



## **Guidance for providers on the registration of dispersed services**

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### **1. Context and purpose**

This guidance is intended to explain what a dispersed service is and to assist in determining the extent to which a single care service can be dispersed.

The Public Services Reform (Scotland) Act 2010 (The Act) and associated Regulations inform the context and purpose of this policy and guidance. The Scottish Regulators' Strategic Code of Practice has been taken into account during the development of this policy.

### **2. What is a dispersed service?**

A dispersed service describes the situation where a manager is responsible for a single care service that operates from or at more than one location or by more than one team (a team is a group of staff under the supervision of a line manager). These form the parts of the service). This guidance applies to housing support services, support services, nurse agencies, childcare agencies and some premises-based services such as care homes, daycare services and daycare of children. The care service has a single registration and the whole service is subject to inspection. It is the applicant's responsibility to provide evidence that it is a dispersed service. Registration as a single service is at the discretion of the Care Inspectorate.

We do not intend this policy to support any reduction in the number of managers appointed by providers, nor the number of care services that a single manager can oversee. We intend it to support dispersed services and reflect diverse organisational structures.

### **3. Policy position**

The purpose of this policy is to support creativity and not to stifle innovation. However, equally this is not intended to allow providers to avoid the legal requirement to register separately operating care services. Care services must be provided in a manner which promotes quality and safety, affording people who use services choice in the way in which the service is provided to them.

The Care Inspectorate will not automatically set limits on the size of dispersed services and/or where the service will be able to operate. However, parameters will be applied using conditions where this is determined by the Care Inspectorate to be appropriate and based on evidence from applicants.

For example, where one or two services are located within a reasonable distance from each other; numbers are small in each location; staff skills are transferable; people who use services can, if they choose, attend any part of the service; the aims and objectives are the same; and they are easily managed by one manager due to the size and geographic distance, this may be eligible for single registration.

#### **4. Criteria**

In order to determine whether the service is a dispersed service the following criteria is to be applied:

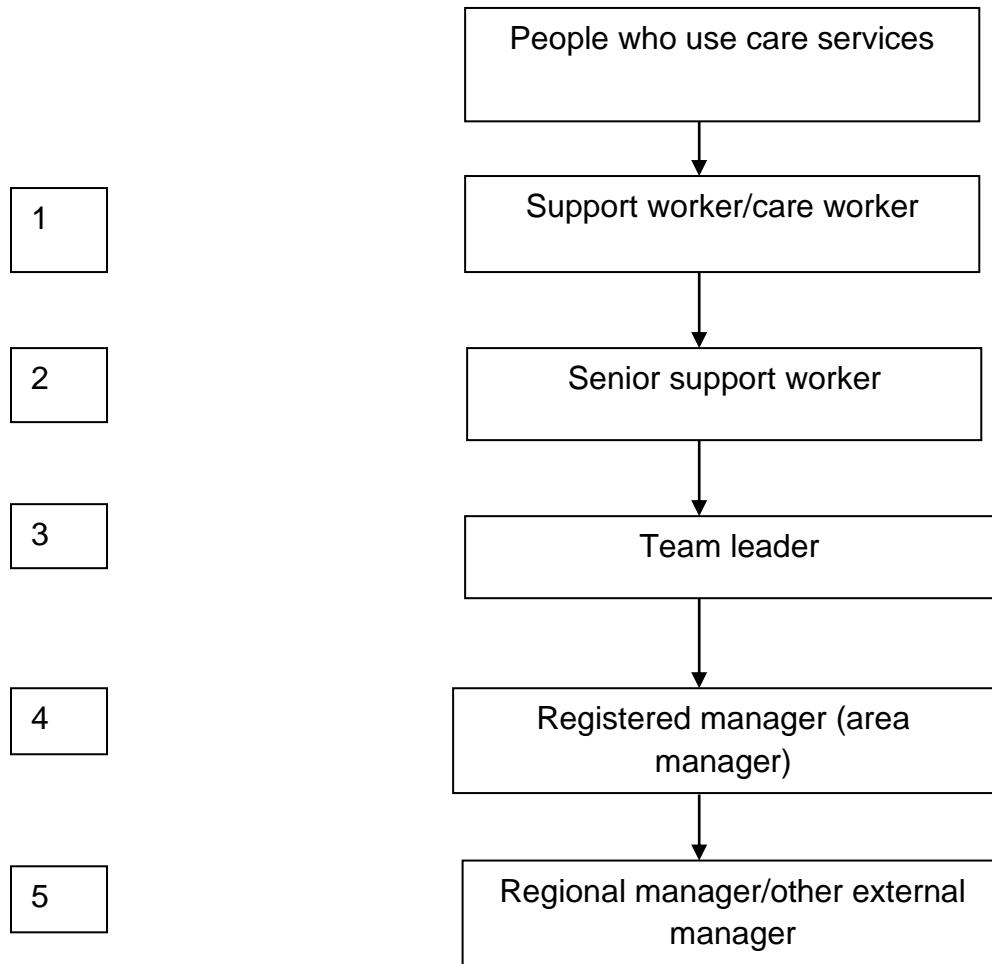
##### **Criteria 1: The manager is in ‘day-to-day charge’ (this refers to registered manager)**

