

# **CODE OF PRACTICE FOR RESIDENTIAL CARE HOMES (ELDERLY PERSONS)**



June 2024 (Revised Edition)



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## **CHAPTER 1**

### **INTRODUCTION**

#### **1.1 Background**

- 1.1.1 Residential Care Homes for the Elderly (RCHEs) are established for providing residential care service and facilities for elderly persons in need. They should be given due respect and concern for a living with dignity and ageing with peace of mind.
- 1.1.2 The Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) commenced operation on 1 April 1995 and came into full implementation on 1 June 1996, for regulating the residential care service of RCHEs through a licensing scheme administered by the Director of Social Welfare (DSW) with a view to meeting an acceptable standard. The Residential Care Homes Legislation (Miscellaneous Amendments) Ordinance 2023 (Ord. No. 12 of 2023) (Amendment Ordinance) was gazetted on 16 June 2023 to enhance the monitoring and quality of residential care homes. The majority of the Amendment Ordinance will come into effect from 16 June 2024 whereas the requirements in relation to staffing and area of floor space per resident will be implemented in phases.
- 1.1.3 The Residential Care Homes (Elderly Persons) Regulation (Cap. 459 sub. leg. A) is made under section 23 of the Residential Care Homes (Elderly Persons) Ordinance, stipulating the requirements for the operation, management and supervision of RCHEs.
- 1.1.4 This Code of Practice is issued by the DSW under section 22 of the Residential Care Homes (Elderly Persons) Ordinance, setting out principles, procedures, guidelines and standards for the operation, keeping, management or other control of RCHEs for compliance by operators.
- 1.1.5 The standards, specifications and statutory provisions cited in this Code of Practice are those in force on or before 16 June 2024. Readers of this Code of Practice should check whether there are any subsequent amendments to these provisions. For reference to the relevant statutory provisions, please visit the “Hong Kong e-Legislation” (<https://www.elegislation.gov.hk>).

1.1.6 Under section 2(1) of the Residential Care Homes (Elderly Persons) Ordinance, an RCHE means –

any premises at which more than 5 persons who have attained the age of 60 years are habitually received for the purposes of care while resident therein.

1.1.7 Under section 3 of the Residential Care Homes (Elderly Persons) Ordinance, the Ordinance does not apply to –

- (a) any residential care home maintained and controlled by the Government or the Housing Authority;
- (b) any residential care home used or intended for use solely for the purpose of the medical treatment of persons requiring medical treatment;
- (c) a treatment centre as defined by section 2 of the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Ordinance (Cap. 566); or
- (d) any residential care home or type or description of residential home excluded by the DSW by order published in the Gazette.

1.1.8 The Residential Care Homes (Elderly Persons) Ordinance and the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) are mutually exclusive. Based on this principle, the operator of any home which fits into the definitions of a residential care home under the Residential Care Homes (Elderly Persons) Ordinance and the Residential Care Homes (Persons with Disabilities) Ordinance is required to hold only 1 valid licence under either of the Ordinances, yet shall not apply for a licence under both Ordinances. If a licence issued under the Residential Care Homes (Elderly Persons) Ordinance is for the time being in force in respect of the residential care home, and the operator intends to switch over to operate a residential care home for Persons with Disabilities (RCHD), the operator shall, after being advised by the DSW that the application under the Residential Care Homes (Persons with Disabilities) Ordinance is approved, surrender to the DSW the first-mentioned licence which will be cancelled on the issue of a licence under the Residential Care Homes (Elderly Persons) Ordinance. If the licence of the residential care home is an e-licence, the operator shall submit a Home Closure Application and surrender the first-mentioned licence through the Online Platform for Residential Care Homes for the Elderly and Persons with Disabilities (the Online Platform) (<https://lrbop.swd.gov.hk>).

Similarly, if a licence issued under the Residential Care Homes (Persons with Disabilities) Ordinance is for the time being in force in respect of the residential care home, and the operator intends to switch over to operate an RCHE, the operator shall, after being advised by the DSW that the application under the Residential Care Homes (Elderly Persons) Ordinance is approved, surrender to the DSW the first-mentioned licence which will be cancelled on the issue of a licence under the Residential Care Homes (Persons with Disabilities) Ordinance. If the licence of the residential care home is an e-licence, the operator shall submit a Home Closure Application and surrender the first-mentioned licence through the Online Platform.

- 1.1.9 Operators of RCHEs should study this Code of Practice in detail, as well as the Residential Care Homes (Elderly Persons) Ordinance and the Residential Care Homes (Elderly Persons) Regulation. The DSW may refuse to issue a licence to the applicant under section 8(3)(c) of the Residential Care Homes (Elderly Persons) Ordinance if it appears that the premises used for the residential care home do not comply with any requirements relating to design, construction, fire precautions, health, sanitation and safety set out in this Code of Practice. Any person who intends to operate an RCHE may contact the Licensing Office of Residential Care Homes for the Elderly (LORCHE) of the Social Welfare Department (SWD) (Telephone No.: 3184 0729 or 2834 7414) (Address: 6/F, THE HUB, 23 Yip Kan Street, Wong Chuk Hang, Hong Kong) for advice or consultation.
- 1.1.10 Compliance with the requirements of this Code of Practice does not exempt the operator or any other person from the liabilities, obligations and requirements imposed under other ordinances or the common law.

## **1.2 Licence**

- 1.2.1 Under section 6 of the Residential Care Homes (Elderly Persons) Ordinance, any person who operates, keeps, manages or otherwise has control of an RCHE shall hold a licence that has been issued under section 8(2)(a) or renewed under section 9 of the Residential Care Homes (Elderly Persons) Ordinance in respect of that RCHE and is for the time being in force.
- 1.2.2 Under section 8(3)(d)(i) and (ii) of the Residential Care Homes (Elderly Persons) Ordinance, the DSW may refuse to issue a licence

to the applicant if the proposed name of the residential care home is unsuitable or is the same as or similar to –

- (a) the name of an RCHE in respect of which a licence is in force or has been suspended, surrendered or cancelled; or
- (b) the name of an RCHD in respect of which a licence issued under the Residential Care Homes (Persons with Disabilities) Ordinance (Cap. 613) is in force or has been suspended, surrendered or cancelled.

1.2.3 A licence issued in respect of a specific RCHE is verified by the signature of the DSW and contains information of the RCHE issued with a licence. Under section 8(5) of the Residential Care Homes (Elderly Persons) Ordinance, the licence is evidence of the facts stated in it. If there is any change(s) in the name, address, type of the RCHE, maximum capacity as stated in the licence and/or the operator, it is required to apply for a new licence.

### **1.3 Business Registration/Companies Registration**

An operator of a private RCHE shall apply to the Inland Revenue Department for business registration in respect of the business under the Business Registration Ordinance (Cap. 310), and with the Registrar of Companies under the Companies Ordinance (Cap. 622) if the home is operated by a body corporate.

### **1.4 Insurance**

Operators of RCHEs, who are employers, shall formulate employment contracts and take out a policy of employees' compensation insurance for all staff in accordance with the Employment Ordinance (Cap. 57) and the Employees' Compensation Ordinance (Cap. 282). Moreover, the operators of RCHEs are also advised to take out other related insurances for their RCHEs such as public liability insurance.

### **1.5 Advertisement**

Under section 14A of the Residential Care Homes (Elderly Persons) Regulation, the operator of an RCHE must ensure that every advertisement published by or on behalf of the operator for promoting the RCHE contains information to the effect that a licence is in force in respect of the RCHE.

## **1.6 Closure of RCHEs**

If an operator ceases the operation of an RCHE, or if a residential care home is unable to continue its operation due to various reasons (e.g. termination of tenancy by the landlord), the operator shall inform LORCHE, as well as the residents and their guardians<sup>1</sup>/guarantors<sup>2</sup>/family members/relatives/contact persons, in writing at least 3 months prior to its closure of the RCHE, together with a relocation plan for the residents. The operator shall surrender the licence to LORCHE after the closure of the RCHE. If the licence of the residential care home is an e-licence, the operator shall submit a Home Closure Application and surrender the licence through the Online Platform (<https://lrbop.swd.gov.hk>). For management matters relating to the closure of an RCHE, please refer to paragraph 8.13 of Chapter 8 in this Code of Practice.

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<sup>1</sup> A “guardian” in this Code of Practice refers to a person appointed by the Court or the Guardianship Board for executing the conferred powers and responsibilities.

<sup>2</sup> A “guarantor” in this Code of Practice refers to a person who is or is not a relative of a resident and may not be conferred with statutory powers, voluntarily assists in handling the daily matters for the resident, such as making an application for admission to and discharge from an RCHE, discussion of care plans or payment of home fees, etc.





## CHAPTER 2

### TYPES OF RCHEs

#### 2.1 Types of RCHEs

2.1.1 Under section 2(1) of the Residential Care Homes (Elderly Persons) Ordinance, an RCHE means any premises at which more than 5 persons who have attained the age of 60 years are habitually received for the purposes of care while resident therein. As stipulated in section 3 of the Residential Care Homes (Elderly Persons) Regulation, types of RCHEs are as follows –

(a) A “nursing home”

An establishment providing residential care, supervision and guidance for persons who have attained the age of 60 years, and who are suffering from a functional disability to the extent that they require personal care and attention in the course of daily living activities, and a high degree of professional nursing care, but do not require continuous medical supervision (Please refer to the Code of Practice for Residential Care Homes (Nursing Homes) for the Elderly for the principles, procedures, guidelines and standards of operating, keeping or managing a nursing home).

(b) A “care and attention home”

An establishment providing residential care, supervision and guidance for persons who have attained the age of 60 years and who are generally weak in health and are suffering from a functional disability to the extent that they require personal care and attention in the course of daily living activities but do not require a high degree of professional medical or nursing care.

(c) An “aged home”

An establishment providing residential care, supervision and guidance for persons who have attained the age of 60 years and who are capable of observing personal hygiene but have

a degree of difficulty in performing household duties related to cleaning, cooking, laundering, shopping and other domestic tasks.

(d) A “self-care hostel”

An establishment providing residential care, supervision and guidance for persons who have attained the age of 60 years and who are capable of observing personal hygiene and performing household duties related to cleaning, cooking, laundering, shopping and other domestic tasks.

- 2.1.2 In determining the type of an RCHE making an application for the issue or renewal of a licence, the level of care and assistance required by the residents to be received or received by an RCHE will be considered by LORCHE based on health assessments of the residents at the time of their admission to an RCHE (please refer to paragraph 8.3.1 of Chapter 8 in this Code of Practice).

## **2.2 Classification of Mixed RCHEs**

- 2.2.1 RCHEs may concurrently receive residents requiring different levels of care in actual operation. For example, some aged homes may be established with care and attention places. Moreover, some aged homes or care and attention homes also provide self-care places.
- 2.2.2 In determining the type of a mixed RCHE, if a home receives elderly persons requiring self-care, aged home and/or care and attention services concurrently, that home will only be classified as either an aged home or a care and attention home, irrespective of the number of residents of self-care.
- 2.2.3 For example, for a home concurrently providing self-care, aged home and care and attention places, the number of residents requiring self-care service will be disregarded in classifying the type of home, and the home will be classified according to the number of residents requiring aged home or care and attention service. The home will be classified as a “care and attention home” when 30% or more residents out of the number of aged home and care and attention places are in need of care and attention service. When the number of residents in need of care and attention service is less than 30% of the number of aged home and care and attention places, the home will be classified as an “aged home”. The above principle is to strengthen the protection of residents who require service of a higher care level.

## **CHAPTER 3**

### **LICENCE**

#### **3.1 Policy**

- 3.1.1 Any person who operates, keeps, manages or otherwise has control of an RCHE shall hold a licence for the time being in force, which is issued or renewed under the Residential Care Homes (Elderly Persons) Ordinance in respect of that RCHE, except for any RCHD as defined by the Residential Care Homes (Persons with Disabilities) Ordinance with a valid licence issued under the Residential Care Homes (Persons with Disabilities) Ordinance (please refer to paragraph 1.1.8 of Chapter 1 in this Code of Practice).

