

# Care Quality Commission (CQC) fit person interview guidance



- This is a desktop resource to inform practice team members how they need to prepare for the CQC fit person interview.





# Fit person interview

- The purpose of a fit person interview is for the CQC to assess the applicant's fitness to be a registered manager or a partner, to verify the information submitted in their application process and to understand how the applicant will promote equality and diversity within the service.
- The Health and Social Care Act (HSCA) 2008 (Regulated Activities) Regulations 2014, Regulation 4 has further details and can be accessed by [clicking here](#).



# Why would you be asked to attend a fit person interview?



- Part of the registration process.
- Applying to be a registered manager.
- Partnership change – ie, for new partners joining a partnership.
- Practice mergers.
- Internal or external complaint made.

# Fit person interview – what to expect



- The CQC usually expects the interview to last two to three hours.
- The interview may be held at a regional office but in most cases it will be held at the practice.
- It is unlikely that you will be quizzed on regulations, however, an understanding of how legislation relates to CQC compliance requirements is strongly recommended.
- The interview may be followed up with a site visit to the practice.



# What the interview generally covers

- Application form information.
- How a person meets the Health and Social Care Act (HSCA) 2008 requirements and intends to carry out regulated activities.
- Any criminal convictions.
- Any professional performance hearings.
- Awareness of HSCA 2008 (Section 13-15) Regulation 5 of Regulated Activities, Regulations 2014.
- CQC Regulations 2009.
- Need to demonstrate awareness of roles and responsibilities of partner/registered manager under the regulations.
- Partnership structure, leadership.
- Staffing, staff roles and responsibilities.
- How clinical care is provided, practice policies, clinical audits.
- Access.
- Diversity.
- **This is not an exhaustive list.**

# Regulations 4 and 5 requirements (Health and Social Care Act 2008)



Registered manager/partners must:

- Be of good character.
- Have the necessary qualifications, competence, skills and experience.
- Be physically and mentally fit to carry out the regulated activities.
- Be able to supply the CQC with all the information in Schedule 3 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.
- Be able to provide medical and financial declarations and employment history.
- Provide any criminal convictions disclosure.
- Give details of any professional conduct hearing they have attended previously.

# Schedule 3 of the Health and Social Care Act 2008 (Regulated Activities) Regulation 2014 and regulations 4-7



Registered managers and partners being interviewed are expected to be able to supply the CQC with all the information required in Schedule 3 and regulations 4-7:

- Proof of identity and a current photograph.
- Enhanced Disclosure and Barring Service (DBS) check.
- Evidence of conduct in previous employment related to Health and Social Care or vulnerable adults.
- Evidence of qualifications and continued professional development (CPD).
- Full employment history.
- Reasons why a position ended when working with vulnerable children or adults.
- Information about physical and mental fitness relevant to the person's responsibilities.

# The Health and Social Care Act (HCSA) 2008



[Click here](#) to read the full Act.

This Act covers the following requirements for any registered person that practices need to be aware of:

- Regulated activities.
- Registration of persons carrying on regulated activities.
- Registration of managers.
- Provision for registration as a service provider or manager.
- Regulation, code of practice and guidance.
- Registration procedure.
- Offences.

# The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014



[Click here](#) to read the regulations, which cover:

- Regulated activities.
- Requirements in relation to regulated activities.
- Compliance and offences.
- Penalty notices.
- Fundamental standards.

When answering questions from the CQC interviewer give examples of how you, as a registered manager/partner, will continue to ensure compliance with the 12 fundamental standards that apply to general practice (see following pages).

# Fundamental Standards (1)



- 1. Person-centred care** – Care and treatment of service users should be tailored to meet needs and preferences.
- 2. Dignity and respect** – Service users must always be treated with dignity and respect while receiving care and treatment.
- 3. Need for consent** – Care and treatment of service users must only be provided with the consent of the relevant person.
- 4. Safe care and treatment** – Care and treatment must be provided in a safe way for service users.

## Fundamental Standards (2)



5. **Safeguarding service users from abuse and improper treatment** – Service users must be protected from abuse and improper treatment in accordance with the regulations.
6. **Good governance** – Service providers must have effective governance and systems to check on the quality and safety of care.
7. **Staffing** – Service providers must have enough suitably qualified, competent and experienced staff to make sure they can meet the requirements.
8. **Receiving and acting on complaints** – Service providers must have a system in place so they can handle and respond to a complaint. They must investigate it thoroughly and take action if problems are identified.



# Fundamental Standards (3)



- 9. Duty of candour** – Service providers must act in an open and transparent way with the relevant person about the care and treatment provided.
- 10. Premises and equipment** – All premises and equipment used by the service providers must be clean, suitable and looked after properly. The equipment used in your care and treatment must also be secure and used properly, properly maintained and appropriately located for the purpose for which it is being used.
- 11. Fit and proper persons employed** – Persons employed must be of good character, have the right qualifications, competence, skills and experience to perform their role.
- 12. Display of rating** – Service providers must display their CQC rating in a place where it is visible to others. They must also include this information on their website and make their latest CQC report available.

# CQC (Registration) Regulations 2009



[Click here](#) to read the Regulations.

This covers the regulations needed for:

- Register of regulated activities.
- Persons to be identified as the person carrying on a regulated activity.
- Registered manager condition.
- Cancellation of registration.
- Publication of information relating to enforcement action.
- Exemptions from the requirement to notify bodies of certain matters.
- Notifications.
- Power to require an explanation.
- Registration requirements.

# CQC Registration application flow chart



## Stage 1: Pre-application

- You must apply for a Disclosure and Barring Service (DBS) check through the Post Office.
- You fill in the application and declaration, including contact details for your previous employer and your doctor.
- You send in the application to CQC.

## Stage 2: Assessment of application

- CQC processes application.
- Application returned if incomplete.
- All applications reviewed by CQC registration teams.
- Registration teams link with local assessors/inspectors and provider relationship managers where necessary.
- CQC screens and cross-checks application and asks for further documentation if required.
- CQC arranges a fit person meeting/interview.

[Download the CQC guidance for this process](#)

## Stage 3: Outcome

- CQC lets you know whether you are registered with or without conditions, or if your application has been refused.
- CQC sends a certificate where an application has been approved as submitted.
- If CQC proposes to refuse your application, or to register you subject to not yet agreed conditions, they will send you a Notice of Proposal (NoP)
- If you do not appeal against the NoP, or your appeal is not upheld, the CQC will send you a Notice of Decision (NoD). You have a right of appeal against the NoD too (see below).

## Stage 4: Representations and appeals

- If you do not agree with the CQC's proposal to refuse your registration or to register you subject to conditions, you can make representations, ie, appeal to the CQC within 28 days of receiving the Notice of Proposal (NoP).
- If your appeal against the NoP fails, and the CQC proceeds to issue a Notice of Decision (NoD), whether or not you have made representations against the NoP, you can still appeal to the First-tier Tribunal against the NoD within 28 days of receiving it.
- In these cases, the outcome of your registration application will not take effect until any appeal has been resolved, or you have confirmed that you will not be appealing.

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Visit [www.lmc.org.uk](http://www.lmc.org.uk) or contact our GP Support team ([gpsupport@lmc.org.uk](mailto:gpsupport@lmc.org.uk)) for further information on CQC and guidance to help general practice.



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