

Registration and accreditation of residential services

The Residential Services (Accreditation) Act 2002 (the Act) regulates boarding house style accommodation where residents rent rooms and share facilities, such as the toilet, bathroom and kitchen. The Act also regulates the provision of a food service and personal care services, such as assisting residents with bathing, eating and taking medication.

The Act also covers situations where residents occupy self-contained units and receive a food service and/or a personal care service.

The Department of Housing and Public Works (the department) administers the Act and Regulatory Services registers and accredits residential services, carries out proactive compliance activities and investigates complaints.

All residential services must be registered prior to commencing operation and must apply for accreditation within six months of registration.

How do I register a residential service?

You need to complete an Application for Registration of a Residential Service (Form 1). This form is available at www.hpw.qld.gov.au/housing/industryregulation or by contacting Regulatory Services.

Lodge the completed form together with:

- a copy of the Building Compliance Notice (BCN) for the premises issued by the local government authority within the past 12 months
- a copy of the Fire Safety Management plan for the premises. Details for the plan's content are available at www.fire.qld.gov.au/buildingsafety
- a copy of the birth certificate, birth extract, passport or driver's licence for each service provider and associate (including partners and directors) involved in the residential service. Copies must be certified by a Justice of the Peace or Commissioner for Declarations as a true copy of the original.
- the \$321.10 registration fee
- the criminal history check fee of \$39.60 for each service provider, partner, company director and associate
- other documents requested by Regulatory Services.

How is the application assessed?

The department will decide if you and your associates (people who take part in the management of the residential service) are suitable persons to run a residential service. All service providers and

any associates must be aged 18 years or over and must not be an undischarged bankrupt. A national criminal history check will be performed by the Queensland Police Service. The department will also consider if the property where the residential service is to operate meets prescribed building requirements.

How do you assess the suitability of the premises?

The Building Compliance Notice (BCN) issued by the local authority will need to confirm the building meets mandatory building requirements. For a residential service, these building requirements are listed in MP 5.7 of the Queensland Development Code. Where the service houses six or more persons, fire safety code MP 2.1 applies and MP 2.2 may also apply. In these cases, a Level 1 Fire Safety Inspection Report, issued by Queensland Fire and Rescue Service will also be required.

Parts of the Queensland Development Code can be downloaded free of charge from the department's website at www.hpw.qld.gov.au.

How will I know if my application is successful?

Regulatory Services will be in contact with you during the processing of your application. If everything is in order, you will be advised of the outcome within 60 days of your complete application being received by the department.

If the registration is granted, a Registration Certificate will be sent to you. The certificate must be displayed at the premises in a place where residents are likely to see it.

If your application is not successful, you will be advised of the reasons and the steps to apply for a review or appeal of the decision.

How do I apply for accreditation?

You must apply for accreditation within three months of the service being registered. Regulatory Services will send you an accreditation kit, which includes the application form. If you do not receive this kit within three months of registration, please phone (07) 3008 3450.

The accreditation kit contains:

- an Application for Accreditation of a Residential Service (Form 2) – for you to complete.
- a self-assessment checklist – for you to complete
- fact sheets

Once you have completed the self-assessment checklist you should return it to Regulatory Services with:

- the Application for Accreditation of a Residential Service (Form 2)
- any supporting documentation
- a fee of \$32.10 per person living in your service at the time you lodge your application.

If the Building Compliance Notice and Fire Safety Inspection Report supplied at the time of registration are more than 12 months old, new ones will be required.

What is the purpose of accreditation?

The purpose of accreditation is to ensure services meet minimum benchmarks for service delivery.

These standards are contained in the *Residential Services (Accreditation) Regulation 2002* (the Regulation) and are explained in the accreditation kit.

What are the levels of accreditation for a residential service?

- Level 1 – Accommodation Service (all services must be accredited at Level 1)
- Level 2 – Food Service (service that regularly provides meals to a resident)
- Level 3 – Personal Care Service (service that regularly provides personal care to a resident).

A personal care service means a service providing a resident with help with personal hygiene, dressing or undressing, consuming a meal, meeting mobility issues, or assistance in managing their medication and/or financial affairs.

The accreditation process

Once your completed application is received, Regulatory Services checks all the provided application material. This audit will be done by a Regulatory Analyst who will be responsible for the accreditation of your service.

A Regulatory Analyst will arrange a site visit to assess whether the service has met the standards. This will involve observing the provision of services, discussions with staff, residents, residents' families, and/or other representatives, and external agencies that work with the service and its residents.

A Regulatory Analyst will prepare an accreditation report, generally within 15 days of the site visit, and forward a copy to you for comment and feedback.

The department will then consider the accreditation report, together with your comments, and may ask for more information to help make the accreditation decision.

The department may decide to accredit your service for a maximum of three years, to accredit with conditions or, refuse to accredit the service.

If a residential service does not meet all the required standards, the accreditation may be granted with conditions and/or for a shorter period of one or two years.

If any condition is imposed, it will need to be met by the due date or the service provider may commit an offence under the Act.

How will I know if my application is successful?

Regulatory Services will be in contact with you during the processing of your application. If everything is in order, you will be advised of the outcome within 60 days of your complete application being received by the department.

If the accreditation is granted, an accreditation certificate will be sent to you. The certificate must be displayed at the premises in a place where residents are likely to see it.

If your application is not successful, you will be advised of the reasons and the steps to apply for a review or appeal of the decision.

Renewal of accreditation

Regulatory Services will send you an accreditation renewal kit before your accreditation expires. The kit includes an application form, fact sheets and a self-assessment checklist. If you do not receive this kit at least three months before you are due to apply for renewal, please phone (07) 3008 3450.

If the accreditation for a residential service expires, and an application for renewal has not been received by Regulatory Services, your registration is also automatically cancelled.

A service provider may make a request to the chief executive for an extension of time to apply for renewal, providing a reason for the delay, before the due date for accreditation.

What do I need to provide for a renewal of accreditation?

You will need to provide:

- an Application for Renewal of Accreditation of a Residential Service (Form 3)
- a Building Compliance Notice (issued within the last 12 months)
- where the premises accommodates six or more residents, a fire safety report (issued within the last 12 months)
- the self-assessment checklist
- a fire safety management plan, including current equipment maintenance and emergency evacuation training records
- a copy of any changes to systems, policies and procedures
- the prescribed fee (\$32.10 per person living in your service at the time of application)
- the criminal history check fee of \$39.60 for each service provider, partner, company director and associate.

Lodging your application

By post:

Department of Housing and Public Works
Regulatory Services
GPO Box 690
Brisbane QLD 4001

More information

For more information or assistance with the registration and accreditation process, please contact:
Regulatory Services
Phone: (07) 3008 3450 Fax: (07) 3008 5960
Email: regulatoryservices@hpw.qld.gov.au
Website: www.hpw.qld.gov.au/housing
Post: GPO Box 690, Brisbane, Qld 4001

A copy of the *Residential Services (Accreditation) Act 2002* can be downloaded free of charge from www.legislation.qld.gov.au or purchased from:

The Queensland Government Bookshop – www.bookshop.qld.gov.au
SDS Publications
Phone: 07 3883 8700 and select option 5.

This factsheet is designed as a guide only, and briefly outlines some areas of the Residential Services (Accreditation) Act 2002. This fact sheet is not a comprehensive statement of the law. The laws referred to are complex and various qualifications may apply to the provisions in different circumstances. You are encouraged to obtain independent legal advice if you are unsure how these laws apply to your situation.