#### **3.2 Application for a Licence**

Under section 8(1) of the Residential Care Homes (Elderly Persons) Ordinance, a licence applicant shall make an application for a licence in respect of an RCHE by using the form (SWD 691) specified at Annex 3.1. The application form may be obtained from LORCHE or downloaded from the website of the SWD (<https://www.swd.gov.hk>). Applicants may submit their applications electronically through the Online Platform (<https://lrbop.swd.gov.hk>). Submission of the application shall be accompanied by the information and plans as required by the DSW. Details are as follows –

- 3.2.1 The original of the duly completed application form shall be submitted by delivery or registered mail to LORCHE, or the application form can be completed and submitted electronically via the Online Platform;
- 3.2.2 The applicant shall submit the following documents simultaneously –
- (a) a photocopy of the Hong Kong Identity Card of the applicant(s) (applicable to applications made by individuals);
  - (b) a photocopy of the Certificate of Incorporation issued by the Registrar of Companies (applicable to applications made by body corporates);

- (c) a certified copy of the Business Registration Application issued by the Commissioner of Inland Revenue (applicable to applications of private RCHEs);
- (d) a photocopy of the Business Registration Certificate issued by the Commissioner of Inland Revenue (applicable to applications of private RCHEs);
- (e) staff list of the RCHE (Annex 3.2);
- (f) a photocopy of the duly stamped and valid tenancy agreement in respect of the RCHE premises (applicable to rented RCHE premises);
- (g) a photocopy of the deed of assignment in respect of the RCHE premises (applicable to self-owned RCHE premises);
- (h) 4 sets of layout plans of the RCHE<sup>3</sup> (6 sets for RCHEs situated at premises under or divested by the Housing Authority) (for requirements on layout plans, please refer to the Guidance Notes at Annex 3.3), a printed copy of the layout plans shall be submitted in parallel if the licence application is submitted electronically;
- (i) a photocopy of the fire service installation and equipment plan and relevant documents (please refer to paragraphs 5.4 and 5.5 of Chapter 5 in this Code of Practice and the checklist at Annex 5.2), a printed copy of the plan shall be submitted in parallel if the licence application is submitted electronically;
- (j) a proposal of a Responsible Person (RP) for the RCHE (SWD 697) (please refer to paragraph 3.11 of this chapter and Annex 3.7 for the requirements in relation to RP); and
- (k) an application form for establishing specific hours (SWD 686) within the specified period (please refer to paragraph 9.1.4 of Chapter 9 in this Code of Practice and Annex 9.1 for the requirements in relation to specific hours).

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<sup>3</sup> If the layout plans of the RCHE involves alteration and addition (A&A) works of which prior approval of plans and consent to the commencement of works from the Building Authority is required, the applicant shall enclose the related documents including approved plan(s) and letter(s) when submitting the licence application. In case the proposed layout plans involves A&A works and there are no related documents enclosed in the application form, the said application and all the submitted documents would be returned to the applicant and no follow-up actions would be taken. If the applicant wishes to apply for the licence again, the applicant shall resubmit the application form and all the documents as required in Chapter 3 in this Code of Practice.

- 3.2.3 A specified authorisation to the Commissioner of Police for releasing relevant criminal records to the SWD must be signed by the applicant/authorised representative and the proposed RP in the witness of staff of LORCHE, for the vetting of the licence application.
- 3.2.4 Based on the principle of classifying an RCHE as stated in paragraph 2.2 of Chapter 2 in this Code of Practice, LORCHE may require the applicant to submit the Medical Examination Form for Residents in Residential Care Homes for the Elderly ([Annex 12.1](#)) to ensure compliance of the RCHE with the licensing requirements on the type and number of staff employed according to the type of RCHE as stipulated in section 11(1) of the Residential Care Homes (Elderly Persons) Regulation.
- 3.2.5 Applicants should ensure that the use of the subject location/premises for operating RCHEs is always permitted under the Town Planning Ordinance, or if it requires an application to the Town Planning Board for planning permission in advance. For uses subject to planning permission from the Town Planning Board or a designated officer assigned by the Planning Department, the applicants shall submit proof of the planning permission to LORCHE. Otherwise a licence may not be issued in respect of the RCHE (please refer to paragraph 4.2.2 of Chapter 4 in this Code of Practice).
- 3.2.6 Applicants should ensure whether the operation of RCHEs at the subject location/premises is in compliance with the land lease conditions. For premises breaching the land lease conditions, the applicant shall submit a waiver issued by the Lands Department as a proof of exemption from the relevant land lease conditions (please refer to paragraph 4.2.3 of Chapter 4 in this Code of Practice).
- 3.2.7 On receipt of the above required documents from the applicant and if all of the information is in order, LORCHE will normally take 8 weeks to complete processing a licence application and notify the applicant of the outcome.

### **3.3 Fit and Proper Requirement for Licence Applicant**

- 3.3.1 Under section 8A of the Residential Care Homes (Elderly Persons) Ordinance, in considering whether a licence/licence renewal applicant is a fit and proper person to operate a residential care home, the DSW must have regard to all relevant matters, including whether

any of the relevant sole proprietor/body corporate/any partner in the partnership (partner) –

- (a) has been convicted of an offence involving fraud or dishonesty in any place;
- (b) has been convicted of an indictable offence in Hong Kong;
- (c) has been sentenced to imprisonment (however described) in a place outside Hong Kong, whether or not the sentence is suspended (applicable to sole proprietor and partner being an individual);
- (d) has been convicted of an offence in a place outside Hong Kong (applicable to body corporate and partner being a body corporate);
- (e) has been convicted of an offence under the Residential Care Homes (Elderly Persons) Ordinance, the Residential Care Homes (Elderly Persons) Regulation, Residential Care Homes (Persons with Disabilities) Ordinance or Residential Care Homes (Persons with Disabilities) Regulation;
- (f) has records of any application for a licence, the renewal of a licence, a certificate of exemption or the renewal of a certificate of exemption within the meaning of the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Persons with Disabilities) Ordinance in connection with the applicant;
- (g) has complied with the conditions of a licence or certificate of exemption under the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Persons with Disabilities) Ordinance;
- (h) has complied with the Residential Care Homes (Elderly Persons) Ordinance, the Residential Care Homes (Elderly Persons) Regulation, Residential Care Homes (Persons with Disabilities) Ordinance or Residential Care Homes (Persons with Disabilities) Regulation;
- (i) is an undischarged bankrupt (applicable to sole proprietor and partner being an individual);

- (j) is in liquidation or is the subject of a winding-up order (applicable to body corporate and partner being a body corporate);
- (k) has entered into a composition or scheme of arrangement with the creditors; and
- (l) is a director of any body corporate that is in liquidation or is the subject of a winding-up order.

3.3.2 The applicant should ensure that the RCHE operator-to-be complies with the fit and proper requirement for operating an RCHE and submit details via a specified form (SWD 691) (Annex 3.1) together with the following documents to the DSW for consideration –

- (a) details of criminal records (if any) in relation to an individual (applicable to sole proprietorship applicant and partner being an individual)/body corporate (applicable to body corporate and partner being a body corporate);
- (b) details of records issued by the Official Receiver (if any) in relation to the relevant individual/body corporate; and
- (c) other relevant documents.

### **3.4 Issue of Licence**

Under section 8(2) of the Residential Care Homes (Elderly Persons) Ordinance, the DSW shall, on receipt of an application, determine the application –

- (a) by issuing to and in the name of the applicant, a licence imposing such conditions, in relation to the operation, keeping, management or other control of the residential care home, as the DSW thinks fit; or
- (b) by refusing to issue a licence to the applicant.

### **3.5 Conditions on the Issue of Licence**

Under section 8(2)(a) of the Residential Care Homes (Elderly Persons) Ordinance, the DSW may specify the conditions as the DSW thinks fit in relation to the operation, keeping, management or other control of the residential care home on the issue of a licence.

### **3.6 Renewal of Licence**

- 3.6.1 Under section 9(2) of the Residential Care Homes (Elderly Persons) Ordinance, an RCHE operator shall apply to the DSW not more than 4 months and not less than 2 months prior to the expiration of the licence for renewal in the form (SWD 694) specified at Annex 3.4. Operators may also submit their renewal applications electronically through the Online Platform (<https://lrbop.swd.gov.hk>).
- 3.6.2 For an application for the renewal of a licence in respect of an RCHE under section 9 of the Residential Care Homes (Elderly Persons) Ordinance, the operator of the RCHE must propose a management officer to be the RP of the RCHE if (please refer to paragraph 3.11 of this chapter for details) –
- (a) the application is the first application for the renewal of the licence made on or after 16 June 2024; and
  - (b) the licence –
    - (i) was in force immediately before 16 June 2024; or
    - (ii) is issued on or after 16 June 2024 on an application made before that date.
- 3.6.3 A specified authorisation to the Commissioner of Police for releasing relevant criminal records to the SWD must be signed by the operator and the proposed RP in the witness of staff of LORCHE, for the vetting of the application for renewal of a licence.
- 3.6.4 On renewing the licence in accordance with section 9(4) or 9(5) of the Residential Care Homes (Elderly Persons) Ordinance, the DSW must, by a written notice, inform the operator of the RCHE of the effective date on which the proposed RP becomes the RP of the RCHE; and send a copy of the notice to the proposed RP.

### **3.7 Display of Licence**

- 3.7.1 Operators shall display the licence in a prominent place of the RCHE premises, so that the public may be able to identify the legal status of the RCHE concerned.
- 3.7.2 When an RCHE is issued with an electronic licence, the operator may display through the means of electronic screen, printed form, etc., the licence or its copy in a prominent place of the RCHE premises for



public access.

### **3.8 Format of Licence**

A licence issued under section 8 or renewed under section 9 of the Residential Care Homes (Elderly Persons) Ordinance should be in the form specified at Annex 3.5.

### **3.9 Application for a New Licence for Licensed RCHEs**

3.9.1 For an RCHE holding a valid licence, it is required to make an application for a new licence under section 8(1) of the Residential Care Homes (Elderly Persons) Ordinance by using the form (SWD 691) specified at Annex 3.1 if there is/are any change(s) of the following –

- (a) name of the RCHE;
- (b) address of the RCHE (for expansion or merger of RCHEs, please refer to paragraph 3.10 of this chapter);
- (c) type of the RCHE;
- (d) licensed capacity; and/or
- (e) operator/operating corporation (please refer to paragraph 3.9.2 of this chapter).

3.9.2 If there is a change of operators/operating corporations arising from the sale of business or replacement of partners, the existing operator shall inform LORCHE in writing of the relevant details not more than 4 months and not less than 2 months prior to the change(s) (including the effective date, information of the new operator, change of staff and/or premises, etc.). Meanwhile, the prospective operator shall apply for a new licence under section 8(1) of the Residential Care Homes (Elderly Persons) Ordinance by using the form (SWD 691) specified at Annex 3.1 not more than 4 months and not less than 2 months prior to the change(s).

3.9.3 If the operator of an RCHE is a “body corporate” and there is any change in the status of the directors, the operator shall inform LORCHE in writing (Annex 3.6) within 14 calendar days from the date of change.

