**GREEN TICK CRITERIA**

To apply for the Green Tick your organisation must be legally set up, and in a position to provide services to people upon request in Leeds. The Green Tick is only for organisations who provide services in the home or garden, or on a one to one basis in the community. Please refer to the full guidance notes for more information.

All Applicants must complete the Green Tick registration process within 8 weeks.

**To complete the Green Tick registration process and be listed in Leeds Directory applicants must:**

* Obtain and evidence a DBS disclosure certificate for the owner/manager of your organisation.

* + In the case of Enhanced level disclosure certificates additional confirmation of Update Service signup is required.
* Obtain and evidence DBS disclosure certificates for each member of staff who works directly with clients in the home, garden or in the community on a 1:1 basis. This information can be supplied on the 2+ Disclosure Disclaimer form.
* Provide evidence of public liability insurance including evidence of the policy expiry date and amount covered.
* Obtain a County Court Judgment Search against the England and Wales Order and Judgments Register
* Complete a Sub Contractors Disclaimer Form
* Complete a Health and Safety Disclaimer Form
* Evidence registration with HMRC
* Supply business stationery complying with the Companies Act 2006
* Provide three references from Customer/Clients from the preceding 12 months
* Provide evidence of a Waste Carriers License where appropriate
* Provide evidence of mandatory regulatory body registration (e.g. CQC, GOC, HCPC, NAPIT, NICEIC, NMC, Gas Safe etc) where appropriate
* Sign and return a copy of our Terms and Conditions and Code of Good Practice

**Leeds Directory can only list sole trade providers of regulated activities as a Community Micro-enterprise. Please see the Guidance Notes below for more information.**

We will FastTrack applications where the provider is registered with a regulatory body such as the Care Quality Commission (CQC), Health & Care Professions Council (HCPC), General Optical Council (GOC), Nursing and Midwifery Council (NMC). We will also FastTrack your application if you are a member of TrustMark, however, you will also be asked to obtain disclosure certificates for staff.

All other mandatory regulatory body registration types will still be subject to a full Green Tick registration.

Please Note: Leeds City Council cannot recommend any organisations and are not responsible for how the organisations listed deliver a service. Leeds Directory reserves the right to refuse an application or remove a provider.

**For more information on how to complete the registration process or detail about any of the criteria please contact the Content and Development Officer Tel. 0113 3786410 or email** **leedsdirectory@leeds.gov.uk**

**GREEN TICK
GUIDANCE NOTES**

**Disclosure and Baring Certificates**

 **What is a Disclosure Certificate and how do I get one?**

Disclosure certificates contain confidential criminal history information provided by the police and government departments. Certificates can be obtained via Disclosure Scotland (basic level) or the Disclosure and Barring Service (standard and enhanced). To successfully complete the Green Tick, all disclosure certificates must be no older than 3 years. While there is no official or legal expiry date on a disclosure certificate, the older the certificate the less reliable and relevant it becomes.

You can learn a little more about DBS Disclosures by watching this [video](https://www.youtube.com/watch?v=IQjVHeBM8nI&feature=youtu.be).

We request a minimum of a Basic Level Disclosure check for each member of staff who visits clients in the home or garden, unless your organisation provides services that fall under “Regulated Activities”.

An individual can apply for a Basic Level Disclosure by visiting the Disclosure and Baring Service (DBS) website at <https://www.gov.uk/request-copy-criminal-record>. Each application currently costs £25 and takes up to 14 days for a certificate to be issued and 5 working days for the results to be notified by email. In order to complete an application, you must provide the following information

* all your addresses for the last 5 years and the dates you lived there
* your National Insurance number
* a debit or credit card
* proof of your identity, for example a passport, valid driving licence or birth certificate

If you have not used the GOV.UK Verify service before please allow about 15 minutes to set this service up. You will be asked to choose from a selection of certified services through which you will evidence your identity. Unfortunately, each certified service has individual requirements regarding how their verification tool can be accessed, some require access to an email address and smart device which can install apps and has access to a camera. Leeds Directory recommends verification through the Post Office. For information and advice please contact the Content and Development Officer or The DBS Service: 03000 200 190 or email customerservices@dbs.gsi.gov.uk.

