

Residential Care Homes (Persons with Disabilities) Regulation

Application Form for Establishing “Specific Hours” within the Specified Period¹

- [Note: 1. Please read the Guidance Notes for Staffing and Duty Arrangements during “Specific Hours” within the Specified Period carefully before submitting application;
2. Please put a “√” in the appropriate boxes.]

To: Licensing Office of Residential Care Homes for Persons with Disabilities (LORCHD)
(Fax number: 2153 0071; Enquiry number: 2891 6379)

[Attention: _____ (Name of inspector)]

Part I Details of Application

<input type="checkbox"/> Application for approval of “specific hours” for a proposed RCHD
<input type="checkbox"/> Application for changing the approved “specific hours” of an existing RCHD Tentative date of effect: _____ (Day) _____ (Month) _____ (Year)

Part II Particulars of the RCHD

Name of the RCHD (English)	
Name of the RCHD (Chinese)	
Address of the RCHD (English)	
Address of the RCHD (Chinese)	
Telephone number:	Fax number:
Email address:	
LORCHD No. (if applicable):	
Type of RCHD	
<input type="checkbox"/> High care level home (Please fill in Form 1)	
<input type="checkbox"/> Medium care level home (Please fill in Form 2)	
<input type="checkbox"/> Low care level home (Please fill in Form 3)	
Maximum capacity of the proposed/existing RCHD:	

¹ Schedule 1 to the Residential Care Homes (Persons with Disabilities) Regulation provides that specified period, in relation to a day, means the period from 6 a.m. to 10 p.m. on that day.

High Care Level Home

Staffing and Duty Arrangements during “Specific Hours” within the Specified Period with effect from _____ (Day/Month/Year)

Name of the RCHD: _____

LORCHD No.: _____

Please put a “√” in the appropriate box(es) in the columns on the right	<input type="checkbox"/> This RCHD uses only 1 set of “specific hours”: Applicable from Monday to Sunday and other public holidays ²	<input type="checkbox"/> First set of “specific hours” for this RCHD: Applicable only on weekdays (Monday to Friday)(excluding public holidays) Shall be submitted together with the second set of “specific hours”. The RCHD may make copies of this form.)	<input type="checkbox"/> Second set of “specific hours” for this RCHD: Applicable only on Saturdays, Sundays and other public holidays Shall be submitted together with the first set of “specific hours”. The RCHD should consult with the responsible inspector if it intends to establish more than 2 sets of “specific hours”.)
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Staff type	Ancillary Worker	Care Worker	Nurse or Health Worker
Minimum staffing requirement during “specific hours”	1:40	1:20	Nurse: 1:60 or Health Worker: 1:30
Residents’ daily routines and corresponding duties of staff members during “specific hours”	i) Preparing meals, performing kitchen sanitation and cleansing, etc.; ii) Cleansing (e.g. general cleansing of the RCHD, the operation of the laundry room, etc.); iii) Others: _____	i) Providing daily personal care (e.g. lifting residents, assisting them with toileting, temperature measurements, etc.); ii) Providing personal hygiene services (e.g. assisting residents with getting up, grooming, bathing, changing diapers, etc.); iii) Feeding; iv) Others: _____	i) Conducting health checks, recording residents’ health conditions, etc.; ii) Formulating individual care plans for residents, managing medical records, designing menus, etc.; iii) Providing personal training (e.g. assisting residents with simple exercises); iv) Providing special care (e.g. assisting residents with feeding tubes, monitoring their eating situations, administering insulin, treating wounds, etc.); v) Preparing/dispensing/assisting residents with medication prescribed by registered medical practitioner/registered Chinese medicine practitioner/listed Chinese medicine practitioner, etc.; vi) Others: _____
Specified period	Please specify in the following field the detailed times for the RCHD’s proposed “specific hours” within the specified period (6 a.m. to 10 p.m.). For details, please refer to Samples (A), (B) and (C) (Chinese version only).		
6 a.m. 10 p.m.			
Total	hours	hours	hours
Minimum on-duty hours	11 hours	10 Hours <small>There must be 1 care worker (on duty) for every 40 residents or part thereof at any time other than the 10 hours aforementioned on every day (i.e. 14 hours).</small>	13 hours
Other staffing requirements	The RCHD should also comply with the following requirements at all times: <input checked="" type="checkbox"/> Having 2 staff members, whether they are a home manager, an ancillary worker, a care worker, a health worker or a nurse, on duty from 6 p.m. on a day to 7 a.m. on the next day. <input checked="" type="checkbox"/> Having 1 staff member, whether he/she is a home manager, an ancillary worker, a care worker, a health worker or a nurse, on-site and on duty at all time when a resident is in the high care level home.		

