

# Personal care

## Description

Personal care is defined in Regulation 2 (Interpretation) of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014. See the definition of personal care in our [glossary of terms](#).

The regulated activity of Personal care involves providing personal care for people who are unable to provide it for themselves because of old age, illness or disability. The personal care **must** be provided in the place where those people who need it are living at the time when the care is provided.

For example, this includes personal care provided through domiciliary or homecare services, and housing with care or supported living services. Sometimes, people receiving personal care live in accommodation where it is a requirement of occupation that they both need and receive a care service while living there. For the care service to be correctly registered for the regulated activity of Personal care, there must be a real separation between the provision of personal care and the accommodation agreements. [See additional guidance on supported living and extra care housing services](#).

This regulated activity also includes Shared Lives schemes ([see what this means in our glossary of terms](#)) where the provider of the scheme is registered for personal care – not the owners of the individual homes (the accommodation). If you are carrying on the regulated activity of Treatment of disease, disorder or injury, you do not also need to register for Personal care if you deliver this as part of the treatment. However, if you provide personal care to people who are not also receiving treatment for a disease, disorder or injury, you will need to register for Personal care.

## When this regulated activity does NOT apply

This regulated activity does not apply if your service does not provide the activities defined as personal care. See Regulation 2 and Schedule 1(1) of the [Health and Social Care Act 2008 \(Regulated Activities\) Regulations 2014](#) for full details.

It is the nature of the care (activity) being provided that determines the need for registration and which regulated activity is applicable.

For example, you do not need to register if you **only** provide housing support or social support (such as help with shopping), but no tasks that are included in the definition of personal care. Similarly, you do not need to register for the activity if you **only** provide support to administer, prompt or supervise medicines but do not intend to provide any of the activities defined as personal care.

### Examples of some specific exceptions

You are exempted from this regulated activity and do not need to register for Personal care if:

- You are a provider managing a prison or other similar custodial establishment (apart from a hospital within the meaning of Part 2 of the Mental Health Act 1983) and you provide personal care for people who are detained. A prison is considered to be where a person is living for the time that they are detained there. This means that if a domiciliary or homecare agency provides personal care in prisons or similar custodial settings, the provider of the domiciliary or homecare agency must register with us because the exemption only applies to the person managing the prison.
- You are a fostering agency that is inspected by Ofsted, and your services include providing personal care to children who are placed or being placed with foster carers.

- You are registered or registering to provide accommodation together with personal care for the people who use your service in a care home setting (the regulated activity of Accommodation for persons who require nursing or personal care). However, if you also intend to provide personal care services to people in places where they live (for example, in their own homes) as well as providing accommodation together with personal care, then you will also need to apply separately for the regulated activity of Personal care.
- Your role is an employment or introductory agency, and you supply care workers:
  - to another organisation who will then be responsible for directly providing the care, or
  - to a person who will then take whole responsibility for arranging to provide their own care under a personal budget or private arrangement.

Further information: [People who introduce a care worker to an individual but then have no ongoing role in the personal care that a carer provides after they are introduced.](#)

- You are a carer or personal assistant directly employed by a person or a related third party (without the involvement of an employment agency or employment business) and you work wholly under the direction and control of that person or related third party to meet the person's own personal care requirements. [See the definition of a related third party in our glossary of terms.](#)

## Shared lives schemes (previously known as adult placement schemes)

Shared lives schemes (referred to in the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014) should register **only** for the regulated activity of Personal care and **not** the regulated activity Accommodation for persons who require nursing or personal care. This is because:

- the provider of the **scheme** is registered and not the owners or providers of the individual homes (the accommodation)

- the accommodation aspect of the service supplied by the shared lives carer is out of the scope of the regulations, and the homes where people live are not 'regulated premises' that we can inspect.

Shared lives schemes should only register for Personal care where they provide placements for people with personal care needs. If they do not provide this type of placement, they will be out of scope for this regulated activity. [See what we mean by shared lives schemes in our glossary of terms.](#)

## Additional guidance for Personal care

Our Housing with care guidance gives more information about regulated activities for personal care services provided to people living in specialist schemes such as supported living and extra care housing.

Housing with Care

[Housing with care \(October 2015\)](#)

**File title**

Housing with care (October 2015)

**Keywords**

[Housing](#)

[supported living](#)

[guidance](#)

[providers](#)

**Audience**

[Organisations we regulate](#)

**Contributor**

Care Quality Commission

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**Teaser**

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**Publisher**

Care Quality Commission

**Legacy file\_id**

276374

[Personal care: ongoing role, introductory agencies and individual care workers](#)

Check if you need to register for Personal care

# Do you need to register to provide Personal care?



