

# Know your Regulations?

**Health and Social Care Act 2008  
(Regulated Activities) Regulations 2014**



# Fundamental Standards



### **Regulation 8: General**

All registered persons must meet and comply with every regulation for each regulated activity and follow the Mental Capacity Act 2005 to determine capacity.

*Notes and comments*

### **Regulation 9: Person-centred care**

Ensure people get person-centred care through assessment, partnership and following the Mental capacity Act (2005) and best interest processes.

*Notes and comments*

### **Regulation 10: Dignity and respect**

People are treated with respect, dignity and privacy and providers pay due regards to the protected characteristics cited in the Equality Act 2010.

*Notes and comments*

### **Regulation 11: Need for consent**

People who use the service give consent before any care or treatment is given. Consent is gained lawfully and people gaining consent have knowledge and understanding of the care/treatment they need consent for.

*Notes and comments*

## **Regulation 12: Safe care and treatment**

This regulation covers 4 key areas; preventing unsafe care and treatment and avoidable harm through risk assessment, ensuring safe equipment and safe premises and ensuring safe medication management by provision of suitably trained, competent, experienced and skilled staff to keep people safe.

*Notes and comments*

## **Regulation 13: Safeguarding service users from abuse and improper treatment**

Effective safeguarding of people who use the service from suffering from abuse or improper treatment. This includes discrimination, restraint and inappropriate Deprivation of Liberty under the Mental Capacity Act 2005.

*Notes and comments*

## **Regulation 14: Meeting nutritional and hydration needs**

People who use services have adequate nutrition and hydration to sustain life and good health and reduce the risks of malnutrition and dehydration while they receive care and treatment.

*Notes and comments*

### **Regulation 15: Premises and equipment**

Premises are clean, suitable, maintained, appropriately located and equipment is clean, suitable, maintained, stored securely and used properly. Providers retain responsibility for delegated elements of premises such as contractors, suppliers etc.

*Notes and comments*

### **Regulation 16: Receiving and acting on complaints**

People can complain about their care/treatment. The provider must have a system in place for identifying, receiving and handling complaints. Complaints are fully investigated, and action taken when failings are identified.

*Notes and comments*

### **Regulation 17: Good governance**

Systems and processes are in place to ensure all other regulations are being met. This means having effective governance, assurance and audits in place. This includes monitoring and driving improvement in quality and safety, seeking feedback, mitigating risk for all and maintaining accurate records for everyone using the service or employed.

*Notes and comments*

### **Regulation 18: Staffing**

Having enough qualified, competent and experienced staff to meet the other regulations, and therefore the needs of people using the service. Staff must have support, training, professional development, supervision and appraisals, alongside support to develop further.

*Notes and comments*

### **Regulation 19: Fit and proper persons employed**

Providers must only employ fit and proper staff through robust safe recruitment procedures and checks and monitoring of staff. Procedures must be in place to manage staff who are no longer fit for duties.

*Notes and comments*

### **Regulation 20: Duty of candour**

The duty of candour requires registered providers and managers to act in an open and transparent way with people receiving care or treatment from them. They must also be aware of the 'notifiable safety incidents' and how they will respond if incidents occur.