It is possible to obtain an enhanced level DBS disclosure through some DBS Umbrella Bodies. In these cases the Umbrella Body undertakes all ID checks on behalf of the individual. This service is usually charged an a higher price to reflect the additional work and cover postage charges. Leeds Directory recommends that providers requiring an enhanced level disclosure through ANAGRAMpeople as an umbrella body undertaking DBS requests for individuals. You can find out more about the charges that ANAGRAMpeople make for this service by visiting their website at: <http://www.anagrampeople.co.uk/disclosure-and-barring.htm>

For further information on higher level disclosures please visit <https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers#types-of-dbs-checks>. If you are unsure about whether a position is eligible for a DBS check you should refer to any guidance provided for the job sector, consider obtaining legal advice on the requirements to obtain criminal records checks. Where staff roles fall within a regulated activity employers can also request a check of the adults’ barred lists alongside the enhanced DBS check.

**The DBS Share Service**

The DBS Share Service allows applicants to share their DBS Certificate results with chosen people by generating one time share codes. With your permission Leeds Directory can access this information online and verify the status of your DBS Certificate results. Please contact the Content and Development Officer for more information and to confirm you would like to give us permission to access this information.

**The DBS Update Service**

The DBS Update Service allows applicants to keep their DBS certificates up to date online and allows employers to check the certificate on line with the certificate holder’s permission. This makes it easier for you to carry a DBS disclosure between employers/organisations and avoids having to complete multiple certificates. You can find out more information regarding the DBS Update Service by visiting **Website:** [**https://www.gov.uk/dbs-update-service**](https://www.gov.uk/dbs-update-service)**.**Leeds Directory recommends all providers registered with the Leeds Directory under a basic level disclosure sign up to the DBS Update service. **In the case of Enhanced Level Disclosures it is a requirement of registration that the owner/manager evidence sign up with the DBS Update service.**

If you are already signed up to the Update Service, please let the Content and Development Officer know and we will verify DBS Certificate details using the registry.

**2+ Disclosure Disclaimer Form**

If you employ more than one member of staff you should complete a 2+ Disclosure Disclaimer Form providing information on staff disclosures. We will prompt you to renew staff disclosure certificates before they are 3 years old in line with the Green Tick.

**Notification of Change in Status**

Leeds Directory requires that managers notify the Content and Development Officer of any change to a DBS status for staff providing a service in the home, garden or 1:1 in the community **immediately**. Failure to do so may result in a listing being removed from the Leeds Directory.

**Public Liability Insurance**

We take note of the policy expiry date and amount shown under Public Liability Insurance, so there is no need to send the whole document. The minimum Public Liability cover required is £1million, the exception to this is for construction, roofing or building where it is £5million. Please provide a copy of insurance details electronically or by post.

**County Court Judgment (CCJ) Check**

**What is a CCJ?**

A CCJ is a judgment that a county court issues when someone has failed to pay money that they owe. A judgment is received when a court has formally decided that you owe the money and formally communicates how much you owe and to who, how it is to be paid and the deadline for paying. Records of judgments are kept for 6 years unless you pay the full amount within a month.

**How do check to see if I have one?**

It only takes minutes to request this search to be done online via the Trust Online website: [www.trustonline.org.uk](http://www.trustonline.org.uk) and the search costs £6, paid directly to Trust Online. From the Trust Online homepage follow prompts to “Search yourself” and “Get started” then select the type of search you wish to carry out, for example, Individual Name, Trading Name or Corporate Name (if you operate as a sole trader from your home address you only need to carry out one search under “Trading Name”) then enter the Business name, address and email (read terms and conditions) and select the box marked “England and Wales Orders & Judgements.” You do not need to check any other register for the purposes of the Green Tick.

If you have owned or been a Director of other companies, you should carry out searches under these names as well as the business name on your registration form. If your organisation has been trading for less than 6 months, you need to run a County Court Judgement check on the person(s) responsible for the business at their home address. We will then prompt you for a second CCJ check against your Business name after being listed for 6 months.

Please forward search results to leedsdirectory@leeds.gov.uk

**I have a judgment against me, does this mean I cannot register?**

Not necessarily –The Content and Development Officer will be in touch with you to discuss the results of your CCJ check to better understand the status of the judgment and the situation around how the debt was incurred. Once this discussion has taken place we will be better placed to confirm if the judgment will impact your ability register.