### **3.10 Expansion or Merger of RCHEs**

- 3.10.1 If there is any expansion or merger plan in respect of a licensed RCHE, the operator should apply to LORCHE in writing to obtain an acceptance-in-principle for including the proposed expanded or merged portion in the licensed area of the RCHE prior to implementation of the plan, and an application for a new licence shall be submitted (please refer to paragraph 3.9.1(b) of this chapter).
- 3.10.2 The expansion or merger of RCHE premises shall comply with the following conditions. If necessary, applications for expansion or merger of individual homes will be considered by LORCHE under special circumstances –
- (a) the proposed expanded portion or RCHEs to be merged shall be situated on the same floor or practically upper or lower adjoining floors of the same premises on which the existing RCHEs are located. For proposed expanded or merged portion on adjoining floors, the condition of item (d) of this paragraph shall be fulfilled concurrently;
  - (b) for RCHE premises being New Territories Exempted Houses (NTEH) (commonly known as “small houses”), the proposed expanded portion or RCHEs to be merged shall be situated in the same or adjoining house. For proposed expanded or merged portion in adjoining houses, the condition of item (d) of this paragraph shall be fulfilled concurrently. The applicant shall also ensure that the proposed expanded or merged RCHE remains in compliance with the relevant land lease conditions after the expansion or merger (please refer to paragraph 3.2.6 of this chapter);
  - (c) for an application for expansion or merger of RCHEs involving substantial alteration to the floor area or layout of the RCHE premises, the entire new premises after expansion or merger shall comply with the latest requirements in respect of fire safety and building safety standards and requirements stipulated in the relevant ordinances or codes of practice such as those applicable to applications for a new licence in respect of newly established RCHEs; and
  - (d) if the proposed expanded portion or RCHEs to be merged is/are situated on adjoining upper or lower floors or in adjoining blocks of NTEH (commonly known as “small houses”) and not on the same floor or the same block of the NTEH, the management, operation and staff deployment of the newly

established RCHE will be directly affected. Hence, the RCHE concerned shall be able to meet the legislative requirement in respect of staff employment and attendance for the 12 months prior to the application. Effective measures or supporting device and written undertakings should also be provided to ensure effective communication and mutual support among the staff.

- 3.10.3 If the proposed expanded portion is not situated at a location as mentioned in paragraph 3.10.2(a) or (b) of this chapter, the operator shall apply for another licence for the premises under section 8(1) of the Residential Care Homes (Elderly Persons) Ordinance by using the form (SWD 691) specified at Annex 3.1.

### **3.11 Responsible Person**

- 3.11.1 Under sections 11A, 11B and 11C of the Residential Care Homes (Elderly Persons) Ordinance, the applicant must propose a management officer (proposed RP) to be the RP of the RCHE on the application for a licence/renewal of a licence in respect of an RCHE. The proposal must –
- (a) contain the name and correspondence address of the proposed RP;
  - (b) contain a statement made by the proposed RP indicating his or her consent to be the RP of the RCHE;
  - (c) contain any other information specified by the DSW; and
  - (d) be made in the form and manner specified by the DSW (SWD 697) (Annex 3.7).
- 3.11.2 Under section 2(1) of the Residential Care Homes (Elderly Persons) Ordinance, management officer means –
- (a) in relation to a sole proprietorship—an individual who is the sole proprietor or is concerned in the management of the sole proprietorship;
  - (b) in relation to a body corporate—an individual who is a director of the body corporate or is concerned in its management; or

- (c) in relation to a partnership—an individual who is a partner in the partnership or is concerned in its management;

Specifically, an individual who is concerned in the management of the sole proprietorship/body corporate/partnership may include the operator, the chief executive officer, the company secretary, the manager, the home manager, etc.

- 3.11.3 A specified authorisation to the Commissioner of Police for releasing relevant criminal records to the SWD must be signed by the proposed RP in the witness of staff of LORCHE. On issuing the licence in accordance with section 8(2)(a) of the Residential Care Homes (Elderly Persons) Ordinance, the DSW must, by a written notice, inform the operator of the RCHE that the proposed RP becomes the RP of the RCHE on the day on which the licence takes effect; and send a copy of the notice to the proposed RP.
- 3.11.4 The operation of the RCHE must be closely monitored by the RP in accordance with a monitoring mechanism devised by the RCHE, to ensure –
  - (a) adequate supervision of the operation, keeping, management and control of the RCHE for protecting the interest and safety of the residents of the RCHE; and
  - (b) that the RCHE is operated in compliance with the Residential Care Homes (Elderly Persons) Ordinance and the Residential Care Homes (Elderly Persons) Regulation.
- 3.11.5 Under section 11E of the Residential Care Homes (Elderly Persons) Ordinance, for sections 8(3)(ac), 10(1)(ac), 11F(1) and 11I(1)(b), in considering whether the proposed RP is a fit and proper person to perform the duties mentioned in section 11D (i.e. paragraph 3.11.4 above), the DSW must have regard to all relevant matters, including whether the proposed RP –
  - (a) has been convicted of an offence involving fraud or dishonesty in any place;
  - (b) has been convicted of an indictable offence in Hong Kong;
  - (c) has been sentenced to imprisonment (however described) in a place outside Hong Kong, whether or not the sentence is suspended;

- (d) has been convicted of an offence under the Residential Care Homes (Elderly Persons) Ordinance, the Residential Care Homes (Elderly Persons) Regulation, Residential Care Homes (Persons with Disabilities) Ordinance or Residential Care Homes (Persons with Disabilities) Regulation;
- (e) has record of any application for a licence, the renewal of a licence, a certificate of exemption or the renewal of a certificate of exemption within the meaning of the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Persons with Disabilities) Ordinance;
- (f) has complied with the conditions of a licence or certificate of exemption under the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Persons with Disabilities) Ordinance;
- (g) has complied with the Residential Care Homes (Elderly Persons) Ordinance, the Residential Care Homes (Elderly Persons) Regulation, Residential Care Homes (Persons with Disabilities) Ordinance or Residential Care Homes (Persons with Disabilities) Regulation;
- (h) is an undischarged bankrupt;
- (i) has entered into a composition or scheme of arrangement with the person's creditors; and
- (j) is a director of any body corporate that is in liquidation or is the subject of a winding-up order.

3.11.6 If the DSW is satisfied that the RP of an RCHE is no longer a fit and proper person to perform the duties mentioned in section 11D of the Residential Care Homes (Elderly Persons) Ordinance; or has failed to perform any of the duties –

- (a) the DSW may, by a written notice given to the operator of the RCHE, direct that the RP of the RCHE (outgoing RP) cease to be such an RP. The outgoing RP ceases to be the RP of the RCHE on the date of the notice.
- (b) the operator must, within 7 days after the date of the notice or a longer period that the DSW permits, propose another management officer of the operator to be the RP of the RCHE.

3.11.7 The RP of an RCHE ceases to be such an RP when he or she –

- (a) dies;
- (b) becomes incapable of managing and administering his or her property and affairs because of mental or physical incapacity;
- (c) ceases to be a management officer of the operator of the RCHE; or
- (d) gives a written notice to the operator of the RCHE and the DSW to withdraw his or her consent to be the RP of the RCHE.

The operator of the RCHE must, within 7 days after the date on which the operator becomes aware of the relevant event, or a longer period that the DSW permits, inform the DSW of the relevant event in the form specified by the DSW (SWD 697) ([Annex 3.7](#)) and propose another management officer of the operator to be the RP of the RCHE.

3.11.8 Under section 11H of the Residential Care Homes (Elderly Persons) Ordinance, the operator of an RCHE may change the RP of the RCHE in circumstances other than those set out in sections 11F and 11G (i.e. paragraphs 3.11.6 and 3.11.7 above) by giving a written notice to the DSW in the form and manner specified by the DSW (SWD 697) ([Annex 3.7](#)) at least 14 days before the date on which the RP of the RCHE (outgoing RP) will cease to be such an RP. When giving the notice, the operator must also propose another management officer of the operator to be the RP of the RCHE.

### **3.12 Reporting Requirements**

Under section 11J of the Residential Care Homes (Elderly Persons) Ordinance, if any of the following specified events occurs, the operator of an RCHE must report to the DSW in writing within 7 days after the date on which the operator becomes aware of the event or a longer period that the DSW permits, and the report must contain the information specified by the DSW (SWD 700) ([Annex 3.8](#)) –

- (a) a prosecution is started against the operator/any partner in the partnership (partner) or the RP for an indictable offence in Hong Kong;

- (b) a prosecution is started against the operator/any partner or the RP for an offence punishable with imprisonment (however described) in a place outside Hong Kong;
- (c) the operator/any partner or the RP is convicted of an indictable offence in Hong Kong;
- (d) the operator (applicable to sole proprietor and partner being an individual) or the RP is sentenced to imprisonment (however described) in a place outside Hong Kong, whether or not the sentence is suspended;
- (e) the operator (applicable to body corporate and partner being a body corporate) is convicted of an offence punishable with imprisonment (however described) in a place outside Hong Kong;
- (f) the operator (applicable to sole proprietor and partner being an individual) or the RP becomes an undischarged bankrupt;
- (g) the operator/any partner or the RP enters into a composition or scheme of arrangement with their creditors;
- (h) the operator (applicable to a body corporate and partner being a body corporate) goes into liquidation or becomes the subject of a winding-up order;
- (i) the operator/any partner or the RP is a director of the body corporate that goes into liquidation or becomes the subject of a winding-up order; or
- (j) there is a change in the name or correspondence address of the RP.





## **CHAPTER 4**

### **BUILDING AND ACCOMMODATION**

#### **4.1 Introduction**

RCHEs are subject to inspection by the Building Safety Inspectorate Team of the SWD and shall comply with the Buildings Ordinance (Cap. 123) and its subsidiary legislation as well as any codes of practice and guidelines issued by the Buildings Department on building safety, including the Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers.

#### **4.2 Statutory Plans, Land Lease Conditions, Deeds of Mutual Covenant and Tenancy Conditions**

- 4.2.1 It is the responsibility of the operators to ensure that the premises used for operating RCHEs comply with the requirements of the relevant legislations, statutory plans, land lease conditions, deed of mutual covenant and tenancy conditions.
- 4.2.2 With regard to the requirements of statutory plans, the operators should check the Outline Zoning Plans or the Development Permission Area Plans devised by the Town Planning Board under the Town Planning Ordinance (Cap. 131) to confirm whether the use or development of an RCHE at the subject location/premises is always permitted under the Town Planning Ordinance or requires an application to the Town Planning Board or a designated officer assigned by the Planning Department for planning permission. An RCHE is a “Social Welfare Facility” according to the Definition of Terms in statutory plans<sup>4</sup> adopted by the Town Planning Board. If it is specified in the “Note” of the Outline Zoning Plans or the Development Permission Area Plans that the use of “Social Welfare Facility” requires prior planning permission from the Town Planning Board, the operator shall apply to the Town Planning Board for a planning permission in advance, and submit the relevant proof of planning permission to LORCHE. Otherwise, LORCHE may not be able to issue a licence to the RCHE concerned.

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<sup>4</sup> For details, please refer to website: <https://www.tpb.gov.hk/en/index.html>

- 4.2.3 With regard to the requirements of land lease conditions, operators should check the land lease of the lot where the premises are situated (including NTEHs or commonly known as “small houses”) to ensure that the operation of RCHE at the premises concerned is permitted. If the RCHE concerned is in breach of the land lease conditions, the operator shall make an application to the Lands Department for a short-term waiver for operating an RCHE at the subject premises, for which the processing time normally takes 6 to 9 months. If the required short-term waiver cannot be produced, LORCHE may not be able to issue a licence to the RCHE concerned. If the premises are not able to comply with the requirements of the land lease conditions, enforcement action may be taken by the relevant authorities resulting in the premises not suitable to be used as an RCHE.
- 4.2.4 The operators shall note that tenancy agreements and deeds of mutual covenant are legal binding documents. They may be ordered by the court to terminate the operation of the RCHE in the subject premises in civil proceedings.
- 4.2.5 This Code of Practice does not prejudice the power of other government departments to take law enforcement or regulatory actions.

### **4.3 Restriction to the Premises of RCHEs**

- 4.3.1 No part of an RCHE shall be situated on any premises where building works have been carried out or structures<sup>5</sup> have been built without the approval and consent from the Building Authority. For RCHEs situated at NTEHs, please refer to paragraph 4.2.3 of this chapter.
- 4.3.2 Unauthorised building works<sup>6</sup> inside or related to the premises of RCHEs may constitute a risk to the safety of the occupants and the public, and therefore shall be removed or rectified. If the renovation or alteration works are within the scope of the Building (Minor Works) Regulation, they shall be carried out in accordance with the requirements and procedures stipulated under the above-mentioned Regulation. For details, please refer to the website of the Buildings Department (<https://www.bd.gov.hk>).

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<sup>5</sup> Definitions of building and building works are set out under section 2 of the Buildings Ordinance (Cap. 123).

