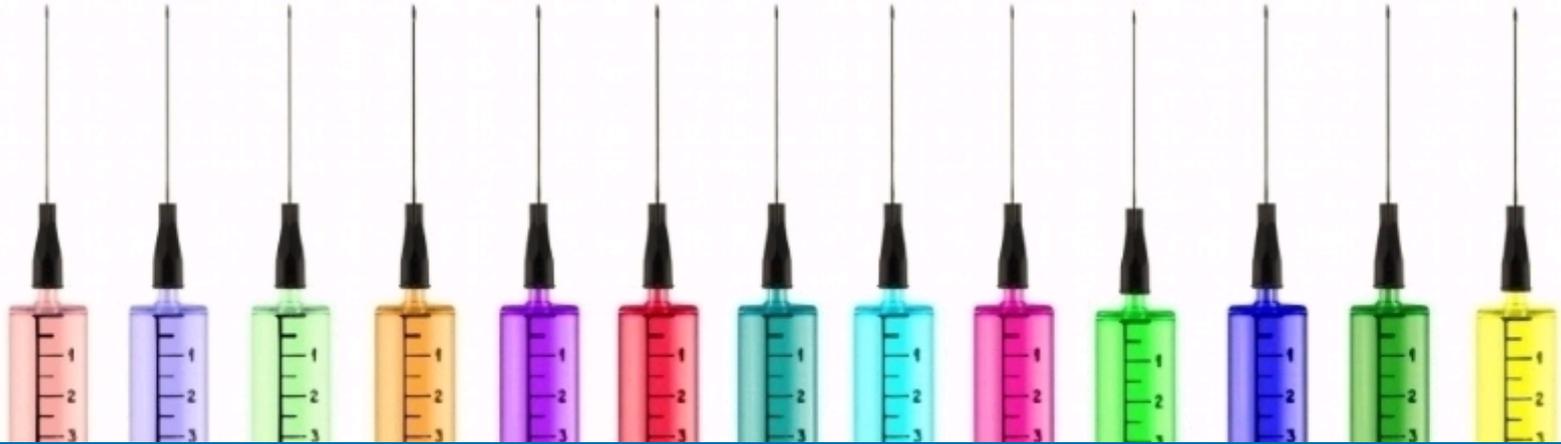


# RadcliffesLeBrasseur



## Healthcare Briefing

March 2010

### CQC Registration - Part 2

In our recent briefing [1] we considered the introduction of the new registration system for health and social care operators providing regulated care. Under the new provisions adult social care and independent healthcare providers will have to be registered with the Care Quality Commission (CQC) by the 1<sup>st</sup> October 2010. [2] What then, do providers need to do by the 1<sup>st</sup> October?

The CQC has helpfully set out a timetable for the implementation of the new system and the steps to be taken by providers. As NHS Trusts have now been included in the registration system, the timetable includes provisions aimed solely at them. The CQC timetable for implementation is set out below:

#### Early December 2009:

Updated guidance about compliance with the essential standards of quality and safety and their judgment framework published.

#### Between 4 and 29 January 2010:

NHS Trusts apply for registration.

#### February and March 2010:

CQC may talk to NHS Trusts about their application and ask them to supply more evidence to support them.

#### From 1<sup>st</sup> April 2010

NHS Trusts must be registered with CQC.

#### From April 2010 (exact date to be confirmed):

Adult Social Care and Independent Healthcare providers apply for registration.

#### Between April 2010 and September 2010 (exact dates to be confirmed):

CQC may talk to Adult Social Care and Independent Healthcare providers about their applications and ask them to supply more evidence to support them.

#### From 1 October 2010:

Adult Social Care and Independent Healthcare providers must be registered with CQC under the Health and Social Care Act 2008, the Care Standards Act 2000 will be repealed.[3]

The CQC has indicated that, due to the large volume of adult social care and independent healthcare providers, it will be allocating individual providers with a four week window between April and September 2010 within which the provider is to make their application for registration. The deadline for the submission will be the final working day of the allocated application window. The CQC has also confirmed that it will write to providers at least 28 calendar days prior to the commencement of the application window to inform them of their application dates.

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If providers fail to submit their application by the allocated deadline the CQC has indicated that it cannot guarantee the application will be processed prior to the 1<sup>st</sup> October deadline. If a provider is not registered by 1<sup>st</sup> October, it will be operating illegally thereafter, and thus it is imperative that providers complete their applications within the allocated window provided.

In order to be registered, providers will need to show that they are meeting the new essential standards of quality and safety for each of the regulated activities they provide. It is therefore advisable for providers and their managers to start considering and implementing the guidance that the CQC has published ahead of their forthcoming application for registration. [4]

For further details or assistance on re-registration, please contact either Andrew Parsons or Oliver Donald at RadcliffesLeBrasseur, 020 7222 7040.

[1] RadcliffesLeBrasseur Healthcare Briefing, February 2010 - *CQC Registration*. See: <http://www.rlb-law.com/health-uploads/healthcare-briefing---cqc-registration-%28february-2010%29.pdf>

[2] NHS Trusts must be registered by the 1<sup>st</sup> April 2010

[3] The Care Quality Commission: *A new system of registration: Guide for providers of healthcare or adult social care* pp. 11-12

[4] See CQC guidance at: <http://www.cqc.org.uk/guidanceforprofessionals/registration/newregistrationsystem/howthenewregistrationsystemwork/complyingwithnewregulations.cfm>



## Disclaimer

This briefing is for guidance purposes only. RadcliffesLeBrasseur accepts no responsibility or liability whatsoever for any action taken or not taken in relation to this note and recommends that appropriate legal advice be taken having regard to a clients own particular circumstances.

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