It is acknowledged that managers perform various functions and it is not expected that the manager has to be on site continuously. Therefore, to evidence that the named manager for the care service is ‘in day-to-day charge’ we expect all the following indicators to be met.

1. The provider must consider the size of the different parts of the service and their geographical spread to ensure one individual can reasonably manage the dispersed service locations. The manager must be responsible for the day-to-day-operation of the service and accountable for all aspects of the service.
2. The manager has daily contact with the staff in the service’s various locations and is accessible on a day-to day-basis. Contact does not require to be face to face daily but reasonable arrangements for face to face contact must be in place and demonstrated by the provider.
3. The manager does not share the management role (except for formal job share positions). The manager may have senior staff/deputies who have clear roles and responsibilities which mean the manager may delegate the authority to carry out certain managerial tasks. The manager must retain overall responsibility for their work. Staff who regularly deputise for the manager must be appropriately registered with the SSSC. This may require, for example, staff to be registered as both a supervisor and practitioner if regularly acting in these roles.
4. The manager must be available to respond and provide support to staff in an emergency. There must be clear emergency systems/on call arrangements in place in the service. There must be sufficiently skilled and qualified staff to deal with emergencies when the manager is on leave or otherwise unavailable and their job descriptions reflect this.
5. The job description must reflect the duties of the manager of the dispersed service.
6. The manager of the service should be no more than four tiers away from people who use services, otherwise it is considered their role is too far removed. In some flat structures the manager may be operating at tier two or three.
7. Managers must have relevant management skills required of their post and may line manage supervisors who have the necessary specialist skills and experience of working with the identified group/s of people using the service.

In the following example, the area manager is likely to be the manager of the service.

Tiers	Management structure
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### Criteria 2: Single care service

The provider must operate each part of the care service in the same way. It must be operated according to its aims and objectives and as one service, rather than a number of services, inappropriately operating under a single registration. The aims and objectives of the service set out who the service is for and what the expected outcomes are.

The indicators we will consider to evidence that it is a single care service are:

1. the different parts of the service share the same care service name
2. the different parts of the service will share the same aims and objectives, policies and procedures, mandatory staff training requirements and job descriptions.

It is acceptable for staff to work in specific areas within a service. For example, a support service (care at home) provided to adults and children might have dedicated staff teams working with children and dedicated staff teams working with adults. This relies on the fact that under one registration the aims and objectives are the same across the service – in this case to provide personal care and personal support to people living in their own home. We would expect the above criteria to apply, with additional training provided in accordance with the client group.

### **Criteria 3: Ability to comply with the Act, regulations and Health and Social Care Standards**

The provider must also satisfy the Care Inspectorate of their ability to comply with the Act, regulations and take account of the Health and Social Care Standards in the event the dispersed service arrangement is to be put in place or expanded. There are several factors the Care Inspectorate will consider, such as:

- any relevant previous regulatory history of the provider and/or care service
- any relevant grading history held by the care service, or where it relates to a new application for registration, the grading history the provider has had with any previous care services, in particular, regarding management and leadership
- any relevant potential impact the proposed arrangements may have on the welfare and safety of people who use services.

This is not intended as an exhaustive list and other factors may be taken into account. The provider will have an opportunity to provide comment and documentary evidence on any matter we take into consideration.

## **5. Premises-based services**

The inclusion of premises-based services in this definition of dispersed services aims to support creative innovation where providers propose to provide small premises-based services rather than traditional service models.

