

## AC16 - Registration Authority Notification Policy and Procedure

Category: Administration Sub-category: Communications







### Policy Review Sheet

Last Reviewed: 13/06/19 Last Amended: 14/06/18

Next planned review in 12 months, or sooner as required.

Note: The full policy change history is available in your online management system.

Business Impact:	Low	Medium	High	Critical
	X			
Minimal action required circulate information amongst relevant parties.				

 Reason for this review:	Scheduled review
 Were changes made?	Yes
 Summary:	This policy has been reviewed and revised and contains additional references to GDPR, greater emphasis on audit and includes a new CQC communications log.
 Relevant Legislation:	<ul style="list-style-type: none"> <li>• Care Quality Commission (Registration) and (Additional Functions) and Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2012</li> <li>• Care Quality Commission (Registration) Regulations 2009</li> <li>• Care Quality Commission (Registration and Membership) (Amendment) Regulations 2012</li> <li>• Data Protection Act 2018</li> </ul>
 Underpinning Knowledge - What have we used to ensure that the policy is current:	<ul style="list-style-type: none"> <li>• The Care Quality Commission, (2015), <i>Statutory Notifications: Statutory notifications Guidance for registered providers and managers of: independent healthcare, adult social care, primary dental care, private ambulances</i>. [Online] Available from: <a href="http://www.cqc.org.uk/sites/default/files/20161101_100501_v7_guidance_on_statutory_notifications_ASC_IH_PDC_PA_Reg_Persons.pdf">http://www.cqc.org.uk/sites/default/files/20161101_100501_v7_guidance_on_statutory_notifications_ASC_IH_PDC_PA_Reg_Persons.pdf</a> [Accessed: 13/06/2018]</li> <li>• Department of Health, (2010), <i>The Health Protection Legislation (England) Guidance 2010</i>. [Online] Available from: <a href="http://webarchive.nationalarchives.gov.uk/20130105041349/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_114510">http://webarchive.nationalarchives.gov.uk/20130105041349/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_114510</a> [Accessed: 13/06/2018]</li> <li>• Care Quality Commission, (2017), <i>Notifications</i>. [Online] Available from: <a href="http://www.cqc.org.uk/guidance-providers/notifications/notification-finder">http://www.cqc.org.uk/guidance-providers/notifications/notification-finder</a> [Accessed: 13/06/2018]</li> <li>• Care Quality Commission, (2017), <i>Making Changes to your Registration</i>. [Online] Available from: <a href="http://www.cqc.org.uk/guidance-providers/registration/making-changes-your-registration">http://www.cqc.org.uk/guidance-providers/registration/making-changes-your-registration</a> [Accessed: 13/06/2018]</li> <li>• Care Quality Commission, (2015), <i>Guidance for Providers on meeting the regulations</i>. [Online] Available from: <a href="http://www.cqc.org.uk/sites/default/files/20150324_guidance_providers_meeting_regulations_01.pdf">http://www.cqc.org.uk/sites/default/files/20150324_guidance_providers_meeting_regulations_01.pdf</a> [Accessed: 13/06/2018]</li> </ul>
 Suggested action:	<ul style="list-style-type: none"> <li>• Encourage sharing the policy through the use of the QCS App</li> </ul>

## **AC16 - Registration Authority Notification Policy and Procedure**

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## AC16 - Registration Authority Notification Policy and Procedure

### 1. Purpose

1.1 To ensure regulatory compliance.

1.2 To protect the interests of the Provider and other statutorily designated persons.

1.3 To support 4SocialCare Ltd in meeting the following Key Lines of Enquiry:

Key Question	Key Line of Enquiry (KLOE)
WELL-LED	W2: Does the governance framework ensure that responsibilities are clear and that quality performance, risks and regulatory requirements are understood and managed?
WELL-LED	W4: How does the service continuously learn, improve, innovate and ensure sustainability?

1.4 To meet the legal requirements of the regulated activities that 4SocialCare Ltd is registered to provide:

- Care Quality Commission (Registration) and (Additional Functions) and Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2012
- Care Quality Commission (Registration) Regulations 2009
- Care Quality Commission (Registration and Membership) (Amendment) Regulations 2012
- Data Protection Act 2018

### 2. Scope

2.1 The following roles may be affected by this policy:

- All staff

2.2 The following people may be affected by this policy:

- Service Users

2.3 The following stakeholders may be affected by this policy:

- Family
- Advocates
- Representatives

### 3. Objectives

3.1 To ensure all communication with CQC is to the standard required for both CQC and 4SocialCare Ltd.

3.2 To create an accurate and auditable trail of all communications with CQC.

3.3 To manage specified changes in the management of 4SocialCare Ltd.

## AC16 - Registration Authority Notification Policy and Procedure



### 4. Policy

**4.1** CQC are the independent Health and Social Care regulator for England. As such, inspectors and assessors have Law enforcement powers. 4SocialCare Ltd and all its staff will ensure all relations with the CQC and its staff will be conducted in a manner which is appropriate to their status as regulator.

#### **4.2 Protecting 4SocialCare Ltd Interests**

4SocialCare Ltd will protect their interests and that of Service Users by ensuring an audit of communication with CQC.

Audit Information will be produced when it is needed as evidence of compliance and to verify or make a case in relation to CQC's information.

