

Regulation 7: Requirements relating to registered managers

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 7

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.

This is because providers who comply with the regulations will have a registered manager who:

- Is of good character.
- Is able to properly perform tasks that are intrinsic to their role.
- Has the necessary qualifications, competence, skills and experience to manage the regulated activity.
- Has supplied them with documents that confirm their suitability.

CQC cannot prosecute for a breach of this regulation or any of its parts but we can take regulatory action. See the [offences section](#) for more detail.

CQC must refuse registration if providers cannot satisfy us that they can and will continue to comply with this regulation.

The regulation in full

7.—

1. A person (M) shall not manage the carrying on of a regulated activity as a registered manager unless M is fit to do so.
2. M is not fit to be a registered manager in respect of a regulated activity unless M is—
 - a. of good character,
 - b. has the necessary qualifications, competence, skills and experience to manage the carrying on of the regulated activity,
 - c. able by reason of M's health, after reasonable adjustments are made, of doing so, and
 - d. able to supply to the Commission, or arrange for the availability of, the information relating to themselves specified in Schedule 3.
3. In assessing an individual's character for the purposes of paragraph (2)(a), the matters considered must include those listed in Part 2 of Schedule 4.

Guidance

This sets out the guidance providers must have regard to against the relevant component of the regulation.

7 (1) A person (M) shall not manage the carrying on of a regulated activity as a registered manager unless M is fit to do so

7(2) M is not fit to be a registered manager in respect of a regulated activity unless M is—

7(2)(a) of good character;

Guidance on 7(2)(a)

- When assessing whether a registered manager is of good character, providers must follow robust processes to make sure that they gather all available information to confirm that the individual is of good character, and have regard to the matters outlined in [Schedule 4, Part 2](#) of the regulations. It is not possible to outline every character trait an individual should have, but we would expect to see that the processes followed take account of honesty, trustworthiness, reliability and respectfulness.
- If a provider discovers information that suggests a registered manager is not of good character after they have been appointed to a role, they must take appropriate and timely action to investigate and rectify the matter. Where a provider considers the registered manager to be suitable despite the existence of information relevant to issues identified in Schedule 4, Part 2, the provider's reasons should be recorded for future reference.

7 (2)(b) has the necessary qualifications, competence, skills and experience to manage the carrying on of the regulated activity,

Guidance on 7(2)(b)

- The registered manager should be appropriately skilled with the qualification(s), knowledge and experience and demonstrate the competency required to manage the regulated activity.

- The registered manager should demonstrate that they have appropriate knowledge of applicable legislation including the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (Part 3), relevant best practice and guidance and understand the consequences of failing to take action on set requirements.
- The provider must have appropriate processes for assessing and checking that the individual holds the required qualifications and has the competence, skills and experience required to undertake the role. These processes must be followed in all cases and relevant records kept.

7(2)(c) able by reason of M's health, after reasonable adjustments are made, of doing so.

Guidance on 7(2)(c)

- This aspect of the regulation relates to the ability of registered managers to carry out their role. This does not mean that people who have a long-term condition or disability cannot hold such positions.
- The provider must have processes for considering the person's physical and mental health in line with the requirements of the role.
- All reasonable steps must be made to make adjustments for registered managers to enable them to carry out their role. These must be in line with requirements to make reasonable adjustments for employees under the Equality Act 2010.