² Refer to general holidays (including every Sunday) provided in the Schedule to the General Holiday Ordinance (Cap. 149) of the Laws of Hong Kong.


Medium Care Level Home

Staffing and Duty Arrangements during “Specific Hours” within the Specified Period with effect from _____ (Day/Month/Year)

Name of the RCHD: _____

LORCHD No.: _____

<p>Please put a “✓” in the appropriate box(es) in the column(s) on the right</p>	<p><input type="checkbox"/> This RCHD uses only 1 set of “specific hours”: Applicable from Monday to Sunday and other public holidays²</p>	<p><input type="checkbox"/> First set of “specific hours” for this RCHD: Applicable only on weekdays (Monday to Friday)(excluding public holidays) Shall be submitted together with the second set of “specific hours”. The RCHD may make copies of this form.)</p>	<p><input type="checkbox"/> Second set of “specific hours” for this RCHD: Applicable only on Saturdays, Sundays and other public holidays Shall be submitted together with the first set of “specific hours”. The RCHD should consult with the responsible inspector if it intends to establish more than 2 sets of “specific hours”.)</p>
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Staff type	Ancillary Worker or Care Worker	Nurse or Health Worker
Minimum staffing requirement during “specific hours”	1:30	Nurse: 1 or Health Worker: 1:60
Residents’ daily routines and corresponding duties of staff members during “specific hours”	i) Preparing meals, performing kitchen sanitation and cleansing, etc.; ii) Cleansing (e.g. general cleansing of the RCHD, the operation of the laundry room, etc.); iii) Providing daily personal care (e.g. lifting residents, assisting them with toileting, temperature measurements, etc.); iv) Providing personal hygiene services (e.g. assisting residents with getting up, grooming, bathing, changing diapers, etc.); v) Feeding; vi) Others: _____	i) Conducting health checks, recording residents’ health conditions, etc.; ii) Formulating individual care plans for residents, managing medical records, designing menus, etc.; iii) Providing personal training (e.g. assisting residents with simple exercises); iv) Providing special care (e.g. assisting residents with feeding tubes, monitoring their eating situations, administering insulin, treating wounds, etc.); v) Preparing/dispensing/assisting residents with medication prescribed by registered medical practitioner/registered Chinese medicine practitioner/listed Chinese medicine practitioner, etc.; vi) Others: _____
Specified period	Please specify in the following field the detailed times for the RCHD’s proposed “specific hours” within the specified period (6 a.m. to 10 p.m.). For details, please refer to Sample (D) (Chinese version only).	
6 a.m.  10 p.m.		
Total	hours	hours
Minimum on-duty hours	11 hours	6 hours
Other staffing requirements	The RCHD should also comply with the following requirements at all times: <input checked="" type="checkbox"/> Having 1 staff member on duty and another one on-site, whether they are a home manager, an ancillary worker, a care worker, a health worker or a nurse, from 6 p.m. on a day to 7 a.m. on the next day. <input checked="" type="checkbox"/> Having 1 staff member, whether he/she is a home manager, an ancillary worker, a care worker, a health worker or a nurse, on-site and on duty at all time when a resident is in the medium care level home.	

² Refer to general holidays (including every Sunday) provided in the Schedule to the General Holiday Ordinance (Cap. 149) of the Laws of Hong Kong.


