less than three years old or they have joined the DBS update service and certificate is clear and there's been no change)	No, unless providing a different type of service	Yes (unless previously obtained by Ofsted within the last three years)	Yes
Director (not in respect of a children's home)	No	No	No	No	No
Director of a children's home and the director is involved in the carrying on of their children's home	Yes (unless they have submitted an SC2 since 1 April 2015 in relation to the same provider)	No	Yes	No	At the inspector's discretion
Director of a children's home and the director is not involved in the carrying on of their children's home	No	No	No	No	No
An individual who is part of the registered provider but is not a director,	No	No	No	No	No

manager or responsible individual					
-----------------------------------	--	--	--	--	--



The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory and Support Service (Cafcass), schools, colleges, initial teacher training, further education and skills, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for children looked after, safeguarding and child protection.

If you would like a copy of this document in a different format, such as large print or Braille, please telephone 0300 123 1231, or email enquiries@ofsted.gov.uk.

You may reuse this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

This publication is available at www.gov.uk/government/organisations/ofsted.

Interested in our work? You can subscribe to our monthly newsletter for more information and updates: <http://eepurl.com/iTrDn>.

Piccadilly Gate
Store Street
Manchester
M1 2WD

T: 0300 123 1231
Textphone: 0161 618 8524
E: enquiries@ofsted.gov.uk
W: www.gov.uk/ofsted

No. 090020

© Crown copyright 2017