#### **4.3 Statutory Notifications, Applications and Reporting**

4SocialCare Ltd will communicate with CQC regarding regulatory matters such as statutory notifications, applications and reporting in writing to comply with regulations, and to create sufficient audit.

**4.4** Statutory Notifications to CQC will follow CQC guidance and forms from their website to ensure compliance.

#### **4.5 Verbal Communications**

Where communication is verbal, 4SocialCare Ltd representatives will write contemporaneous notes, witnessed and signed by 4SocialCare Ltd representatives present.

#### **4.6 Contact in Person**

All contact in person with the CQC will, wherever possible, be witnessed by a second member of 4SocialCare Ltd staff.

#### **4.7 Written Communications**

All written communications, with the CQC will be delivered either by (a) Recorded Delivery Post or (b) by hand, obtaining a receipt for the document(s) delivered.

#### **4.8 Electronic Communications**

Electronic Statutory Notifications through the provider portal will be logged for time submitted and nature of the notification.

All other electronic communication should also be logged with a record kept.

#### **4.9 CQC Communications Log**

All communications with the CQC will be recorded in a log kept for the purpose, cross referenced to the main file of documents and contemporaneous records.

#### **4.10 Retention**

All records will be subject to retention dates in line with the retention policy.

#### **4.11 Service Users**

All regulatory reports concerning Service Users will ensure the Service User is consulted and informed about the report and the reasons for the action taken.

#### **4.12 Data Protection Act**

In all correspondence and communication, Data Protection Act Laws and principals will be followed.

## AC16 - Registration Authority Notification Policy and Procedure

### 5. Procedure

#### 5.1 Statutory Notifications

CQC provide guidance on its website relating to notifications:

- What constitutes a notification to CQC
- How it must be sent
- What needs to be recorded

This guidance will be followed by the Nominated Person or an appropriate delegated individual.

**5.2** Where a person other than the Registered Manager is completing Notifications, they must have received adequate training and be appointed to do so.

#### 5.3 CQC Templates

Only CQC notification templates and online forms found on their website will be used to complete a notification to ensure they are the most up-to-date version.

#### 5.4 Applications

Where a notification is made, care should be taken to check whether a change has been made to the registration held with CQC, which may require an application also. More information is available on the CQC website in relation to changes.

#### 5.5 Verbal Communication

Verbal Communication with CQC will not always be witnessed by a second member of staff as it may not be possible.

A record of the conversation should be completed, with particular care around salient points and handed to the Nominated Person as soon as possible.

### 6. Definitions

#### 6.1 Statutory Notification

- Registered providers must notify CQC about certain changes, events and incidents that affect their service or the people who use it (CQC definition)

#### 6.2 Regulator

- A person or body appointed by government to oversee (regulate) an industry, to ensure they abide by the law

#### 6.3 Registration

- Applying to CQC to either manage or provide regulated activities (such as personal care) with the purpose of being placed on their register as providing such services if successful
- If registration is unsuccessful, by law, you cannot carry on or manage the regulated activity

#### 6.4 Enforcement

- This is when CQC imposes, varies or removes a condition of registration; when CQC suspend or cancel a registration whether using urgent procedures or not and issuing Warning Notices, penalty notices, simple cautions; or when CQC prosecute a provider (CQC Definition)

## AC16 - Registration Authority Notification Policy and Procedure



### Key Facts - Professionals

Professionals providing this service should be aware of the following:

- It is the Registered Manager's role to complete notifications, or an internal staff member that has been appointed to do so
- 4SocialCare Ltd will communicate with the CQC in a professional manner, ensuring that all communication is written, or confirmed in writing accurately. This is to give a clear audit and account
- To ensure that messages are not misunderstood, where CQC communicate verbally in person, more than one 4SocialCare Ltd staff member will be present



### Key Facts - People Affected by The Service

People affected by this service should be aware of the following:

- 4SocialCare Ltd has a legal duty to tell the regulator for Health and Social Care (CQC) certain changes and incidents that happen in the Service
- 4SocialCare Ltd will make sure this is done the way that it should be, and if it involves information about you, 4SocialCare Ltd will talk with you about what is being/has been reported and why if it is appropriate to do so
- All confidential information will be treated safely and securely, and only shared in a secure way and only when it is necessary



### Further Reading

There is no further reading for this policy, but we recommend the 'Underpinning Knowledge' section of the review sheet to increase your knowledge and understanding.



### Outstanding Practice

To be 'Outstanding' in this policy area you could provide evidence that:

- There is proactive monitoring of the service to ensure all notifications made in a timely and complete way
- All errors in reporting are rectified, and lessons learned and there is a clear audit of this
- Staff know what to do when the Registered Manager is not available in relation to notifications and communicating with CQC because there is training and guidance relating to this
- The wide understanding of the policy is enabled by proactive use of the QCS App



### Forms

The following forms are included as part of this policy:

Title of form	When would the form be used?	Created by
CQC Communication Log	To record communications with the CQC.	QCS

## CQC Communication Log

Number	Date	Title	Communication Type <i>(i.e. Notification)</i>	Contents	Cross Reference <i>(Any other comms relevant to this one)</i>
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

## CQC Communication Log

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