

Fit and Proper Persons (Staff) Policy

Sample policy template. This is a Verivius-authored template based on the verbatim text of the statutory source. Tenants adapt the operational sections to their own organisation. Where this template and the live regulation diverge, the live regulation wins.

Statutory anchor: Regulation 19 plus Schedule 3, Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (SI 2014/2936) **Primary source (Reg 19):** <https://www.legislation.gov.uk/ukxi/2014/2936/regulation/19> **Primary source (Schedule 3):** <https://www.legislation.gov.uk/ukxi/2014/2936/schedule/3> **Last reviewed:** 2026-06-01
Verivius pack version: v1.1, 2026-06-01

1. What the regulation says

Regulation 19

Persons employed for the purposes of carrying on a regulated activity must be of good character ... have the qualifications, competence, skills and experience which are necessary for the work to be performed by them, and ... be able by reason of their health, after reasonable adjustments are made, of properly performing tasks which are intrinsic to the work for which they are employed.

take such action as is necessary and proportionate to ensure that the requirement in that paragraph is complied with, and ... if the person is a health care professional, social worker or other professional registered with a health care or social care regulator, inform the regulator in question.

Regulation 19(3) requires that the information specified in Schedule 3 is available to be supplied to the Commission in relation to each person employed.

The full text of Regulation 19 is at <https://www.legislation.gov.uk/ukxi/2014/2936/regulation/19>. Where this policy and the regulation diverge, the regulation wins.

Schedule 3: Information required in respect of persons employed

The verbatim text of Schedule 3, paragraphs 1 to 9:

1. Proof of identity including a recent photograph.
2. Where required for the purposes of an exempted question in accordance with section 113A(2)(b) of the Police Act 1997, a copy of a criminal record certificate issued under section 113A of that Act together with, after the appointed day and where applicable, the information mentioned in section 30A(3) of the Safeguarding Vulnerable Groups Act 2006 (provision of barring information on request).
3. Where required for the purposes of an exempted question asked for a prescribed purpose under section 113B(2)(b) of the Police Act 1997, a copy of an enhanced criminal record certificate issued under section 113B of that Act together with, where applicable, suitability information relating to children or vulnerable adults.
4. Satisfactory evidence of conduct in previous employment concerned with the provision of services relating to— (a) health or social care, or (b) children or vulnerable adults.
5. Where a person (P) has been previously employed in a position whose duties involved work with children or vulnerable adults, satisfactory verification, so far as reasonably practicable, of the reason why P's employment in that position ended.
6. In so far as it is reasonably practicable to obtain, satisfactory documentary evidence of any qualification relevant to the duties for which the person is employed or appointed to perform.
7. A full employment history, together with a satisfactory written explanation of any gaps in employment.
8. Satisfactory information about any physical or mental health conditions which are relevant to the person's capability, after reasonable adjustments are made, to properly perform tasks which are intrinsic to their employment or appointment for the purposes of the regulated activity.
9. For the purposes of this Schedule— (a) "the appointed day" means the day on which section 30A of the Safeguarding Vulnerable Groups Act 2006 comes into force; (b) "satisfactory" means satisfactory in the opinion of the Commission; (c) "suitability information relating to children or vulnerable adults" means the information specified in sections 113BA and 113BB respectively of the Police Act 1997.

The full text of Schedule 3 is at

<https://www.legislation.gov.uk/uksi/2014/2936/schedule/3>. Where this policy and the schedule diverge, the schedule wins.

2. Plain British summary

Everyone you employ to provide a regulated activity must be of good character, suitably qualified and competent for the work, and capable in health (with reasonable adjustments).

You have to operate effective recruitment procedures. For each employee you must hold the Schedule 3 information set, which is:

1. **Proof of identity** including a recent photograph.
2. **A standard criminal-record check** (Police Act 1997 section 113A) where the role is exempt from the Rehabilitation of Offenders Act for that purpose, plus any barring information available on request from the DBS.
3. **An enhanced criminal-record check** (Police Act 1997 section 113B) where the role involves regulated activity with children or vulnerable adults, plus any suitability information relating to children or vulnerable adults.
4. **Satisfactory conduct evidence from previous employment** in health, social care, or work with children or vulnerable adults.
5. **Reason-for-leaving verification** for any previous job that involved work with children or vulnerable adults.
6. **Qualification evidence** for the duties the person will perform, so far as reasonably practicable to obtain.
7. **A full employment history** plus a satisfactory written explanation of any gaps.
8. **Health information** relevant to the person's capability to do the job, after reasonable adjustments.

CQC reads "satisfactory" as "satisfactory in the opinion of the Commission". The provider must hold the information for each employee from the start of employment; CQC may ask to see it at inspection. Staff requiring professional registration (NMC, GMC, HCPC, GDC, GPhC, Social Work England, others) must hold current registration as a separate condition on top of the Schedule 3 set. Volunteers get a partial carve-out from the photograph requirement; the rest of Schedule 3 still applies where the role attracts it.

3. Scope

This policy applies to <named staff groups>, when <named activities or circumstances>, at <named locations or service types>.

(Tenant completes the angle-bracket placeholders to fit their organisation.)

