



Care Quality Commission  
Citygate  
Gallowgate  
Newcastle upon Tyne  
NE1 4PA

Telephone: 03000 616161  
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[www.cqc.org.uk](http://www.cqc.org.uk)

**Care Quality Commission  
Health and Social Care Act 2008**

## **IMPORTANT – CONCERNS CRIMINAL OFFENCE**

**To:**

**CQC Reference:**

### **The Offence**

We are writing to you as the registered provider as we have grounds to suspect you have committed a criminal offence. The offence is an offence of failing to comply with the conditions of your registration (Section 33 of the Health and Social Care Act 2008).

This offence can be dealt with by way of a fixed penalty notice (£4000 fine) or a prosecution (unlimited fine).

### **Factual Summary**

On 1 April 2013 you were registered to carry on the regulated activities of:

Diagnostic and screening procedures  
Family planning  
Maternity and midwifery services  
Surgical procedures  
Treatment of disease, disorder and injury

**At:**

A condition of this registration was that you as the Registered Provider must ensure that the regulated activity, diagnostic and screening procedures, family planning,

maternity and midwifery services, surgical procedures, treatment of disease, disorder and injury is managed by an individual who is registered as a manager in respect of that activity at

Our records show that between 28 September 2016 and 6 July 2017 there was no one registered as a manager for location

### **Response Options**

It is a defence to a Section 33 offence for the registered provider to establish on the balance of probabilities that there is a reasonable excuse for the breach.  
You are not required to respond to this letter.

**If you decide not to respond your case will be referred to a decision-maker to decide whether to issue a fixed penalty notice or progress to a prosecution.**

If you do respond your response will be taken into account in deciding whether to take no further action, issue a fixed penalty notice or progress to a prosecution.

You have three options

1. Make no response to this letter.
2. Respond, admit the offence but put forward mitigation (reasons why you say the offence is less serious).
3. Respond, deny the offence and put forward a reasonable excuse.

**If you decide to respond you should use the Response Form enclosed.**

**If you need to use additional pages you should label them “FPN Response Form Continued” and put the CQC Reference Number beginning MRR in the right hand corner of each additional page.**

### **Time Limit for Response**

You have 28 days from the date you receive this letter to respond.

### **Further Queries**

You can contact our National Customer Service Centre using the details below:

Telephone: 03000 616161 or Email: [Enquiries@cqc.org.uk](mailto:Enquiries@cqc.org.uk)

Write to: Care Quality Commission  
Citygate  
Gallowgate  
Newcastle upon Tyne  
NE1 4PA

You should quote the CQC Reference Number beginning MRR.

Yours sincerely

## REGISTERED MANAGER BREACH – PROVIDER RESPONSE FORM

You should email this form to [Enquiries@cqc.org.uk](mailto:Enquiries@cqc.org.uk) or send it to Care Quality Commission, Citygate, Gallowgate, Newcastle upon Tyne, NE1 4PA

### SECTION 1

Registered Provider Name	
CQC Reference Number (beginning MRR)	
Name of Person Completing Form	
Occupation Person Completing Form	

### SECTION 2

In this section you as the provider should set out your response to this letter. If you believe you have a defence of reasonable excuse or wish to put forward mitigation (reasons why you say the offence is not serious) you should describe this here. If the case progresses to a prosecution what you say here may be used in evidence against you.