<sup>6</sup> Any building works without the approval and consent from the Building Authority are regarded as unauthorised building works unless they are exempted from the provisions of section 41 of the Buildings Ordinance (Cap. 123) or are minor works carried out according to simplified requirements.

For RCHEs situated at NTEHs, please refer to paragraph 4.2.3 of this chapter.

## **4.4 Design**

Under section 21 of the Residential Care Homes (Elderly Persons) Regulation, every RCHE shall, to the satisfaction of the DSW, be designed to suit the particular needs of the residents as follows –

- 4.4.1 every passage and doorway shall be wide enough to accommodate residents using walking aids or wheelchairs. According to the above principle, the clear width of every passage and doorway shall not be less than 1 050 mm and 800 mm respectively, so as to facilitate residents using wheelchairs or walking aids to enter or pass through any rooms, including bedrooms and toilets/bathrooms, without assistance and unnecessary difficulty;
- 4.4.2 non-slip tiles shall be fitted in every place (especially the toilet/bathroom and kitchen) where the safety of residents is in jeopardy by reason of a risk of slippage; and
- 4.4.3 the ceiling (the ceiling slab or suspended false ceiling) of every room shall, unless otherwise permitted by the DSW, be situated at a height not less than 2.5 m measuring vertically from the floor or not less than 2.3 m measuring vertically from the floor to the underside of any beam.
- 4.4.4 In addition to the above requirements, the operators shall also ensure that –
  - (a) an electric call bell is installed at each bedspace for the residents of care and attention homes. For RCHEs other than care and attention homes, an electric call bell shall be installed at each bedspace for residents requiring care and attention service;
  - (b) appropriate handrails<sup>7</sup> are fitted at all toilets/bathrooms and corridors;
  - (c) the design of furniture and interior installations of the premises are hazard-free; and

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<sup>7</sup> Please refer to the Design Manual: Barrier Free Access 2008 and any subsequent revision issued by the Buildings Department for the requirements of handrails standard.

- (d) at the outer edge of all balconies, verandahs, staircases, landings or projections, or where there is a difference in adjacent levels greater than 600 mm, protective barriers shall be provided to minimise the risk of persons or objects falling from height; the height of the protective barrier should not be less than 1.1 m and the lowermost 150 mm shall be built solid and constructed so as to inhibit the passage of articles not less than 100 mm.

4.4.5 If there is an internal open staircase connecting upper and lower levels within the premises, a fence or gate should be provided, where the situation allows, at the upper landing of the internal staircase that does not cause obstruction; the fence or gate should be kept closed under usual circumstances which should not affect the means of escape in the premises in order to ensure safety of the residents (including wheelchair users). RCHEs are advised to consider supplementing the following measures or other improvements (if applicable) to enhance safety in the use of open staircases –

- (a) lay non-slip mats or tiles on the upper landing of the staircase and place non-slip strips nosing in contrasting colour at each step of the staircase;
- (b) extend the handrails on both sides of the staircase to the upper landing to assist users in supporting the body;
- (c) provide tactile or visible marks at suitable locations to remind users to keep alert; and
- (d) avoid setting obstacles on the staircase landing or both sides of the walls.

4.4.6 All RCHEs shall provide appropriate facilities for residents with disabilities to the satisfaction of the DSW. The design of those facilities shall comply with the requirements of the Design Manual: Barrier Free Access 2008 and any subsequently revised versions issued by the Buildings Department, and the requirements in respect of the above facilities as revised by the DSW (if applicable). If the provision of those facilities imposes unreasonable hardship on the applicant or any other persons, the DSW shall make the final decision.

## **4.5 Basic Facilities**

4.5.1 The basic facilities of an RCHE include bedroom, sitting/dining room, toilet/bathroom/shower room, kitchen, laundry, office and

isolation facility/room. All passages including the corridor and outdoor rest area should not be used as bedrooms. The DSW may impose any of the above requirements on basic facilities for any RCHE based on individual circumstances.

- 4.5.2 A kitchen with a suitable size and adequate number of water closets, lavatory basins, baths or showers<sup>8</sup> should be provided in an RCHE based on the number of residents. In addition, at least 1 accessible water closet shall be provided on each floor with bedroom(s) or sitting/dining room. If the number of residents is more than 50 on that floor, an additional accessible water closet shall be provided for every 50 residents (or less).

## **4.6 Accessibility**

Under section 23 of the Residential Care Homes (Elderly Persons) Regulation, every RCHE shall, to the satisfaction of the DSW, be accessible by emergency services.

## **4.7 Means of Escape**

- 4.7.1 RCHEs shall be provided with adequate escape exits and exit routes in accordance with the Code of Practice for Fire Safety in Buildings 2011 issued by the Building Authority and the requirements as stipulated in any subsequently revised versions.
- 4.7.2 The number of residents and staff that may be accommodated by an RCHE are factors that shall be considered for assessment of the adequacy for escape exits and exit routes.
- 4.7.3 All fire-related doors to kitchens, plant rooms or shafts that are usually unoccupied and used to place machinery or plumbing equipment, and all protected doors to or along protected staircases should be capable of self-closing and kept closed at all times. If a locking device is installed on a designated exit door, it shall be readily openable from the inside without the use of a key. The locking device may be electrically operated, but it shall be released automatically upon actuation of a fire detection system or an alarm system, or the operation of a central manual override designed and installed to the satisfaction of the Director of Fire Services (D of FS). The electric locking device should be released automatically in

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<sup>8</sup> Please refer to the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123 sub. leg. I).

case of a power failure. If an emergency push bar is installed on the exit door, it shall not be encased with additional installations.

- 4.7.4 Adequate lighting shall be provided for every exit route which is kept clear of obstructions. A fire/emergency evacuation route plan should be displayed inside the RCHE in accordance with the relevant requirements as stated in paragraph 5.5.6 of Chapter 5 in this Code of Practice.

## **4.8 Fire Resisting Construction**

- 4.8.1 The design and construction of RCHEs shall comply with the Code of Practice for Fire Safety in Buildings 2011 issued by the Building Authority and the requirements as stipulated in any subsequently revised versions.
- 4.8.2 RCHEs shall be separated from other users of the building by suitable fire resisting construction in accordance with the Code of Practice for Fire Safety in Buildings 2011 issued by the Building Authority and the requirements as stipulated in any subsequently revised versions.
- 4.8.3 The kitchen of an RCHE shall be separated from other parts of the home premises with a barrier of a fire resistance rating of not less than 60 minutes. The door of the kitchen shall have a fire resistance rating of not less than 60 minutes, which should be capable of self-closing and kept closed at all times.
- 4.8.4 Areas of special hazards (the definition of special hazard is provided in Part A of the Code of Practice for Fire Safety in Buildings 2011) in RCHEs shall be enclosed by barriers with a fire resistance rating of not less than 120 minutes, or 240 minutes if the areas of special hazards adjoin protected exits directly. Any door leading to such areas of special hazards from the RCHE premises shall have a fire resistance rating of not less than that for the barrier leading to areas of special hazards, which should be capable of self-closing and kept closed at all times.
- 4.8.5 If added or altered fire resisting constructions are involved in the premises of an RCHE, LORCHE may require the RCHE to submit documentary proof with supporting test/assessment reports prepared by authorised persons/registered structural engineers to certify that the fire resistance function of such fire resisting construction is in order.

## **4.9 Heating, Lighting and Ventilation**

- 4.9.1 Under section 24 of the Residential Care Homes (Elderly Persons) Regulation, every RCHE shall, to the satisfaction of the DSW, be adequately heated, lighted and ventilated.
- 4.9.2 Operators of RCHEs should make reference to the ventilation requirements stipulated in “A Supplement on Ventilation – Guidelines on Prevention of Communicable Diseases in Residential Care Homes for the Elderly & Guidelines on Prevention of Communicable Diseases in Residential Care Homes for Persons with Disabilities” issued by the Department of Health ([https://www.chp.gov.hk/files/pdf/a\\_supplement\\_on\\_ventilation.pdf](https://www.chp.gov.hk/files/pdf/a_supplement_on_ventilation.pdf)) in maintaining good ventilation of the premises. Both natural and mechanical ventilation requirements should be met in terms of provision of sufficient fresh air supply and thermal comfort year-round.
- 4.9.3 All newly planned RCHEs shall comply with the entire ventilation requirements stipulated in this chapter, including proper installation of mechanical ventilation systems, to ensure sufficient air exchange between the inside and outside of a space. Likewise, the ventilation requirements must be observed by existing RCHEs when carrying out the relevant improvement works.
- 4.9.4 Every room used for habitation or for the purposes of an office or kitchen in RCHEs shall be provided with adequate natural lighting and ventilation for compliance with sections 29, 30, 31, 32 and 33 of the Building (Planning) Regulations, (Cap. 123 sub. leg. F). The DSW may consider exemption if adequate artificial lighting and mechanical ventilation are provided in the kitchen or office to the satisfaction of the DSW.
- 4.9.5 Every room containing a soil fitment or waste fitment in an RCHE shall be provided with a window in accordance with section 36 of the Building (Planning) Regulations (Cap. 123 sub. leg. F). The DSW may consider exemption if adequate artificial lighting and mechanical ventilation are provided to the satisfaction of the DSW.
- 4.9.6 When installing the mechanical ventilation system, RCHEs shall take note of the following principles –
- (a) sufficient supply of fresh air to meet the respiratory needs of the occupants;

- (b) even distribution of fresh air supply within the space to enhance the effect of dilution of contaminants;
- (c) clear flow direction of fresh air (including make-up air) and exhaust air throughout the premises/rooms, with pathway of air movement from clean to less clean areas, then to dirty or potentially contaminated areas, subsequently flowing out of the RCHEs;
- (d) air inlets and exhausts being at a distance apart to minimise the recirculation of exhausted air back into the premises; and
- (e) proper control of the indoor temperature and humidity.

4.9.7 RCHEs should adopt the following requirements on fresh air intake of mechanical ventilation system in compliance with the principles as stated in paragraph 4.9.6 –

(a) Supply Requirement

Premises	Requirement
1. Bedrooms/Activity Areas/ Nursing Stations/ Treatment Rooms	6 Air Changes Per Hour (ACH) or Min. 10L/s/person (fresh air)
2. Dining Areas/Rooms	Min. 6 ACH (fresh air) (rooms with full or high partition shall be individually assessed)
3. Isolation Rooms	6 ACH or Min. 60L/s/person, whichever the greater (inward airflow, exhausted to the outside)
4. Toilets/Bathrooms/ Laundries	10 ACH (exhausted to the outside)
5. Kitchens	20 ACH (exhausted to the outside)

- (b) The fresh air intake is placed where the air is free from contamination or odour. The location of fresh air intake shall meet the following requirements –
  - (i) it must not be located within 7.5 m from the exhausts of toilets, exhausts of isolation rooms and evaporative cooling towers;
  - (ii) it must not be located within 5 m from other sources of contamination, such as exhaust outlets of the building or



adjacent buildings, traffic, car parks, loading and unloading bays, refuse chutes/refuse rooms, emergency generators, plumbing vents and kitchen exhausts;

- (iii) it must not be located below ground level;
- (iv) it must face away from potential pollution sources; and
- (v) it must be protected from rain entrainment, and covered by a screen to prevent the entry of birds, rodents, and extraneous articles.

4.9.8 The mechanical ventilation system shall be properly kept and maintained for effective functioning as designed. The maintenance and alternation works shall be properly recorded for review.

4.9.9 The requirements on the provision of heaters, electric fans and/or air conditioners in bedrooms and toilets/bathrooms are stipulated in paragraphs 7.3 and 7.5 of Chapter 7 in this Code of Practice.

#### **4.10 Toilet Facilities**

4.10.1 Under section 25 of the Residential Care Homes (Elderly Persons) Regulation, every RCHE shall be provided with toilet facilities and sanitary arrangements of a type approved by the DSW.

4.10.2 Every room used for toilet facilities shall –

- (a) to the satisfaction of the DSW, be provided with fittings appropriate to the use of the toilet facilities by residents;
- (b) at all times be kept in a clean and sanitary condition; and
- (c) not be used for any other purpose.

