

CQC Enforcement policy

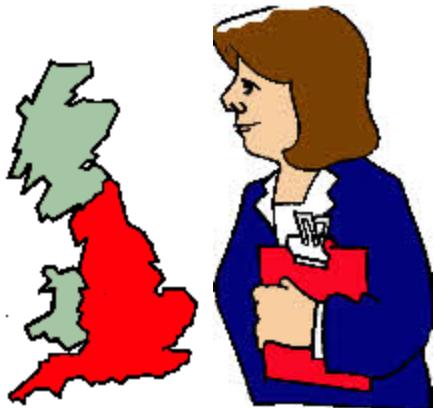
**What we do when services
don't do the things they should**



EasyRead guide

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What is the Care Quality Commission?

In April 2009 the Healthcare Commission, Commission for Social Care Inspection and Mental Health Act Commission joined together. We are now the Care Quality Commission or **CQC** for short.

We check health and adult social care services in England and help them get better.



What is this policy about?

Sometimes, when a service breaks the law or doesn't register their service with us, we need to do something about it. We call this **enforcement**.

This policy says what we will do when this happens.



The law called the Health and Social Care Act 2008 gives us some new powers that we did not have before.



All of these powers will be in use for all health and adult social care services in April 2010.



But from April 2009, hospitals, ambulances and some other types of health services have had to register with us.

They must do what the law says to protect people from illnesses they can get while they are in healthcare.



How we did we write this paper?

Last year, we asked many people what they thought we should do when services don't do what they should do.

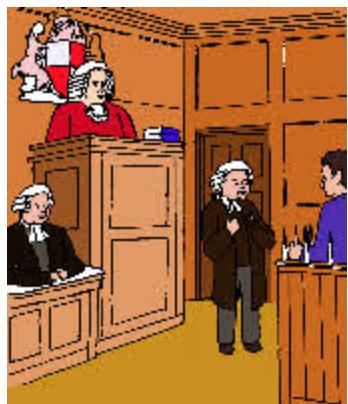
What is in the policy?



The policy tells you how we will:



1. Do our work.



2. Use our powers.



3. Tell people about what we've done.



4. Work with others.

1. How we will do our work



These are the rules we will follow:



- we will make sure that services follow the law

- we want to be firm but fair



- we will help keep people safe and help make services better



- we will take the most serious action when there are serious risks to people using the services



- we will tell people what we are doing and explain why we are doing it



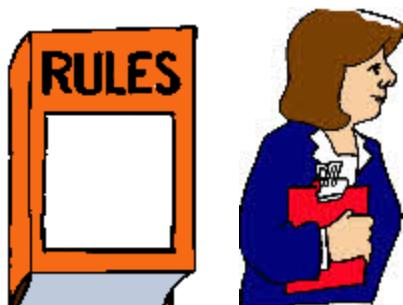
- we will try to help services get better but if they don't we will take action



- we will treat everyone fairly and equally, respecting their rights



- our staff will be trained properly



- we will follow these rules everywhere we check but we will check services in different ways depending on what they do



- we will check services again after we have taken action



- we will work with other people if we need to



- we will check to make sure our work is making services better. If it is not, we will change it.



We will also investigate services to find out about serious problems. This might happen when we think a lot of services have the same problem.

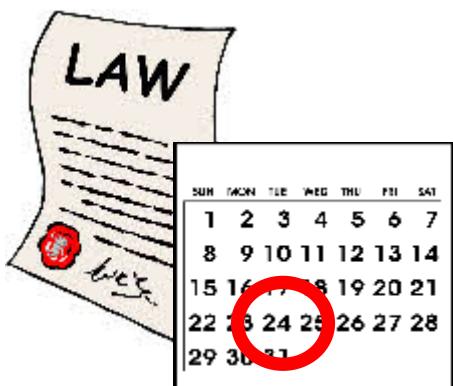
When we do this we will write a report.