**Disclaimer Forms**

**Sub-Contractors Disclaimer Form**

Some Green Tick providers may employ sub-contractors for aspects of their service for a variety of reasons. Leeds Directory defines a sub-contractor as a person or company who is hired by a general (main) contractor to perform a specific task or because they have a specific skill the general (main) contractor does not. Leeds Directory does not vet and check sub-contractors on an individual basis and as such the Green Tick Provider is required to notify the customer to this effect.

If a provider does not sub contract work on a regular basis, or at all, they are still required to complete the Sub Contractors Disclaimer form as part of the registration process. Providers must notify Leeds Directory as soon as any change to this practice is made and provide an updated form.

**Health and Safety Disclaimer Form**

If your organisation employs five or more people (including office based staff), then under Section 2(3) of the Health and Safety at Work etc. Act 1974 you must have a written statement of your general policy with respect to the health and safety at work, of your employees including the organisation and arrangements for carrying out that policy, and to bring the statement and any revision of it to the notice of all your employees.

The Management of Health and Safety at Work Regulations 1999 require employers to put in place arrangements to control health and safety risks. As a minimum, you should have the processes and procedures required to meet your legal requirements.

Make sure that suitable and sufficient risk assessment of the risks to the health and safety of your employees to which they are exposed whilst they are at work; including persons not in your employment arising out of or in connection with your work.

For self-employed person they need to make a suitable and sufficient assessment of the risks to their own health and safety to which they are exposed to whilst at work, including persons not in your employment arising out of or in connection with your work.

Risk assessments identifying hazards and control measures in place to protect employees, contractors, customers, partners, and any other people who could be affected by your activities – and record the significant findings in writing (if you employ five or more people). Risk assessment must be ‘suitable and sufficient’;

* arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures that come from risk assessment;
* providing employees with information about the risks identified by the risk assessments and the preventive and protective measures;
* instruction and training for employees, including temporary employees (agency) in how to deal with the risks;
* ensuring there is adequate and appropriate supervision in place;
* consulting with employees about their risks at work and current preventive and protective measures;
* access to competent health and safety advice.

Contravention of Health and Safety Legislation

If your firm has been prosecuted for contravention of health and safety legislation, had any notices served on it by the Health & Safety Executive or been the subject of a formal investigation by the Health & Safety Executive in the last three years prior to your registration you will be required to provide basic information regarding the case. This should include a summary of the court findings or result of the investigation/notices and evidence of any learning that came about as a result.

Should such prosecutions, notices or investigations occur during your listing with the Leeds Directory you will be required to advise Leeds Directory of this fact and share a summary outcome once completed.

Please note – Leeds Directory may share this information with Leeds City Council Health & Safety Enquiries team in order to obtain additional advice and guidance. For more information please speak to the Provider and Web Communications Officer.

**Business Stationary**

**Registration with HMRC**

To ensure you are properly set up as a business you must be registered with HMRC. Most businesses register as a sole trader, limited company, or partnership.

If you run your own business as an individual, have several customers at the same and run your business for yourself and take responsibility for its success or failure it is likely you are a **sole trader**. Find out more about [being a sole trader and how to register](https://www.gov.uk/set-up-sole-trader).

If you form a **limited company**, your business finances must be separate from your personal finances and you must undertake more [reporting and management responsibilities](https://www.gov.uk/running-a-limited-company). Some people get help from a professional, for example an accountant, but you can [set up a company](https://www.gov.uk/limited-company-formation) yourself.

A **partnership** is the simplest way for 2 or more people to run a business together. This means you share responsibility for your business’s debts. You also have accounting responsibilities. Find out more about [being in a partnership and how to register](https://www.gov.uk/set-up-business-partnership).

Leeds Directory expects that a provider is registered with HMRC according to their business model and requires evidence of this registration appropriate to said model. For example, confirmation of Self-Assessment record for a sole trader via HMRC letter. Leeds Directory also expect that their HMRC registration number will appear as part of their business stationary in compliance with the Companies Act 2006.

**Providing stationery in line with the Companies Act 2006**

West Yorkshire Trading Standards Service has advised that companies and businesses which register under the Green Tick must provide business stationery that complies with the Companies Act 2006 and Regulations made there under. For the purposes of the Green Tick, we require the following:

A Sole trader or Partnership should specify the individual owners' name(s) as well as the name of the business (if different) and postal address in the United Kingdom at which documents can be served. This should also be clearly stated in legible lettering on ALL the following:

* Its business letters and order forms.
* Its notices and other official publications.
* Bills of exchange, promissory notes, endorsements, cheques and orders for money or good purporting to be signed by, or on behalf of, the company.
* Its bills of parcels, invoices, receipts and letters of credit.
* On its websites.