#### **4.11 Water Supply and Ablutions**

Under section 26 of the Residential Care Homes (Elderly Persons) Regulation, every RCHE shall, to the satisfaction of the DSW, be provided with –

- (a) an adequate and wholesome supply of water;
- (b) adequate washing and laundering facilities; and
- (c) adequate bathing facilities.

Details of the facilities required are stated in Chapter 7 of this Code of Practice for reference.

## **4.12 Repair**

Under section 27 of the Residential Care Homes (Elderly Persons) Regulation, every RCHE shall, to the satisfaction of the DSW, be kept in a state of good repair.

## **4.13 Additions and Alterations**

- 4.13.1 Building professionals should be consulted if there is a need for an RCHE to carry out addition or alteration works (A&A works)<sup>9</sup>, and the A&A works shall comply with the Residential Care Homes (Elderly Persons) Regulation, this Code of Practice and other relevant legislative requirements (such as the Minor Works Control System of the Buildings Department. For details, please visit the website of the Buildings Department at <https://www.bd.gov.hk>).
- 4.13.2 If there is a need for an RCHE to carry out internal renovation works involving changes to the exit doors/exit routes, layout, number/position of beds, basic facilities (e.g. kitchen, laundry, isolation facilities/room, water closet, lavatory basin), fire service installations and equipment, etc., the operator shall submit to LORCHE in writing details of the related plans and proposed revised layout plans, modification of fire service installation plans at least 30 days prior to commencement of the renovation works. Depending on the actual situation, LORCHE reserves the right for giving approval and requiring the RCHE to reinstate or make amendments in accordance with the approved plans for compliance with the relevant requirements.
- 4.13.3 The RCHE should take effective measures to maintain normal operation while works are being carried out, and all fire service installations shall be maintained in effective operation to ensure safety. When the fire service installations are shut down for maintenance, inspection, modification or repair works, the requirements as stated in paragraph 5.4.8 of Chapter 5 in this Code of Practice shall be observed.

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<sup>9</sup> Addition or alteration works include alterations to the means of escape inside a building, routes leading to and from the building and barrier free access, addition or removal of partition walls, installation of fixed structural frames for air-conditioners, etc.

## **CHAPTER 5**

### **FIRE SAFETY AND PRECAUTIONS**

#### **5.1 Introduction**

Under section 31 of the Residential Care Homes (Elderly Persons) Regulation, any member of the Fire Services Department (FSD) may at all reasonable times enter and inspect an RCHE. Operators of RCHEs shall comply with any requirements stipulated by the SWD and the FSD in respect of fire safety and precautionary measures.

#### **5.2 Location**

5.2.1 Under section 19 of the Residential Care Homes (Elderly Persons) Regulation, no RCHE shall be situated in any part of –

- (a) an industrial building; or
- (b) any premises the floor of which is immediately over the ceiling or immediately below the floor slab of any –
  - (i) godown;
  - (ii) cinema;
  - (iii) theatre; or
  - (iv) premises wherein any trade which, in the opinion of the DSW, may pose a risk to the life or safety of the residents is carried on.

5.2.2 With regard to the trades as mentioned under section 19(b)(iv) of the Residential Care Homes (Elderly Persons) Regulation, please refer to the prescribed use stipulated under section 49(1) of the Building (Planning) Regulations (Cap. 123 sub. leg. F), including that for the manufacture of any dangerous goods within the meaning of the Dangerous Goods Ordinance (Cap. 295); or for the storage of any such dangerous goods to which section 6 of that Ordinance applies; or as a motor repair shop; or as a vulcanizing shop; or for automobile or

carriage painting; or as a paint shop where paint or varnish is manufactured or mixed; or for dry-cleaning.

- 5.2.3 RCHEs should not be situated on the basement floor under general circumstances. Nevertheless, the DSW may consider special cases after consulting relevant departments.

### **5.3 Height**

- 5.3.1 Under section 20 of the Residential Care Homes (Elderly Persons) Regulation, subject to paragraph 5.3.2 below, no part of an RCHE shall be situated at a height more than 24 m above the ground floor, measuring vertically from the ground of the building to the floor of the premises in which the RCHE is to be situated.
- 5.3.2 The DSW may by notice in writing served on an operator authorise that any part of the RCHE may be situated at a height more than 24 m above the ground floor as may be indicated in the notice.
- (a) If an RCHE operator can prove that the RCHE possesses facilities for fire safety, evacuation and rescue, and appropriate evacuation, contingency and fire drill plans to the satisfaction of the DSW, the DSW may approve the ancillary facilities of the RCHE to which the residents normally do not have access (e.g. kitchen, laundry room, office, staff resting room) to be situated at a height more than 24 m above the ground floor.
  - (b) If an RCHE operator considers that there is a need for any part of an RCHE used for residents' dormitory to be situated at a height more than 24 m above the ground floor, the DSW may consider and authorise the relaxation of the concerned RCHE's height restriction on the premise that the part of the RCHE complies with additional fire safety requirements. The additional fire safety requirements cover building fire safety design and management of RCHEs with a view to meeting the needs of rescue, evacuation and contingency management of RCHEs. Details of the requirements are set out at Annex 5.1.
- 5.3.3 If an RCHE is located in a building served by 2 streets/roads at different levels, the height of the RCHE is to be measured from the level of the lower street/road.

## **5.4 Fire Service Installations and Equipment**

- 5.4.1 The standards and specifications of fire service installations and equipment (FSIs) provided for RCHEs shall conform to the latest version of the Code of Practice for Minimum Fire Service Installations and Equipment and Circular Letters issued by the D of FS applicable to the FSIs installed in the buildings/premises. For the existing FSIs already installed in the building/premises, the provisions and specifications shall follow the appropriate version of the Code of Practice for Minimum Fire Service Installations and Equipment that was applicable at the time of their installation. All inspection, testing and maintenance of FSIs shall be conducted in accordance with the Code of Practice for Inspection, Testing and Maintenance of Installations and Equipment.
- 5.4.2 The DSW may impose additional requirements and vary the requirements in paragraphs 5.4.3 and 5.4.4 below, in consultation with the D of FS, having regard to the individual circumstances of any particular RCHE.
- 5.4.3 An RCHE occupying a gross floor area of less than 230 m<sup>2</sup> shall comply with the following requirements –
- (a) A fire detection system shall be provided for the RCHE. Smoke detectors or multi-sensor detectors shall be provided for the entire floor if any part of the floor is used for sleeping accommodation. Nevertheless, the smoke detectors or multi-sensor detectors may be replaced by heat detectors in electrical/mechanical rooms and the kitchen, depending on the situation. If the entire RCHE is installed with an automatic sprinkler system, it may not be necessary to provide any additional heat or smoke detectors at locations such as toilets/bathrooms, staircases and open-sided corridors/balconies, etc. The alarm of the fire detection system shall be transmitted to the Fire Services Communications Centre by a direct telephone link provided by an authorised service provider of the Computerised Fire Alarm Transmission System. It is recommended that the fire control panels of the RCHE and the subject building be programmed to avoid transmitting duplicate fire signals to the Fire Services Communications Centre in a single actuation of any actuating point in the RCHE or the subject building, i.e. detectors, manual call point, sprinkler system flow switch, etc.
  - (b) The RCHE shall be installed with a manual fire alarm system in compliance with the Code of Practice for Minimum Fire Service Installations and Equipment and relevant Circular Letters issued

by the D of FS with an actuating point and an audio warning device located at or near the main entrance lobby, reception/nurse station (if any) and other sets at conspicuous location(s) near the exit(s) of each floor. In addition to audio warning devices, visual alarm signals shall be provided to form part of the fire alarm system. The alarm of the system shall be integrated with the fire detection system of the RCHE and its respective floor(s), except for the areas mentioned below –

- (i) staircase(s) as exit routes;
  - (ii) smoke lobbies adjoining staircase(s) as exit routes; and
  - (iii) areas not accessible to residents or visitors, e.g. office, staff toilet, staff dormitory, plant room, etc.
- (c) All fire control panels shall be installed at the reception area or the main entrance of the RCHE or at a location approved by the D of FS.
- (d) Portable fire extinguishers shall be provided at the following scale –
- (i) a 4.5 kg CO<sub>2</sub> type extinguisher shall be provided in each pantry/switch room;
  - (ii) a 4.5 kg CO<sub>2</sub> type extinguisher and a 1.44 m<sup>2</sup> fire blanket shall be provided in each kitchen;
  - (iii) a 4.5 kg CO<sub>2</sub> type/9-litre water type extinguisher shall be provided at the reception area or the main entrance of the RCHE; and
  - (iv) a 4.5 kg CO<sub>2</sub> type/9-litre water type extinguisher shall be provided at a location near each exit if hose reel system is not provided for the RCHE.
- (e) All escape exits shall be indicated by illuminated exit signs.
- (f) If an exit sign is not clearly visible from any location in the RCHE especially corridors leading from each room to the exit routes of the RCHE, suitable directional signs shall be provided at conspicuous locations to assist residents or occupants to identify the escape exits in the event of a fire/emergency.

- (g) Emergency lighting shall be provided in the entire area of the RCHE. Self-contained luminaries emergency lighting systems satisfying the latest version of the Requirements for Self-contained Luminaries Emergency Lighting Systems [PPA/104(A)] may be used.
- 5.4.4 In addition to the requirements set out in paragraph 5.4.3 above, an RCHE occupying a gross floor area exceeding 230 m<sup>2</sup> shall also comply with the following requirements –
  - (a) an automatic sprinkler system shall be installed for the entire area of the RCHE;
  - (b) a hose reel system shall be provided for the RCHE; and
  - (c) all actuating points of the manual fire alarm system provided as required by paragraph 5.4.3(b) shall include facilities for starting the fire pump and initiating the audio/visual warning device.
- 5.4.5 Please refer to the Checklist of Documents for Fire Safety and Precautionary Measures (Annex 5.2) for submission of the required documents with regard to each of the above requirements.
- 5.4.6 If there is a need to alter or add any FSIs on the premises, the operator shall appoint a Registered Fire Service Installation Contractor (RFSIC) of appropriate classes to carry out the works. The contractor concerned shall submit a certificate FSI/314A, FSI/314B or FSI/314C (as appropriate), together with 3 sets of the fire service installation plans to the D of FS. On completion of the works, the contractor concerned shall submit a copy of the Certificate of Fire Service Installation and Equipment (FS 251) to the D of FS. In addition, the operator shall also submit a copy of the FS 251 to the DSW as proof of compliance.
- 5.4.7 All FSIs installed in the RCHEs shall be maintained in efficient working order at all times and inspected by an RFSIC at least once every 12 months in accordance with the Fire Service (Installations and Equipment) Regulations (Cap. 95 sub. leg. B). On completion of the works, the contractor shall submit a copy of the FS 251 to the D of FS. In addition, the operator shall also submit a copy of the FS 251 to the DSW as proof of compliance.
- 5.4.8 Whenever the FSIs in the RCHE require –
  - (a) maintenance/inspection/modification/repair work(s) to be carried out overnight or for more than 24 hours continuously;

- (b) extension of shutdown;
- (c) resumption; or
- (d) termination of works;

the employed RFSIC shall pay special attention and follow the procedures for submitting the “Notification of FSI Shutdown” as stipulated in the FSD Circular Letter No. 1/2021.

