

# Regulation 15: Premises and equipment

## Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 15

The intention of this regulation is to make sure that the premises where care and treatment are delivered are clean, suitable for the intended purpose, maintained and where required, appropriately located, and that the equipment that is used to deliver care and treatment is clean, suitable for the intended purpose, maintained, stored securely and used properly. Providers retain legal responsibility under these regulations when they delegate responsibility through contracts or legal agreements to a third party, independent suppliers, professionals, supply chains or contractors. They must therefore make sure that they meet the regulation, as responsibility for any shortfall rests with the provider.

Where the person using the service owns the equipment needed to deliver their care and treatment, or the provider does not provide it, the provider should make every effort to make sure that it is clean, safe and suitable for use.

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.

**Note:**

'Premises' and 'equipment' are defined in the regulations. The definitions make sure that the term 'premises' does not apply to the person's own accommodation where accommodation is not provided as part of their care and treatment. In addition, 'equipment' does not include equipment at the person's own accommodation, where it is not provided as part of their care or treatment.

## The regulation in full

15.—

1. All premises and equipment used by the service provider must be—
  - a. clean,
  - b. secure,
  - c. suitable for the purpose for which they are being used,
  - d. properly used
  - e. properly maintained, and
  - f. appropriately located for the purpose for which they are being used.
2. The registered person must, in relation to such premises and equipment, maintain standards of hygiene appropriate for the purposes for which they are being used.
3. For the purposes of paragraph (1)(b), (c), (e) and (f), "equipment" does not include equipment at the service user's accommodation if—
  - a. such accommodation is not provided as part of the service user's care or treatment, and
  - b. such equipment is not supplied by the service provider.

## Guidance

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

**15(1)** All premises and equipment used by the service provider must be—

**15(1)(a)** clean,

### Guidance on 15(1)(a)

- Premises and equipment must be kept clean and cleaning must be done in line with current legislation and guidance.
- Premises and equipment should be visibly clean and free from odours that are offensive or unpleasant.
- Providers should:
  - use appropriate cleaning methods and agents,
  - operate a cleaning schedule appropriate to the care and treatment being delivered from the premises or by the equipment
  - monitor the level of cleanliness
  - take action without delay when any shortfalls are identified.
  - make sure that staff with responsibility for cleaning have appropriate training.
- Domestic, clinical and hazardous waste and materials must be managed in line with current legislation and guidance.

**15(1)(b)** secure,

## Guidance on 15(1)(b)

- Security arrangements must make sure that people are safe while receiving care, including:
  - Protecting personal safety, which includes restrictive protection required in relation to the Mental Capacity Act 2005 and Mental Health Act 1983. This includes the use of window restrictors or locks on doors, which are used in a way that protects people using the service when lawful and necessary, but which does not restrict the liberty of other people using the service.
  - Protecting personal property and/or money.
  - Providing appropriate access to and exit from protected or controlled areas.
  - Not inadvertently restricting people's movements.
  - Providing appropriate information about access and entry when people who use the service are unable to come and go freely and when people using a service move from the premises as part of their care and treatment.
  - Using the appropriate level of security needed in relation to the services being delivered.
- If any form of surveillance is used for any purpose, the provider must make sure that this is done in the best interests of people using the service, while remaining mindful of their responsibilities for the safety of their staff. Any surveillance should be operated in line with current guidance. Detailed [guidance on the use of surveillance](#) is available on CQC's website.