The Companies (Trading Disclosures) Regulations 2008 as amended by The Companies (Trading Disclosures) (Amendment) Regulations 2009. A Company must state its name, in legible lettering on ALL the following:

* The company’s business letters and order forms.
* Its notices and other official publications.
* Bills of exchange, promissory notes, endorsements, cheques and orders for money or good purporting to be signed by, or on behalf of, the company.
* Its bills of parcels, invoices, receipts and letters of credit.
* On its websites.

On ALL of its business letters, order forms or any of the company’s websites, the company must show in legible lettering:

* Its place of registration i.e. England, Northern Ireland, Scotland or Wales.
* Registered number.
* Its registered office address.
* If it is being wound up, that fact.

Whenever an email is used where its paper equivalent would be caught by the stationery requirements then that email is also subject to the requirements. The above also applies to Limited Liability Partnerships.

Please provide original business stationery to support your application. Marketing material is not included in this Green Tick element.

**References**

We are able to accept references from anyone who is currently receiving a service or has received a service within the last 12 months with a view that references will be converted into a review to be included in your listing on the Leeds Directory website. We can only accept references for work undertaken within the city of Leeds on behalf of members of the public, or from someone involved in their care other than the registering organisation where additional support is required.

**Leeds Directory is unable to accept feedback from Providers’ friends or family, individuals with a vested interest in the service or staff working for the organisation.**

* Existing/established providers are expected to provide references as part of the registration process.
* New start business are expected to provide three references within the first six months of registration. Failure to provide these references in this period of times may be grounds for removal from the Leeds Directory.

Referees are able to either complete and post the “Permission to Share Contact Information” form for the attention of the Content and Development Officer to **Leeds Directory, 5th Floor east, Merrion House, Merrion Way, Leeds, LS2 8PD** or they can ring the Leeds Directory Helpline on 0113 378 4610 and ask to speak to this member of staff directly.

Providers who are listed using a fast track registration process are not required to provide references upon registration however they are strongly encouraged to engage in the Star Rating and Review process (please see the Code of Good Practice for more details).

**Regulatory Body Registrations**

**Gas Safe Register**

The Gas Safe Register is the only official gas registration body of gas businesses and engineers in the United Kingdom, Isle of Man and Guernsey. By law all gas businesses must be on the Gas Safe Register and Leeds Directory can only list gas engineers upon evidence of registration with this body. For more information please go to: <https://www.gassaferegister.co.uk/>

**Electrical Body Registration**

NAPIT is a government approved and UKAS accredited membership scheme operating in the building services and fabric sector. NAPIT registers installers including, but not limited to, electrical, heating and plumbing trades persons across the UK. For more information please go to: <https://www.napit.org.uk/>

NICEIC provides assessments and certification services for contractors working across the building services sector assessing electricians, renewal energy installers, plumbers and gas engineers. For more information please go to: <http://www.niceic.com/>

**Waste Carriers License**

If you are already registered as a Waste Carrier please provide the details of your license to the Provider and Web communications Officer for that the public register can be reviewed.

**Applying for a Waste Carriers License**

You can apply for a Waste Carriers license via this website https://www.gov.uk/waste-carrier-or-broker-registration. The application process will guide you to identify which level of license is appropriate to the service you provide but for guidance;

There are two types of waste license;

 Lower Tier for businesses who transport their own waste to a disposal site. This license is free.

Upper Tier for businesses who regularly transport another person’s waste regularly for profit, or building or demolition waste. This license costs £154 and must be renewed every three years at a cost of £105.

**So which license do I need?**

The application process will guide you to some extent but here are some brief examples and what will be required for the Leeds Directory going forward.

|  |  |
| --- | --- |
| **Scenario** | **Registration** |
| You are the waste producer, i.e offcuts of wire or pipe created by you, plant trimmings created as part of general maintenance etc.  | You **must** register for a **Lower Tier** Waste Carriers license.  |
| You are carrying waste produced by someone else, i.e. house clearance, the removal of old carpets, old pipes/wires produced by someone else.  | You **must** register for an **Upper Tier** Waste Carriers license.  |
| You carry away waste which formed part of the property structure which has arisen as a result of building/ construction or demolition activities (e.g. plasterboard or cement/plaster waste)  | You **must** register for an **Upper Tier** Waste License |

These are just general examples. If you want to discuss your individual services/trade in more detail please request additional guidance from the Provider and Web Communications Officer or contact the Environmental Agency.