## **5.5 Additional Requirements**

- 5.5.1 Primary and stand-by power supply shall be provided to all fire service installations.
- 5.5.2. If the ventilating system in the RCHE has an air handling capacity exceeding one cubic metre per second or serves more than one fire compartment, i.e. all air distribution ductwork systems are not contained within the same compartment, a ventilation/air-conditioning control system shall be provided. The operator shall appoint an RFSIC of appropriate classes to carry out the works.
- 5.5.3 The operator shall submit detailed as-fitted drawings of the ventilating system via the SWD to the Ventilation Division of the FSD, and submit a Report of Completion on Ventilating System to the Ventilation Division on completion of such works for arrangement of inspection. For ventilating system inspected and found to be in compliance with the requirements under the Building (Ventilating Systems) Regulations (Cap. 123 sub. leg. J) and the FSD Circular Letter No. 2/2023, a Letter of Compliance (Ventilating System) will be issued by the Ventilating Division. After the installation of a ventilating system, it shall be maintained in safe and efficient working order at all times. For ventilating systems with ducts or trunks passing through any wall, floor or ceiling from one compartment<sup>10</sup> of the building to another, every duct shall, at the point where it passes through any floor, wall or ceiling, be fitted with a damper operated by fusible links. The type of the fusible links shall be approved by the D of FS, and designed to operate under a temperature up to 69 degrees Celsius, and be so constructed or protected as to resist the action of fire for a period not less than the period for which the floor, wall or ceiling through which it passes is designed to resist the action of fire. The operator shall arrange a regular inspection by a Registered Specialist Contractor

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<sup>10</sup> A compartment means a portion of a building which is separated from adjoining portions by walls and floors that meets the standard of fire resistance required by the Buildings Department.



(Ventilation Works Category), who will issue an Annual Inspection Certificate, at intervals not exceeding 12 months, and submit a copy of the certificate to the D of FS. The operator shall also submit a copy of the certificate to the DSW as proof of compliance.

5.5.4 The following materials must conform to the British Standard 476: Part 7 Class 1 or 2 Rate of Surface Spread of Flame or its international equivalent, or shall be brought up to any of those standards by treating with a fire retardant paint or solution acceptable to the D of FS. For use of fire retardant paint or solution, the work shall be carried out by a Class 2 RFSIC and a certificate (FS 251) to this effect from the RFSIC shall be forwarded to the D of FS. The operator shall also submit a copy of FS 251 to the DSW as proof of compliance –

- (a) all combustible materials including all linings for acoustic, thermal insulation or decorative purposes used for false ceilings, partitions or wall furnishings; or
- (b) all linings for acoustic, thermal insulation and decorative purposes in ducting and concealed locations.

5.5.5 No storage of dangerous goods within the meaning of the Dangerous Goods (Application and Exemption) Regulation 2012 (Cap. 295 sub. leg. E) in excess of the exempt quantity is permitted without a licence or approval granted by the D of FS.

5.5.6 The operator of an RCHE shall submit an emergency evacuation plan to the DSW, and the fire/emergency evacuation route plan must be displayed at conspicuous locations (a sample of such plan is attached in [Annex 5.3](#) for reference). RCHEs shall conduct fire drills at least once every 6 months with proper records at all times for inspection by the staff of the SWD.

5.5.7 Polyurethane (PU) Foam

- (a) All PU foam filled mattresses and covering material used for fabrication of the mattresses shall conform to British Standard 7177 (for use in medium hazard premises/building); or Flammability Test Procedure for Mattresses for Use in High Risk Occupancies (Technical Bulletin Number 121) or Flammability Test Procedure for Use for Mattresses for Use in Public Buildings (Technical Bulletin Number 129) as issued by the Bureau of Home Furnishings and Thermal Insulation under the Department of Consumer Affairs of the State of California; or conform to other standards acceptable to the D of FS.

- (b) All PU foam filled upholstered furniture and covering material used for fabrication of the furniture shall conform to British Standard 7176 (for use in medium hazard premises/building); or Flammability Test Procedures for Seating Furniture for Use in Public Occupancies (Technical Bulletin Number 133) as issued by the Bureau of Home Furnishings and Thermal Insulation under the Department of Consumer Affairs of the State of California; or conform to other standards acceptable to the D of FS.
- (c) Each PU foam filled mattress and upholstered furniture conforming to British Standard 7177 (for use in medium hazard premises/building) and British Standard 7176 (for use in medium hazard premises/building) respectively shall bear an appropriate label.
- (d) The operator of an RCHE shall submit invoices from manufacturers/suppliers and test certificates issued by testing laboratories indicating that all the PU foam filled mattresses and/or upholstered furniture have complied with the specified standards to the DSW for inspection. Test certificates shall be issued by an accredited laboratory authorised to conduct tests according to the specified standards, and authenticated by the company's stamp of the manufacturers/suppliers.

#### 5.5.8 Fixed Electrical Installations

- (a) Any works of fixed electrical installations in an RCHE, including installation, inspection, testing and issue of certificates, shall be carried out by Registered Electrical Contractors (RECs) and Registered Electrical Workers (REWs). On completion of the electrical works and prior to connection for use, the RECs and REWs shall issue a Work Completion Certificate (Form WR1) to the owner of the fixed electrical installations in the RCHE, and submit to the DSW a copy of the certificate to confirm that the installations have complied with the requirements of the Electricity Ordinance (Cap. 406).
- (b) For fixed electrical installations in an RCHE with an approved loading exceeding 100 amperes (single or three phase) at nominal low voltage, the RCHE shall arrange for inspection, testing and certification (Form WR2) of the installations by an REC at least once every 5 years. The certificate shall be re-issued every 5 years and submitted to the DSW.

#### 5.5.9 Gas Installation

- (a) All gas installation works, including town gas and liquefied petroleum gas (LPG), (including fabrication, disconnection, testing, maintenance, etc.) in an RCHE shall be carried out by registered gas contractors in accordance with the Gas Safety Ordinance (Cap. 51).
- (b) For any new or altered gas installation works, a copy of the Certificate of Compliance/Certificate of Completion for Gas Installation (Annex 5.4) issued by registered gas contractors shall be submitted to the DSW as a proof of compliance with the gas safety requirements.
- (c) If a piped-gas installation (town gas or LPG central supply) is already installed in the building, it shall be used to supply all gas equipment. Only where a central gas supply is not available should consideration be given to use standalone LPG cylinders stored in a purposely-designed chamber in compliance with the latest Codes of Practice by Gas Standards Office issued by the Gas Authority.
- (d) LPG/LPG cylinder (including empty cylinder) with an aggregate nominal water capacity of more than 130 litres is not permitted to be stored, unless prior approval of the Director of Electrical and Mechanical Services (DEMS) is obtained.
- (e) All gas cooking appliances installed in an RCHE should be equipped with a flame failure device, and only water heaters of the room-sealed type should be installed. Newly purchased domestic gas appliances should bear a “GU” mark signifying that approval is given by the DEMS for importing/manufacturing/selling such appliances.
- (f) Only low pressure flexible gas tubing approved by the Electrical and Mechanical Services Department with the EMSD APPROVAL mark shall be installed, and flexible gas tubing which is longer than 2 metres should not be used.
- (g) All gas installations shall be inspected/maintained by a registered gas contractor annually to ensure safe operation. Documentary proof of continuing annual inspection/maintenance shall be submitted with an application for renewal of a licence.

- 5.5.10 Please refer to the Checklist of Documents for Fire Safety and Precautionary Measures (Annex 5.2) for submission of the required documents with regard to each of the above requirements.

## **5.6 Fire Precautions**

- 5.6.1 In order to ensure safety at all times, RCHEs shall pay attention to the following –

- (a) all means of escape shall not be obstructed; and
- (b) all exit doors shall be openable readily from the inside without the use of a key.

For any operator failing to comply with any of the above preventive measures, the FSD may initiate prosecution under sections 14 and 15 of the Fire Services (Fire Hazard Abatement) Regulation (Cap. 95 sub. leg. F) without giving any warning in advance.

- 5.6.2 All staff of RCHEs shall be fully conversant with the potential fire hazard and the actions to be taken in case of a fire, e.g. the use of fire-fighting equipment, evacuation procedures and routes, etc. Any staff detecting a fire shall –

- (a) give an alarm to warn all other staff, residents and visitors;
- (b) ensure that the fire is reported to the FSD by dialing the 999 hotline; and
- (c) evacuate the residents (especially for those requiring assistance and under restraint) in joint effort with other staff members.

- 5.6.3 Patrols shall be conducted every night with proper record to ensure that –

- (a) all cooking/heating appliances are switched off;
- (b) all doors leading to common corridors are closed;
- (c) there is no obstruction to fire service installations and equipment;
- (d) there is no obstruction to exit routes by any object; and

- (e) any door along means of escape that is locked shall be openable in the direction of egress without the use of a key in an emergency.
- 5.6.4 No cooking in naked flame shall be permitted inside the RCHE other than in the kitchen.
- 5.6.5 Air heaters shall not be used for the purpose of drying clothes, and combustible materials shall not be placed in its close vicinity.
- 5.6.6 If gas leakage is suspected, the staff concerned should –
  - (a) extinguish all naked flames;
  - (b) turn off gas switches and the main valve;
  - (c) not operate electrical switches;
  - (d) open doors and windows; and
  - (e) immediately call the gas supplier's emergency number using a telephone remote from the affected area. The gas supply shall not be turned on again until it has been checked by the staff of gas supplier or the registered gas contractor.
- 5.6.7 If the gas continues to leak after the switches have been turned off or the smell of gas still persists, the staff shall immediately call emergency services by dialing 999 and the gas supplier using a telephone remote from the affected area; evacuate residents from the affected area to a safe location and await the rescue of emergency services.
- 5.6.8 The operator of RCHEs should arrange fire talks and fire drills for its staff regularly in coordination with local fire stations.
- 5.6.9 If a fire safety management plan (FSMP) (which typically includes a maintenance plan, training plan and fire action plan) endorsed by the relevant authority is implemented in the premises where the RCHE operates, the operators should provide regular training to ensure that all staff are conversant with the FSMP.



**CHAPTER 6**

**AREA OF FLOOR SPACE**

**6.1 Introduction**

The requirement for the minimum area of floor space for each resident in an RCHE is specified under section 22 of the Residential Care Homes (Elderly Persons) Regulation.

**6.2 Area of Floor Space**

Under section 22(1) of the Residential Care Homes (Elderly Persons) Regulation, the minimum area of floor space required for each resident in an RCHE is as follows –

	<u>Type of RCHE</u>	<u>Minimum area of floor space required for each resident</u>
(a)	Nursing home or care and attention home	9.5 m <sup>2</sup>
(b)	Aged home or self-care hostel	8 m <sup>2</sup>

**6.3 Number of Residents**

The appropriate number of residents in an RCHE is determined by the physical size of the building and the above requirements for the minimum area of floor space for each resident. Area of floor space means the net floor area for the exclusive use of the RCHE. In determining the area of floor space per resident, the area of any staff dormitory, open space, podium, garden, flat roof, bay window, staircase, column, walls, staircase hall, lift, lift landing, any space occupied by machinery for any lift, air-conditioning system or any similar service provided for the building, or any other area in the RCHE which the DSW considers unsuitable for the purposes of an RCHE shall be disregarded.

**6.4 Transitional Arrangements**

To allow existing RCHEs sufficient time to meet the requirements stated in paragraph 6.2 above, an RCHE with a licence in force immediately before the

material date<sup>11</sup> (i.e. 16 June 2024) or has made an application before the material date, must meet the following requirements for the minimum area of floor space for each resident, in accordance with sections 22(1A) and (1B) of the Residential Care Homes (Elderly Persons) Regulation –

Minimum area of floor space required for each resident			
Type of RCHE	During the 4-year period beginning on the material date <sup>12</sup>	During the 4-year period after the fourth anniversary of the material date <sup>13</sup>	The eighth anniversary of the material date <sup>14</sup>
(a) Care and attention home	6.5 m <sup>2</sup>	8 m <sup>2</sup>	9.5 m <sup>2</sup>
(b) Aged home or self-care hostel	6.5 m <sup>2</sup>	6.5 m <sup>2</sup>	8 m <sup>2</sup>

<sup>11</sup> “Material date” refers to the first anniversary of the gazette date of Residential Care Homes Legislation (Miscellaneous Amendments) Ordinance 2023 (Ord. No. 12 of 2023), i.e. 16 June 2024.

<sup>12</sup> “During the 4-year period beginning on the material date” refers to the period from 16 June 2024 to 15 June 2028.

<sup>13</sup> “During the 4-year period after the fourth anniversary of the material date” refers to the period from 16 June 2028 to 15 June 2032.

<sup>14</sup> “The eighth anniversary of the material date” will be from 16 June 2032 onward.