Low Care Level Home

Staffing and Duty Arrangements during “Specific Hours” within the Specified Period

with effect from _____ (Day/Month/Year)

Name of the RCHD: _____ LORCHD No.: _____

<p>Please put a “✓” in the appropriate box(es) in the column(s) on the right.</p>	<input type="checkbox"/> This RCHD uses only 1 set of “specific hours”: Applicable from Monday to Sunday and other public holidays ²	<input type="checkbox"/> First set of “specific hours” for this RCHD: Applicable only on weekdays (Monday to Friday)(excluding public holidays) Shall be submitted together with the second set of “specific hours”. The RCHD may make copies of this form.)	<input type="checkbox"/> Second set of “specific hours” for this RCHD: Applicable only on Saturdays, Sundays and other public holidays Shall be submitted together with the first set of “specific hours”. The RCHD should consult with the responsible inspector if it intends to establish more than 2 sets of “specific hours”.)
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Staff type	Ancillary Worker or Care Worker
Minimum staffing requirement during “specific hours”	1:60
Residents’ daily routines and corresponding duties of staff members during “specific hours”	i) Preparing meals, performing kitchen sanitation and cleaning, etc.; ii) Cleansing (e.g. general cleansing of the RCHD, the operation of the laundry room, etc.); iii) Providing daily personal care (e.g. lifting residents, assisting them with toileting, temperature measurements, etc.); iv) Providing personal hygiene services (e.g. assisting residents with getting up, grooming, bathing, changing diapers, etc.); v) Feeding; vi) Others: _____
Specified period	Please specify in the following field the <u>detailed times</u> for the RCHD’s proposed “specific hours” within the specified period (6 a.m. to 10 p.m.). For details, please refer to Sample (E) (Chinese version only).
6 a.m.  10 p.m.	
Total	hours
Minimum on-duty hours	11 hours
Other staffing requirements	The RCHD should also comply with the following requirements at all times: <input checked="" type="checkbox"/> Having 1 staff member on-site (whether or not on duty) and another one on call (whether or not on-site), whether they are a home manager, an ancillary worker, a care worker, a health worker or a nurse, from 6 p.m. on a day to 7 a.m. on the next day. <input checked="" type="checkbox"/> Having 1 staff member, whether he/she is a home manager, an ancillary worker, a care worker, a health worker or a nurse, on-site and on duty at all time when a resident is in the low care level home between 7 a.m. to 6 p.m.

² Refer to general holidays (including every Sunday) provided in the Schedule to the General Holiday Ordinance (Cap. 149) of the Laws of Hong Kong.

Part III Declaration

I, the RCHD operator/operating company’s authorised representative/applicant for the operation of a new RCHD, hereby declare that:

1. the information I have provided on this application form is true and correct to the best of my knowledge and belief; and
2. this RCHD would comply with the staffing requirements for one or multiple periods of “specific hours” as approved by the Director of Social Welfare under Section 6 of Part 2 of Schedule 1 to the Residential Care Homes (Persons with Disabilities) Regulation.

Signature of the
Applicant/
Date: _____ Authorised Representative: _____
(Name : _____)

RCHD Chop
(applicable to sole proprietors or
partnerships): _____

Company/Organisation Chop
(applicable to body corporates or NGOs): _____

WARNING

Under Section 22(6)(a) of the Residential Care Homes (Persons with Disabilities) Ordinance, any person who in or in connection with this application makes any statement or furnishes any information, whether such statement be oral or written, which is false in any material particular and which he/she knows or reasonably ought to know is false in such particular commits an offence. The provision of such false information may also prejudice this application and the existing licence.

Guidance Notes for Staffing and Duty Arrangements of “Specific Hours” within the Specified Period

I. Introduction

To enable residential care homes for the persons with disabilities (RCHDs) to better utilise their manpower resources and enhance service quality, the Residential Care Homes (Persons with Disabilities) Regulation (the Regulation) requires RCHDs to arrange a specified number and type of staff members, as stipulated by the law, to provide necessary nursing care services to residents during “specific hours”¹ within the specified period² of each day. **Prior approval of the Director of Social Welfare should be obtained** before implementing these “specific hours” upon the enactment of the legislation.

Based on the actual nursing care needs and daily routines of the residents, RCHDs shall establish a set of “specific hours” that aligns with their operational requirements, and assign different types of staff members to be on duty during the corresponding specific hours. The Licensing Office of Residential Care Homes for Persons with Disabilities (LORCHD) will also conduct inspections and monitoring based on these “specific hours”.