Once you have arranged your waste carrier’s license please forward the details of your license to the Provider and Web Communications Officer so the public register can be reviewed.

Alternatively you can contact the Environmental Agency and request a hard copy registration form. The Environmental Agency’s contact details are;

Telephone: 03708 506 506

Telephone from outside the UK: +44 (0) 114 282 5312 (Mon to Fri, 8am to 6pm)

Online: Enquiry Form

Email address: enquiries@environment-agency.gov.uk

National Customer Contact Centre

PO Box 544

Rotherham

S60 1B

**Other Registration Types**

**Community Micro-enterprise (CME)**

A Community Micro-enterprise is a small, community-based business offering care and support service either as a small business, with 8 or less staff, or as a sole trader which is entirely independent of a larger organisation.

A Community Micro-enterprise may offer;

* support and help around the home
* support with daily activities such as personal care
* support to access community activities and facilities
* respite support for carers

Leeds Directory, in conjunction with Community Catalysts CIC, has developed a separate registration pathway for this type of provider which reflects the importance and best practice and high standards of service expected of this type of provider.

If you are unsure if your service falls within the scope of the CME registration, please speak to the Content and Development Officer for information and support.

**Leeds Directory and the CQC**

**Regulated Activities**

In September 2012, The Protection of Freedoms Act redefined Regulated Activities to include “*assisting with general household matters - assistance with managing a person’s cash, paying a person’s bills or shopping on their behalf because of the adult’s age, illness or disability*” and “*conveying adults to, from, or between places, where they receive healthcare, relevant personal care or social work because of their age, illness or disability*”.

**The Care Quality Commission (CQC)**

The Care Quality Commission regulates personal care services, e.g. respite sitting, night sitting, companionship, personal hygiene, dressing, washing etc. According to the Scope of Registration Guidance issued by the CQC in March 2015 personal care consists of “*the provision of personal care for people who are unable to provide it for themselves, because of old age, illness or disability, and which is provided to them in the place where those people are living at the time when the care is provided.*”

The Scope of Registration Guidance states that *“You should not register if you are a carer employed by an individual or a related third party (without the involvement of an employment agency or employment business) and working wholly under the direction and control of that individual or related third party in order to meet the individual’s own personal care requirements.”* This describes the business arrangement between a person receiving services and sole trade personal care provider or personal assistant i.e. an individual with which they have an agreed written contract with.

Based on this definition Leeds Directory does not require CQC registration for sole trade providers of personal care services.

Where a provider exceeds more two or more staff and provides regulated activities registration with the Care Quality Commission will be mandatory.

For up to date information and to discuss the Care Quality Commission’s Scope of Registration, please go to: [www.cqc.org.uk](http://www.cqc.org.uk).

**Fast Track Registration**

**The Health & Care Professions Council (HCPC)**

The HCPC regulates 16 professions within Health & Care Professionals Council. These professions include, but are not limited to, occupational therapists, physiotherapists and chiropodists / podiatrists. For up to date information and to check whether you need to register, please go to: [www.hpc-uk.org/aboutregistration/professions](http://www.hpc-uk.org/aboutregistration/professions).

**The General Optical Council (GOC)**

The GOC is the regulatory body for the optical professionals in the UK, with the purpose to protect the public by promoting high standards of education, performs and conduct amongst opticians. For more information please go to: <https://www.optical.org/>

**The Nursing and Midwifery Council (NMC)**

The NMC is the professional regulator of nurses and midwives in the UK, and nursing associates in England. The NMC sets the education standards that professionals must achieve in order for them to practice in the UK and nurses, midwives and nursing associates must uphold the standards and behaviours set out in the NMC Code. For further information please go to: <https://www.nmc.org.uk/>.

**TrustMark Traders**

TrustMark is the Government endorsed quality scheme covering work a consumer choses to have carried out in or around their home. By being registered with TrustMark traders place a considerable commitment to good customer service,, technical competence and trading practices. For more information please go to: <https://www.trustmark.org.uk/>.

Please note – Registration with TrustMark is not a full fast track and providers are still required to provide DBS disclosures and disclaimer documents to register with the Leeds Directory.