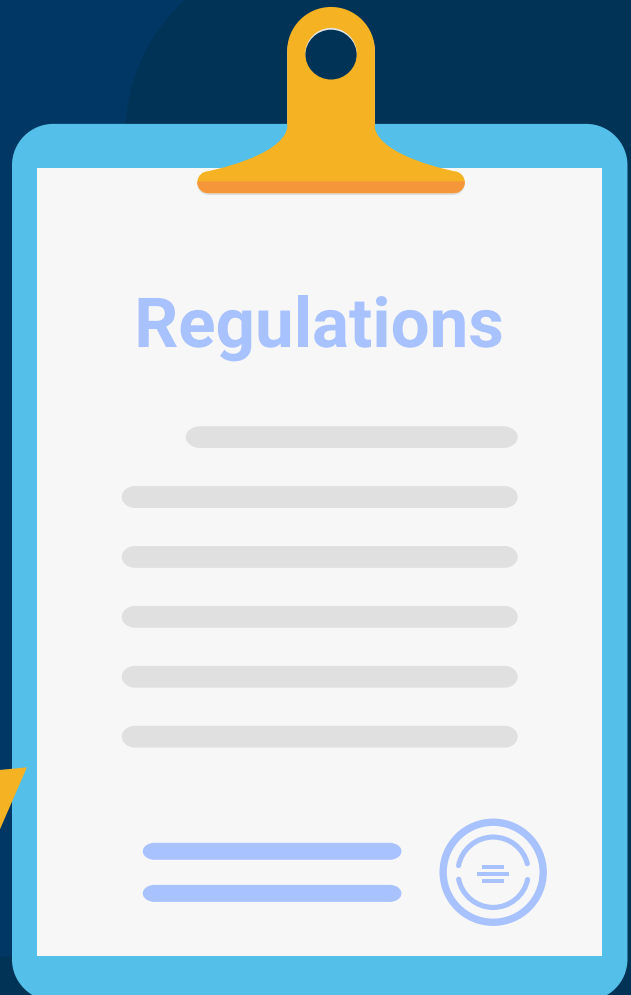
*Notes and comments*

**Regulation 20A: Requirement as to display  
of performance assessments**

CQC Ratings must be displayed conspicuously and legibly at every location delivering the regulated activity and on websites.

*Notes and comments*

# Non-Fundamental Standards





### **Regulation 4: Requirements where the service provider is an individual or partnership**

Ensures that people who use services have their needs met because the service is provided by an appropriate person (good character, able, competent and can evidence this to CQC).

*Notes and comments*

### **Regulation 5: Fit and proper persons: directors**

Ensures that staff working at director level are fit and proper to perform in this role.

*Notes and comments*

**Regulation 6: Requirement where the service provider is a body other than a partnership**

Ensures that the nominated individual for the company who is responsible for supervising the management of regulated activities is fit and proper to perform the role.

*Notes and comments*

**Regulation 7: Requirements relating to registered managers**

The intention of this regulation is to ensure that people who use services have their needs met because the regulated activity is managed by an appropriate person.

*Notes and comments*

## Care Quality Commission (Registration) Regulations 2009

### **Regulation 12: Statement of purpose**

Providers must produce and maintain a clear statement of all information in Schedule 3. This includes notifying CQC of any changes in the statement.

*Notes and comments*

### **Regulation 13: Financial position**

Providers ensure all reasonable steps are taken to meet financial demands of providing a safe service in accordance with their statement of purpose.

*Notes and comments*

### **Regulation 14: Notice of absence**

CQC must have assurance that a service will continue to be properly managed if the person in charge of their service is absent.

*Notes and comments*

## Care Quality Commission (Registration) Regulations 2009

### **Regulation 15: Notice of changes**

CQC must be notified of specific changes in the running of the service. CQC must have assurance that providers have taken the correct action. This includes manager changes, changes to registered details of the service, financial insolvency of the registered person or the service closes.

*Notes and comments*

### **Regulation 16: Notification of death of service user**

CQC must be notified of the deaths of people who use services so that where needed, CQC can take follow-up action.

*Notes and comments*

### **Regulation 17: Notification of death or unauthorised absence of a service user who is detained or liable to be detained under the Mental Health Act 1983**

CQC must be notified of the death/ unauthorised absence of a person in any location who is detained under the Mental Health Act 1983 so that CQC can take follow-up action where needed.

*Notes and comments*

## Care Quality Commission (Registration) Regulations 2009

### **Regulation 18: Notification of other incidents**

Providers must notify CQC of all incidents that affect the health, safety and welfare of people who use services. The full list of incidents is in the text of the regulation.

*Notes and comments*

### **Regulation 19: Fees**

Providers give timely and accurate written information about the cost (fees, contracts and terms and conditions) of their care and treatment to people who use services. This applies for people paying full or part of the cost of their care.

*Notes and comments*

### **Regulation 22A: Form of notifications to the Commission**

Notifications made pursuant to regulations 14 to 18 and 21 and 22 must be made using the forms provided by the Commission for this purpose.

*Notes and comments*