RCHDs may apply to the Social Welfare Department (SWD) for approval of their proposed “specific hours” staffing arrangements³ starting from the day on which “The Residential Care Homes Legislation (Miscellaneous Amendments) Ordinance 2023” (Ord. No. 12 of 2023) is gazetted, i.e. 16 June 2023.

II. Criteria for Establishing “Specific Hours”

The RCHD operator⁴ should establish “specific hours” in accordance with the following principles:

1. “Specific hours” shall be established within the specified period, i.e. from **6 a.m. to 10 p.m.** daily.
2. The RCHD operator shall assign different types of staff members to be on duty during the “specific hours” based on the actual nursing care needs, schedule of activities and rest hours of the residents.
3. The RCHD operator may establish the “specific hours” as one or multiple specific periods based on the service needs of the residents. The total number of hours of these specific period(s) should meet the requirement for “specific hours” within the specified period.
4. The RCHD operator may establish 1 or 2 sets of “specific hours” [i.e. one for weekdays (Monday to Friday), and another for Saturdays and public holidays⁵] based on the daily routines of the residents. If the RCHD operator intends to establish more than 2 sets of “specific hours”, please consult with the responsible inspector first.

¹ Refer to Section 6 of Part 2 of Schedule 1 to the Regulation regarding the minimum staffing requirements for specific hours.

² Schedule 1 to the Regulation provides that **specified period**, in relation to a day, means the period from 6 a.m. to 10 p.m. on that day.

³ Most of the provisions relating to staffing requirements in the Regulation will come into operation on the material date (16 June 2024).

⁴ If the RCHD is operated by a partnership or body corporate [including a non-governmental organisation (NGO)], the application should be submitted by an authorised representative.

⁵ Refer to general holidays (including every Sunday) provided in the Schedule to the General Holidays Ordinance (Cap. 149) of the Laws of Hong Kong.

III. Approval Procedures

1. RCHD operators, including sole proprietors, partnerships or body corporates (including NGOs), shall authorise a representative to sign this application form and submit it together with an authorisation letter.
2. In accordance with Section 6 of Part 2 of Schedule 1 to the Regulation, the RCHD operator should establish “specific hours” based on the type of residential care home, the number of beds and the corresponding statutory minimum staffing requirements, and **submit the application to LORCHD for approval**. The RCHD operator shall complete the **original** Application Form for Establishing “Specific Hours” within the Specified Period, and submit it to LORCHD (address: 5/F, THE HUB, 23 Yip Kan Street, Wong Chuk Hang, Hong Kong) by hand or by registered mail **together with the following documents**:
 - i) Schedule of activities and rest hours of the residents;
 - ii) Staff duty roster for the proposed “specific hours”;
 - iii) Job description and duty statements of staff members (including ancillary workers, care workers, health workers, nurses, etc.)⁶;
 - iv) Copy of the applicant’s Hong Kong Identity Card/copies of all partners’ Hong Kong Identity Cards (applicable to applications made in the name of an individual or partnership);
 - v) Original copy of the authorisation letter for the applicant’s representative (applicable to applications made in the name of a partnership or body corporates (including NGO));
 - vi) Copy of annual returns (applicable to existing body corporates);
 - vii) Notice of Change of Company Secretary and Director (appointment/cessation) (if available) (applicable to existing body corporates); and
 - viii) other related documents (where necessary), etc.

The RCHD operator may be required to provide supplementary information as requested by LORCHD to ensure that the proposed “specific hours” align with the residents’ daily routines and nursing care needs.

IV. Change of the Approved “Specific Hours”

If the RCHD operator intends to change the approved “specific hours” in response to changes in the residents’ daily routines or nursing care needs, he/she shall submit the relevant application **at least 1 month** before making the change. The revised “specific hours” can only be implemented after **obtaining approval from SWD**.

V. Application Deadlines

Application Situation	Deadline for Application Submission
1. Application for approval of “specific hours” for a proposed RCHD	Submit the application together with the application form for a licence for a RCHD
2. Application for changing the approved “specific hours”	No later than 1 month before the effective date of the proposed change

⁶ For the definition and duties of various types of staff, please refer to paragraph 9.2 of Chapter 9, paragraph 10.2 of Chapter 10 and paragraph 11.2 of Chapter 11 of the Code of Practice for Residential Care Homes (Persons with Disabilities) June 2024 (Revised Edition).