**15(1)(c)** suitable for the purpose for which they are being used,

## Guidance on 15(1)(c)

- Premises must be fit for purpose in line with statutory requirements and should take account of national best practice.
- Premises must be suitable for the service provided, including the layout, and be big enough to accommodate the potential number of people using the service at any one time. There must be sufficient equipment to provide the service.
- Adequate support facilities and amenities must be provided where relevant to the service being provided. This includes sufficient toilets and bathrooms for the number of people using the service, adequate storage space, adequate seating and waiting space.
- People's needs must be taken into account when premises are designed, built, maintained, renovated or adapted. Their views should also be taken into account when possible.
- People should be able to easily enter and exit premises and find their way around easily and independently. If they can't, providers must make reasonable adjustments in accordance with the Equality Act 2010 and other current legislation and guidance.
- Any alterations to the premises or the equipment that is used to deliver care and treatment must be made in line with current legislation and guidance. Where the guidance cannot be met, the provider should have appropriate contingency plans and arrangements to mitigate the risks to people using the service.
- The premises and equipment used to deliver care and treatment must meet people's needs and, where possible, their preferences. This includes making sure that privacy, dignity and confidentiality are not compromised.

- Reasonable adjustments must be made when providing equipment to meet the needs of people with disabilities, in line with requirements of the Equality Act 2010.

**15(1)(d)** properly used,

**15(1)(e)** properly maintained, and

### Guidance on 15(1)(d) and 15(1)(e)

- Providers must make sure that they meet the requirements of relevant legislation so that premises and equipment are properly used and maintained. [See the relevant legislation.](#)
- The provider's Statement of Purpose and operational policies and procedures for the delivery of care and treatment should specify how the premises and equipment will be used.
- Any change of use of premises and/or equipment should be informed by a risk assessment and providers must make appropriate alterations to premises and equipment where reasonably practical. Where this is not possible, providers should have appropriate contingency plans and arrangements to mitigate the risks to people using the service. Alterations must be in line with current legislation and guidance.
- There should be regular health and safety risk assessments of the premises (including grounds) and equipment. The findings of the assessments must be acted on without delay if improvements are required.

- There should be suitable arrangements for the purchase, service, maintenance, renewal and replacement of premises (including grounds) and equipment. These arrangements must make sure that they meet the requirements of current legislation and guidance, manufacturers' instructions and the provider's policies or procedures.
- Providers must have operational policies and procedures and maintenance budgets to maintain their equipment, buildings and mechanical engineering and electrical systems so that they are sound, operationally safe and exhibiting only minor deterioration.
- All equipment must be used, stored and maintained in line with manufacturers' instructions. It should only be used for its intended purpose and by the person for whom it is provided.
- Providers must make sure that staff and others who operate the equipment are trained to use it appropriately.

**15(1)(f)** appropriately located for the purpose for which they are being used.

### Guidance on 15(1)(f)

- When planning the location of premises, providers must take into account the anticipated needs of the people who will use the service and they should ensure easy access to other relevant facilities and the local community.

- Facilities should be appropriately located to suit the accommodation that is being used. This includes short distances between linked facilities, sufficient car parking that is clearly marked and reasonably close, and good access to public transport.
- Equipment must be accessible at all times to meet the needs of people using the service. This means it must be available when needed, or obtained in a reasonable time so as not to pose a risk to the person using the service. Equipment includes chairs, beds, clinical equipment, and moving and handling equipment.

**15(2)** The registered person must, in relation to such premises and equipment, maintain standards of hygiene appropriate for the purposes for which they are being used.

### Guidance on 15(2)

- Providers must comply with guidance from the Department of Health about the prevention and control of infections: *Health and Social Care Act 2008: [The Code of Practice for health and adult social care on the prevention and control of infections and related guidance](#)*.
- Where applicable, premises must be cleaned or decontaminated in line with current legislation and guidance, and equipment must be cleaned, decontaminated and/or sterilised in line with current legislation and guidance and manufacturers' instructions. Equipment must be cleaned or decontaminated after each use and between use by different people who use the service.



- Ancillary services belonging to the provider, such as kitchens and laundry rooms, which are used for or by people who use the service, must be used and maintained in line with current legislation and guidance. People using the service and staff using the equipment should be trained to use it or supervised/risk assessed as necessary.
- Multiple use equipment and devices must be cleaned or decontaminated between use. Single use and single person devices must not be re-used or shared. All staff must understand the risk to people who use services if they do not adhere to this.