For example, where a care home operates as a core and cluster of small bungalows/flats as opposed to one large care home or a ‘move on’ facility in the grounds of a care home, in these types of situations the Care Inspectorate may agree to register this as a single service rather than individual registrations.

The Care Inspectorate will not consider an application where, for example, two or more care homes provided in non-domestic style arrangements be registered as a dispersed service.

Similarly, this applies to daycare of children and support services (daycare services). However, there may be exceptional circumstances where a dispersed service is considered acceptable, such as in a daycare of children service where there is a

premises-based service with an outdoor satellite service. See [Early Learning and Childcare: Delivering High Quality Play and Learning Environments Outdoors: Practice Note \(2018\)](#) for more detail on this.

It will be for the provider to submit evidence of how they intend to operate a single service from more than one location/address.

See section seven for further examples.

## **6. Implications and applying conditions**

As stated in section two above, the dispersed service arrangements were introduced to reflect and support the way services operate.

Where it is agreed that the proposed service meets the criteria, it may still be appropriate to discuss the client group, size, geographical spread, numbers of staff, teams or numbers of people who use services. Limitations to the operation of the service may be included in the conditions of registration.

Registering a dispersed service may have several implications, for instance:

1. as a single service, the provider will only receive one certificate of registration. The provider must be able to demonstrate to people who use services that the service is registered, and copies of the certificate must be displayed in all appropriate locations of the service so that people who use services are clear as to the name of the service and by whom it is being provided.
2. conditions of registration will reflect that this is a dispersed service operating from different locations. The address of each premises-based service will be noted in the conditions of registration. For non-premises-based services the number of teams and the area in which they operate from will be noted in the conditions of registration. Where a service is provided from more than one office address, the Care Inspectorate will keep a note of the addresses from which the service is provided; The Care Inspectorate should be informed of any changes. A judgement requires to be made as to the amount of overall growth which will be acceptable.
3. the Care Inspectorate may inspect parts, or all, of the service. One report will be produced. Any areas for improvement, requirements made, or enforcement action taken (including improvement notice or other formal enforcement) following complaint or inspection activity, will apply to the whole service. Similarly, grades will apply to the whole service. As such, any concerns identified in one location will result in enforcement action/lowering of grades to the registered service overall.

## **7. Examples of dispersed services**

### **Blind and Deaf Services Scotland (housing support service)**

This service has a manager located in Edinburgh and five support staff who are based in different parts of Scotland (Glasgow, Elgin, Dunfermline, Irvine, Inverness).

Staff all have the same job descriptions, the same mandatory training and they all support individuals with practical issues relating to their accommodation. This may be eligible for single registration.

### **ABC Housing Association (housing support service)**

ABC provides low intensity support to older people living in 150 sheltered housing developments. Rather than registering each sheltered housing development separately, it was agreed there would be three separately registered services. This is because the organisation has three area managers and it was agreed that they would be the named service managers having responsibility for 50 developments each.

### **XYZ Housing Association (care home)**

XYZ provides care and accommodation to people with learning disabilities living in 10 flats. Five flats are two person flats, five are single occupation. Staff use a separate base within the development and provide support to all the people who use services. This may be eligible for a single registration.

### **Happy Nursery (daycare of children)**

Where a day care of children service operates from two locations very close to each other; at one location children under two years are cared for, and from the other location children aged over two years are cared for. This may be eligible for a single registration.

### **Sunny Nursery**

A provider offers daycare of children for children under school age, from a premises base with an outdoor play space. The provider wishes to offer outdoor experiences and opportunities to children under school age, in a local forest, park or any other outdoor space which is not part of the premises-based setting. Where both settings are operated by the same provider, same staff team and one manager and where children can spend their time in the indoor setting, the outdoor setting or split between both settings this may be considered as a single service. The resource, [Early Learning and Childcare: Delivering High Quality Play and Learning Environments Outdoors – Practice Note](#), provides more detail on this.

### **Great Day Care (support service/premises based)**

Daycare services for a small number of older people attending three local community centres across two neighbouring towns. This may be considered as a single service.

### **8. Example of a non-dispersed service**

#### **Sunny Care Homes**

A provider operates a care home for 30 older people. The provider purchases another care home in the same village and enquires about a single registration.

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