## **CHAPTER 7**

### **FURNITURE AND EQUIPMENT**

#### **7.1 Introduction**

- 7.1.1 Every RCHE should be provided with furniture and equipment designed generally for elders and suitable furniture and equipment based on the needs of individual residents, to ensure the provision of safe and proper care to the residents.
- 7.1.2 All furniture and equipment in RCHEs shall always be kept functioning well, and should be timely replaced or renovated.
- 7.1.3 In order to ensure the safety of residents, RCHEs should arrange relevant staff training and formulate operation guidelines for staff to refer to and comply with before using electrical furniture and equipment (e.g. lifter/hoist). RCHEs should regularly inspect and repair the equipment and keep maintenance records.
- 7.1.4 With regard to the provision of personal daily necessities and consumables to the residents (e.g. mugs, toothbrushes, towels, combs, lotion, diapers, blood glucose test strips, feeding tubes, pH test strips for testing gastric juice), RCHEs should make arrangements as appropriate in accordance with the admission agreement and the related consent forms signed with the residents and/or their guardians/guarantors/family members/relatives.

#### **7.2 Security Facility**

- 7.2.1 In order to ensure the safety of residents, RCHEs should provide suitable and adequate security and anti-wandering facilities, e.g. installation of window grills and openable window grill locks, installation of closed-circuit television (CCTV) systems, digital door locks, sensory alarms, etc., thus stepping up security and supervision of their operation. RCHEs should keep all furniture and equipment (including windows, window grills and window grill locks) in good working condition. They should also regularly inspect and maintain these facilities, perform timely repairs, replacements or renovations, and keep proper records.

- 7.2.2 RCHEs shall be equipped with CCTV systems that have recording functions, and they should comply with the Guidance on CCTV Surveillance and Use of Drones issued by the Privacy Commissioner for Personal Data, to determine the scope and extent of the surveillance and consider installing the CCTV systems at locations such as public areas, interview rooms, entrance and exits so as to protect personal privacy. Existing RCHEs<sup>15</sup> shall install a CCTV system during future modification work if it is not currently available.

### 7.3 Bedroom

Items	Quantity
1. Bed <sup>16</sup>	1 for each resident
2. Mattress <sup>17</sup>	1 for each resident
3. Bed sheet	2 for each resident
4. Pillow	1 to 2 for each resident
5. Pillow case	2 for each resident plus an appropriate quantity in reserve
6. Blanket and quilt, with cover	1 of each item for each resident plus an appropriate quantity in reserve
7. Electric call bell <sup>18</sup>	1 for each bedspace
8. Name plate	1 for each bedspace
9. Bedside cupboard (with lock)	1 for each resident
10. Wardrobe/clothes closet	1 for each resident
11. Curtain	1 set for each window opening
12. Electric fan and/or air-conditioner	capable of providing adequate ventilation
13. Heater/heating equipment	capable of keeping sufficient warmth
14. Bedside lamp	depending on needs
15. Litter bin with lid	depending on needs
16. Others (vacuum flask/drinking pot, towel rack, etc.)	depending on needs

<sup>15</sup> It refers to RCHEs with licences in force before 16 June 2024.

<sup>16</sup> A bed with suitable size and type should be provided to cater the needs and fit the body size of individual residents (e.g. to provide residents in need with adjustable hospital/nursing beds or beds installed with bed rails of suitable height).

<sup>17</sup> Please refer to paragraph 5.5.7 of Chapter 5 in this Code of Practice for the requirements regarding PU foam filled mattress and upholstered furniture (including sofa).

<sup>18</sup> Electric call bells shall be installed/placed at locations where residents can reach.

## 7.4 Sitting/Dining Room

Items	Quantity
1. Dining table and chair	depending on the number of residents
2. Chair <sup>19</sup>	depending on the number of residents in need
3. Sofa <sup>17</sup>	1 set
4. Television and other audio-visual equipment	1 set
5. Clock and calendar <sup>20</sup>	1 set
6. Notice board	1
7. Litter bin with lid	1
8. Facility for warm/cool drinking water	1
9. Broadcasting system	depending on needs
10. Recreational and rehabilitation equipment	depending on the number of residents
11. Items for leisure such as newspaper, magazines and books	depending on needs of residents

## 7.5 Toilet/Bathroom<sup>21</sup>

Items	Quantity
1. Adult flush toilet/lavatory basin/faucet/bathtub <sup>22</sup>	depending on the number of residents
2. Commode chair/bed pan/urinal with lid	depending on the number of residents
3. Shower chair/bathtub seat	depending on the number of residents
4. Electric call bell <sup>23</sup>	1 in each toilet cubicle and bathroom
5. Water heater <sup>24</sup>	at least 1
6. Exhaust fan	at least 1 in each toilet or bathroom

<sup>19</sup> Chairs with back, arm rest and a base with appropriate width and weight should be provided for frail residents in need to ensure their safety.

<sup>20</sup> Clock and calendar with larger font size are preferred for easy identification of time and date.

<sup>21</sup> Accessible water closet cubicles shall comply with the relevant requirements as set out in the Design Manual: Barrier Free Access 2008 drawn up by the Buildings Department and any subsequently revised versions.

<sup>22</sup> Refer to the requirements set out in the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123 sub. leg. I).

<sup>23</sup> Electric call bells shall be installed/placed at locations where residents can reach. For the locations of call bells, please refer to the Design Manual: Barrier Free Access 2008 and the requirements of any subsequently revised versions.

<sup>24</sup> If gas water heater is used, it shall be a room-sealed type only.

Items	Quantity
7. Hand-drying facility	1 in each toilet
8. Heater/heating equipment	1 in each bathroom
9. Curtain/facility for protecting privacy	depending on actual layout
10. Mirror	at least 1
11. Litter bin with lid	at least 1

## 7.6 Kitchen/Pantry

Items	Quantity
1. Stove <sup>25</sup>	at least 1 set (depending on the number of residents)
2. Cooking utensils	at least 1 set (depending on the number of residents)
3. Rice cooker	at least 1 set (depending on the number of residents)
4. Refrigerator/freezer (with a thermometer)	at least 1 set (depending on the number of residents)
5. Electric water boiler/hot water boiler	at least 1 set (depending on the number of residents)
6. Meat mincer/blender	at least 1 set (depending on the number of residents)
7. Cutting board and knives <sup>26</sup>	at least 2 sets for handling raw and cooked food separately
8. Food container and dining utensils	depending on the number of residents
9. Litter bin with lid	1
10. Notice board/white board	1
11. Exhaust fan	1
12. Cupboard	1 set
13. Food trolley	1
14. Serving tray	depending on the number of residents
15. Cleaning utensils	depending on the number of residents

<sup>25</sup> RCHEs should only use town gas or electricity for cooking, and shall not use kerosene or other fuel for safety reasons.

<sup>26</sup> Sharp objects shall be properly kept at a place that is not accessible by residents.

## 7.7 Laundry

Items	Quantity
1. Washing machine	at least 1 (depending on the number of residents)
2. Drying machine	at least 1 (depending on the number of residents)
3. Iron	at least 1
4. Ironing board	at least 1
5. Basket for clothing	at least 2 (for separating clean and dirty clothes and depending on the number of residents)
6. Hangers/laundry clips	depending on the number of residents
7. Storage racks	depending on the number of residents

## 7.8 Office

Items	Quantity
1. Office desk	at least 1
2. Office chair	at least 2
3. Stationery	depending on actual needs
4. Filing cabinet with locks	at least 1
5. Telephone	at least 1
6. Computer and printer	at least 1
7. Fax machine/copy machine	at least 1
8. Notice board/white board	at least 1
9. CCTV system monitor <sup>27</sup>	at least 1
10. First aid box <sup>28</sup>	at least 1

## 7.9 Nursing Equipment

Items	Quantity
1. Electronic thermometer/ear thermometer (with disposable ear probe covers)	at least 2

<sup>27</sup> CCTV system monitor can also be installed at the reception area of an RCHE at the same time.

<sup>28</sup> For the first aid box provided for staff, it shall comply with the requirements of the Labour Department. For details, please refer to Schedule 2 to the Occupational Safety and Health Regulation (Cap. 509 sub. leg. A).

Items	Quantity
2. Diagnostic set (including stethoscope, torch, disposable tongue depressor, ophthalmoscope and auriscope)	at least 1 set
3. Electronic blood pressure monitor	at least 1
4. Pulse oximeter	at least 1
5. First aid box <sup>29</sup>	at least 1 on each floor
6. Alcohol-based handrub	sufficient quantities shall be provided for residents, staff and visitors
7. Personal protective equipment (PPE) items (including face masks, disposable gloves, protective gowns, protective caps and goggles/face shields)	sufficient quantities shall be provided for residents and staff
8. Equipment for storing, preparing and giving drugs	depending on the number of residents and needs
9. Pharmaceutical refrigerator/refrigerator (with lock and thermometer) for storing drugs only	at least 1 for aged homes and care and attention homes
10. Disinfection equipment (e.g. forceps, kidney dishes/dressing trays/dressing bowls)	depending on needs
11. Dressing supplies (e.g. disposable sterile dressing sets/sterile packs), disinfectants and dressings (e.g. sterile gauzes/cotton swabs)	depending on needs
12. Wheelchair scale/chair-type scale	1
13. Blood glucose meter and blood glucose test strips	depending on needs
14. pH test strips (for testing gastric juice)	depending on needs
15. Feeding tubes <sup>30</sup>	depending on needs
16. Urinary bags/urinary catheters <sup>31</sup>	depending on needs

<sup>29</sup> At least 1 first aid box shall be provided on each floor of an RCHE, or in each separate unit of the RCHE if it is situated at non-adjointing unit(s) of the same floor. The first aid box should contain basic first aid items such as sterile unmedicated dressings, adhesive wound dressings, triangular bandages of unbleached calico, adhesive plaster, absorbent cotton wool, pressure bandage, safety pins and disposable gloves.

<sup>30</sup> Please refer to paragraph 12.8.2 of Chapter 12 in this Code of Practice for the use of feeding tubes.

<sup>31</sup> Please refer to paragraph 12.8.1 of Chapter 12 in this Code of Practice for the use of urinary catheters.

Items	Quantity
17. Portable oxygen concentrators/portable oxygen cylinders <sup>32</sup> (with oxygen tubing and oxygen mask/nasal cannula)	depending on needs
18. Suction apparatus (with suction catheters)	depending on needs
19. Equipment for Cardio-Pulmonary Resuscitation (e.g. Bag-Valve-Mask Resuscitator, suction and oxygen apparatus, Automated External Defibrillator, etc.)	depending on needs

## 7.10 Isolation Room

Items	Quantity
1. PPE items (including masks, disposable gloves, protective gowns, protective caps and goggles/face shields)	sufficient quantities shall be provided for staff and visitors
2. Electric call bell	1 for each isolation room
3. Water basin	1 for each isolation room
4. Hand-drying facility	1 for each isolation room
5. Litter bin with lid	1 for each isolation room

## 7.11 Other Equipment

	Items	Quantity
1.	Walking aids/wheelchairs	depending on needs
2.	Lifter/hoist	depending on needs
3.	Fall prevention facilities (e.g. bed rail, bed monitoring system)	depending on needs
4.	Mobile folding partitions	at least 1
5.	Hair dryer	at least 1
6.	Vacuum cleaner	at least 1
7.	Cleaning and disinfection equipment/materials (e.g. household bleach)	appropriate quantities (plus at least 1 set of measuring cup and bucket for diluting disinfectant)

<sup>32</sup> Please refer to paragraph 5.5.5 of Chapter 5 in this Code of Practice for the requirements regarding storing compressed gas cylinders.

	<b>Items</b>	<b>Quantity</b>
8.	Storing facilities	appropriate quantity
9.	Books/magazines/pictures/green plant in pot	appropriate quantity



## **CHAPTER 8**

### **MANAGEMENT**

#### **8.1 Introduction**

RCHEs should establish an effective management system to ensure a smooth operation in providing residential care service to the residents.