4. Roles and responsibilities

- **Registered Manager:** accountable for the Schedule 3 record being complete for every employee in regulated-activity scope, for the renewal cadence on each Schedule 3 item where renewal applies (DBS typically every three years; some roles more often), and for the audit cadence below.
- **Nominated Individual:** holds overall provider-side accountability for Reg 19 compliance across all sites and services.

- **HR or recruitment lead:** operates the Schedule 3 evidence-gathering process at recruitment, captures the record, and surfaces any gaps to the Registered Manager before the offer is confirmed.
- **<Clinical lead role>:** confirms qualification + competence sufficiency for the specific role.
- **All staff:** notify the Registered Manager of any change to their professional-regulator status, health condition relevant to their role, or barring status.

(Tenant completes the role names that fit their organisation; the responsibilities above are the minimum the regulation expects.)

5. Procedure

The recruitment-to-Schedule-3 procedure operationalises Reg 19(3) and walks every new employee through the eight items above plus the professional-registration check.

1. **Role definition.** Before recruitment opens, the hiring manager confirms the role's regulated-activity scope, whether the role is exempt from the Rehabilitation of Offenders Act for criminal-record-check purposes, whether the role involves regulated activity with children or vulnerable adults, and any professional-registration requirements.
2. **Identity and photograph.** At the point of offer, the recruitment lead collects proof of identity (photographic ID plus address proof) and a recent photograph.
3. **Criminal-record check.** A standard or enhanced DBS check is requested per the role's category, plus any barring information available on request. The certificate is captured against the person record; the renewal date is set on the assurance calendar (typical default: three years).
4. **Suitability information.** Where the role involves regulated activity with children or vulnerable adults, suitability information relating to children or vulnerable adults is obtained alongside the enhanced check.
5. **Conduct and reason-for-leaving.** Two references are sought, at least one from the most recent employer in a health, social care, or vulnerable-people role; the reference covers conduct in the role and the reason the employment ended. Reasons-for-leaving are confirmed in writing where reasonably practicable.
6. **Qualification evidence.** Documentary evidence of any qualification relevant to the role is captured. Where the qualification is unavailable, the file records the steps taken to obtain it.
7. **Employment history.** A full employment history is captured, with a written explanation of any gap longer than the tenant's threshold (typical default: three months).
8. **Health information.** The new starter completes a health declaration covering any physical or mental health condition relevant to the role's intrinsic tasks. Where occupational-health advice is needed, the referral is recorded.
9. **Professional registration.** Where the role requires professional registration, the registration number is captured and verified against the live register. The renewal date is

set on the assurance calendar.

0. **Sign-off.** The Registered Manager confirms the Schedule 3 set is complete (or, where any item is genuinely not reasonably practicable to obtain, the reasoning is recorded) before the new starter begins regulated-activity work.

Each step writes an audit-trail event against the person record. The completed Schedule 3 set is reviewed at the audit cadence below.

6. Training requirement

All staff with recruitment or HR responsibilities complete <named training, e.g., safer recruitment + DBS process awareness> at induction and at <interval, e.g., every two years>. Records are kept in <tenant training register>.

(Tenant completes.)

7. Audit

Compliance with this policy is monitored by <named role, typically the Registered Manager or quality lead> on <frequency, typically quarterly>, through a per-employee Schedule 3 file audit (typical pattern: random sample of N records from the active staff list, plus 100% of new starters since the last audit). Audit findings are recorded in the tenant's audit register and reviewed at <named governance forum> on <frequency, typically quarterly>.

The DBS renewal cadence and the professional-registration renewal cadence are surfaced on the assurance calendar so overdue renewals are visible before they become Reg 19 gaps.

(Tenant completes the angle-bracket placeholders.)

8. Record-keeping

The Schedule 3 record for each employee is held in <named HR or staff-record system>, in the person's confidential file. The retention period for the record is <statutory requirement OR tenant operational default; typically the duration of employment plus the limitation period under the Limitation Act 1980 for any related civil claim, commonly six years from the end of employment>.

CQC may request to see the Schedule 3 record at inspection; the record must be available to be supplied to the Commission per Reg 19(3).

9. Related policies in this pack

- Staffing Policy ([hscra-reg-18-staffing](#))
- Good Governance Policy ([hscra-reg-17-good-governance](#))

- Provider Responsibility Policy ([hscra-reg-4-provider-responsibility](#))
- Fit and Proper Persons (Directors) Policy ([hscra-reg-5-fit-and-proper-persons](#))

10. Document control

Version	Date	Author	Changes
v1	2026-05-19	Verivius (sample)	Initial sample template.
v1.1	2026-06-01	Verivius (sample)	Added verbatim Schedule 3 paragraphs 1 to 9 alongside the Regulation 19 quote in Section 1; expanded Section 2 plain British summary with the eight Schedule 3 items enumerated; expanded Section 4 roles to name the HR or recruitment lead and the staff notification obligations; rewrote Section 5 procedure as a 10-step Schedule 3 evidence-gathering flow tied to the assurance calendar; expanded Section 8 record-keeping with the standard six-year retention reference and the Commission-request-at-inspection note.

This sample policy template was issued by Verivius as part of the Mock Inspection design partner onboarding pack. It is a template, not a substitute for legal advice or the tenant's own policy-development process. Where this template and the live regulation diverge, the live regulation wins.

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