2. Our powers and how we will use them

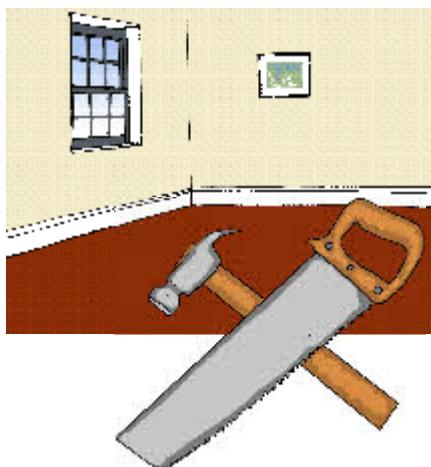


These are our main powers:

- **Give a warning notice** (This is called a Statutory Warning Notice)



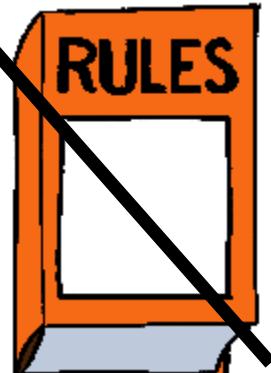
This will tell a service that they are breaking the law, and give them a date to stop.



We could use this for things that are not very serious, like telling them to fix a loose carpet.



- **Keep a record when someone tells us they have broken the law.** (This is called a Simple Caution)



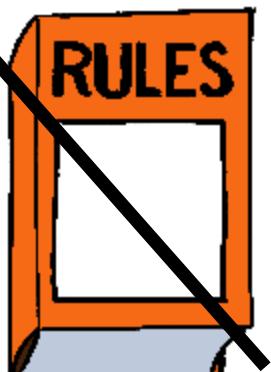
We might use this when someone tells us they did not follow the rules.



For example, when they have not told people about their plans to keep a hospital clean.



- **Give a fine** (This is called a Financial Penalty Notice)



We could use this if a service breaks the rules.



The service would have to pay the fine and make things better.



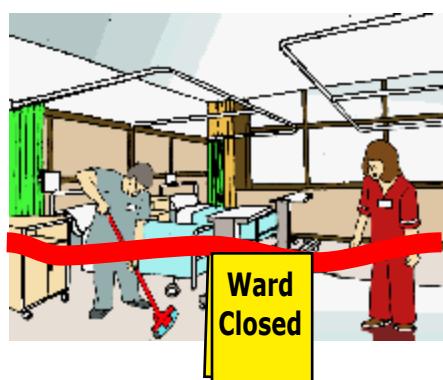
If the service will not pay the fine, we will take stronger actions.



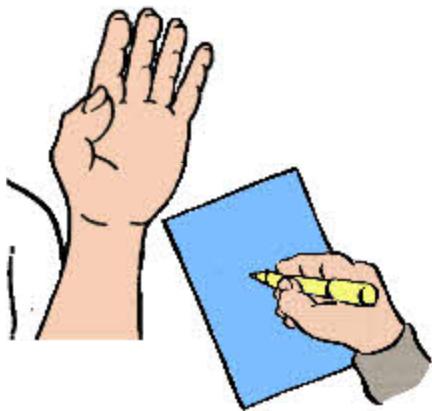
- **Stop a service running for a while** (This is called Suspending Registration)



We could do this when a service needs time to fix a problem or make something better.



For example, if a hospital ward is not clean, and is making people sick. Closing it for a while will mean they can clean it and make it safe.



- **Stop a service from running all together** (This is called Cancelling Registration)

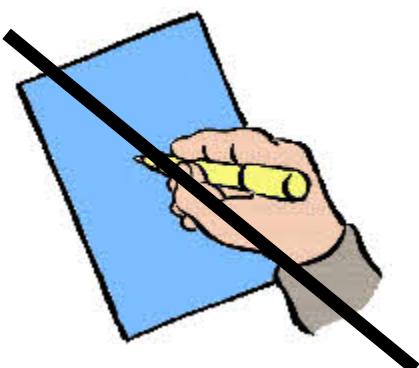


We could do this when there are very serious risks for people who use the service, like when people have died because the service was not run properly.



- **Take someone to court** (This is called a Prosecution)

We could use this when we think someone should be punished for breaking the law.



For example, when they do not register to run a service but go ahead and do it anyway.

3. Telling people what we have done



The law says we must tell other people when we do some of the things above and, when we think it is important, we can tell others.



We will also write a full report once a year.



It will help us make the way we work better.

4. How we will work with other organisations



Sometimes there are other organisations that we need to work with.



For example, this could be working with the police to make sure people using a service are safe.



We will:

- work closely with other organisations to make sure that people using services are safe



- follow the rules about who to tell about abuse in services



- work with others when a new service for people needs to be found in a hurry



- agree that the organisation who knows the problem best takes action to make it better.



Credits

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