#### **8.2 Display of the Name of RCHE**

An RCHE should display prominently, at or near its entrance, a board or other forms of signage in conspicuous letters the name of the RCHE as shown on the licence.

#### **8.3 Procedures for Admission of Residents to an RCHE**

- 8.3.1 Every resident shall have a medical examination conducted by a registered medical practitioner prior to admission to an RCHE, using the “Medical Examination Form for Residents in Residential Care Homes for the Elderly” (Annex 12.1) or any other forms approved by the DSW (including a valid Minimum Data Set-Home Care Assessment (MDS-HC) under the Standardised Care Need Assessment for Elderly Services). For urgent or special cases that medical examinations cannot be conducted prior to admission, medical examinations shall still be conducted within 3 calendar days after admission to an RCHE.
- 8.3.2 The rules of admission to and discharge from an RCHE should be posted in the office of an RCHE and stated on the admission form.
- 8.3.3 The following shall be clearly stated in the admission agreement signed by an RCHE with the residents and/or the guardians/guarantors/family members/relatives –
- (a) rules of the RCHE;
  - (b) roles and responsibilities of both parties;
  - (c) payment arrangement and the precise amounts of all chargeable items (including services and goods). Please refer to

the “Guidelines on Fees and Charges in Residential Care Homes for the Elderly” for details ([Annex 8.1](#)); and

(d) other service terms.

8.3.4 An RCHE should clearly explain the related rules and regulations, chargeable items and refund arrangement of the home to the residents and/or the guardians/guarantors/family members/relatives when handling the procedures of admission. The admission agreement should be signed by both parties for confirmation, with a copy given to the residents and/or the guardians/guarantors/family members/relatives for retention.

8.3.5 Written consent and authorisation shall be obtained from the residents and/or the guardians/guarantors/family members/relatives with proper record in relation to each of the following matters, when arranging for admission or when it becomes necessary –

- (a) possessions or property stored or held on behalf of each resident by the home, including identity document(s), travel document(s), bank passbook(s), automated teller machine (ATM) card(s), name stamp(s), pocket money, medical follow-up card(s), Certificate(s) for Waiver of Medical Charges, Senior Citizen Card(s), Octopus card(s), etc. (please refer to paragraph 8.4 of this chapter);
- (b) use of restraint (please refer to paragraph 12.7 of Chapter 12 in this Code of Practice);
- (c) special arrangement on the use of drugs (please refer to paragraphs 12.6.10 and 12.6.11 of Chapter 12 in this Code of Practice); and
- (d) handling personal data of residents (please refer to paragraph 8.10 of this chapter).

## **8.4 Handling Charges and Possessions**

8.4.1 As an admission procedure, an RCHE should clearly explain to the residents and their guardians/guarantors/family members/relatives the rules and regulations of the RCHE, including the home fees and other charges, and state clearly the fees that may be refunded to residents, payment procedures and arrangements. Agreements shall be signed by the RCHE and the residents and/or the guardians/guarantors/family members/relatives to state that they understand the rules, regulations and all necessary charges.

- 8.4.2 An RCHE should inform the affected residents and/or their guardians/guarantors/family members/relatives in writing of any proposed increase in fees or charges for any service or goods (including monetary adjustment due to inflation or change of residents' health condition) at least 30 days prior to the effective date.
- 8.4.3 An RCHE shall clearly specify in the admission agreement relating to the amount of monthly home fees for each resident (i.e. the amount per month in HK dollar), other charges (i.e. the amount per month/per time/per item in HK dollar) and each item of charges in detail, and obtain a written confirmation from the residents and/or guardians/guarantors/family members/relatives. Any revision shall be effective only after being signed and confirmed by the RCHE and the residents and/or guardians/guarantors/family members/relatives. Notes for discharge (including discharge from the RCHEs, death, etc.) should be stated in the admission agreement and clearly listed the refundable and non-refundable fees, refund procedures and arrangements. Please refer to the "Guidelines on Fees and Charges in Residential Care Homes for the Elderly" ([Annex 8.1](#)) for details.
- 8.4.4 To avoid dispute and misuse of money in residents' bank accounts, operators and staff of RCHEs should not take the initiative to handle the personal financial matters of residents such as paying home fees. It is even prohibited to use or withdraw money from the bank accounts of residents for paying home fees and other charges, unless the RCHE has established and executed the following monitoring mechanism –
- (a) If the resident is of a good mental state, clear about his/her own financial conditions and capable of managing personal financial matters, subject to his/her willingness, the resident may appoint the RCHE to withdraw bank savings to pay the home fees and other charges on his/her behalf, while the RCHE shall keep a clear record of the authorisation. The letter of authorisation shall be jointly signed by the resident, staff concerned of the RCHE and a witness. The RCHE should formulate guidelines and operational procedures as appropriate, including keeping a complete and up-to-date record by a designated management/supervisory staff member. The RCHE shall also establish and strictly execute a proper monitoring mechanism; the accounts, bills, receipts, etc. are to be checked by the home operator regularly. These records and accounts shall be made available for inspection at any time by the residents, family members, inspectors of LORCHE, the caseworkers and staff concerned of the SWD.
  - (b) If the guardians/guarantors/family members/relatives, who are responsible for handling the personal financial matters of

the resident, are not able to pay the home fees in person for any reasons, they may sign a letter of authorisation to appoint any person who is trusted or the RCHE to handle the matters on their behalf. If the RCHE is entrusted by a resident (the resident shall be of a good mental state), the RCHE is obliged to execute the above-mentioned appointment procedure and monitoring mechanism. The letter of authorisation shall be jointly signed by the resident's guardians/guarantors/family members/relatives, staff concerned of the RCHE and a witness.

- (c) If the resident is certified by a registered medical practitioner as incapable of managing personal financial matters, operators and staff of the RCHE are strictly prohibited to withdraw any bank savings to pay the home fees and other charges on behalf of the resident. The RCHE should request the resident's guardians/guarantors/family members/relatives or the caseworker to arrange for an appointee to handle matters relating to home fees and other charges.

8.4.5 The RCHE should clearly count and keep proper record of the residents' possessions put under its custody when arranging for admission. Please refer to the "Guidelines on Handling Resident's Possessions in Residential Care Homes for the Elderly" ([Annex 8.2](#)) for details.

## **8.5 Schedule of Daily Activities**

An RCHE should formulate a routine programme schedule and time-table for the daily activities of residents, which are to be posted at conspicuous locations (e.g. reception area, notice board or common area for visitors) of the RCHE.

## **8.6 Staff Record**

An RCHE shall maintain the following records related to staff employment and attendance, and timely update the relevant information, for inspection by LORCHE at any time –

- (a) staff list ([Annex 3.2](#));
- (b) duty list for different posts;
- (c) staff monthly duty roster; and
- (d) an attendance record and an outdoor duty record for all staff (including relief staff/hire-of-service contract staff) to reflect the actual situation of

staff-on-duty in different time periods of a day. The RCHE shall establish a management mechanism and/or update the electronic record system (where applicable), and the home manager shall verify the staff attendance record.

## **8.7 RCHE Operation Record**

8.7.1 Under section 12 of the Residential Care Homes (Elderly Persons) Regulation, an operator of an RCHE shall maintain a record of every person employed (including full-time, part-time, relief staff and hire-of-service contract staff) in the RCHE with the following details –

- (a) name (Chinese and English), particulars of identity (including gender, date of birth/age and Hong Kong Identity Card number), address and telephone number;
- (b) supporting documents of qualifications;
- (c) post held in the RCHE;
- (d) working hours and shift of duty;
- (e) terms of employment (full-time or part-time); and
- (f) date of employment and resignation.

8.7.2 The home manager of an RCHE shall establish and maintain a comprehensive and regularly updated record system, and keep the records properly in the RCHE for inspection by LORCHE at any time. Such records shall include –

- (a) Record of Residents
  - (i) the name (Chinese and English), particulars of identity (including gender, date of birth/age and Hong Kong Identity Card number), address and telephone number (where applicable) of every resident;
  - (ii) the name, particulars of identity, address and telephone number of at least 1 relative or contact person of every resident and his/her relationship with the resident;
  - (iii) where or how the relative or contact person may be contacted in an emergency; and

(iv) the date of admission and discharge of every resident.

(b) Accident Record

RCHEs shall take remedial action immediately after the occurrence of an accident, which should be recorded instantly. Information includes the date and time of the accident, details of the accident, name and condition of resident(s) concerned, the name of the guardians/guarantors/family members/relatives/contact persons of the resident(s) who have been informed and the time of informing them, and the remedial action taken in relation to that accident.

(c) Death and Discharge Record

RCHEs shall keep a death and discharge record of residents<sup>33</sup>. The related information includes –

- (i) name and particulars of identity of the resident;
- (ii) date and place of death/discharge; and
- (iii) cause(s) of death/discharge.

(d) Personal Health and Nursing Record

An RCHE shall maintain a “Personal Health and Nursing Record” for every resident. Please refer to paragraph 12.5 of Chapter 12 in this Code of Practice.

(e) Record on the Use of Restraint

An RCHE shall properly keep the assessment, written consent form and observation record for every resident under restraint. The related information should include –

- (i) name of the resident under restraint;
- (ii) reasons for the use of restraint;
- (iii) type of restraint used;
- (iv) duration for the use of restraint;

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<sup>33</sup> For any case involving unusual death or coroner’s inquest, an RCHE shall keep the relevant case records until completion of the coroner’s inquest.

- (v) written consent signed by a registered medical practitioner, the resident and/or guardians/guarantors/family members/relatives, and the home manager and responsible staff member of the RCHE;
- (vi) observation on the condition of the resident after the use of restraint;
- (vii) duration for the use of restraint and/or release for each application; and
- (viii) dates and details of regular reviews.

(f) Admission Agreement and Record of Possessions

The admission agreement together with the subsequently revised agreement signed by the residents and/or the guardians/guarantors/family members/relatives, and the record of possessions or property stored or held on behalf of each resident by the RCHE (e.g. identity document(s), travel document(s), bank passbook(s), ATM card(s), name stamp(s), pocket money, medical follow-up card(s), Certificate(s) for Waiver of Medical Charges, Senior Citizen Card(s), Octopus card(s), etc.) (please refer to paragraph 8.4 of this chapter).

(g) Complaint Record

An RCHE shall properly follow up and keep records of complaints. Under section 16(i) of the Residential Care Homes (Elderly Persons) Regulation, an RCHE shall maintain a record of any complaint made by a resident or any other person relating to the management or operation of the residential care home and any remedial action taken in that behalf.

(h) Visiting Record of Registered Medical Practitioner

An RCHE shall properly maintain a record of visits conducted by registered medical practitioners for providing medical consultation or follow-up treatment, including the date(s) of visit(s), names of residents receiving treatment, the diagnosis, treatment plan and recommendations of the residents concerned, etc. (please refer to paragraph 12.2.3 of Chapter 12 in this Code of Practice).

(i) Log Book

A log book shall be used by the staff on duty to record daily events in an RCHE including any irregularities observed on individual residents, emergencies/important environmental problems affecting the operation of the RCHE, follow-up actions on any accident, etc. An RCHE should always update the relevant records to be signed properly by the staff concerned, which should be submitted regularly to the home manager or designated staff for monitoring purpose. The log book should be maintained inside the RCHE for inspection.

(j) Special Incident Report

In the event of a special incident [including unusual death/incident resulting in serious injury or death of residents, missing of residents requiring police assistance, established/suspected abuse or privacy infringement of residents by staff/residents or other people in an RCHE, dispute in the RCHE requiring police assistance, serious medical/drug incident, fire outbreak, other major incidents affecting the daily operation of an RCHE (e.g. suspension of power/water supply, building defects or structural problems, etc.)], the RCHE shall inform LORCHE and submit a Special Incident Report (Annex 8.3) to LORCHE within 3 calendar days (including public holiday) after a special incident has occurred. Apart from the above-mentioned situations, an RCHE shall timely submit a Special Incident Report to LORCHE depending on the nature and seriousness of the isolated incidents.

(k) Record of Social Activities and Programmes

An RCHE should maintain a proper record of social activities and programmes organised for residents, including –

- (i) dates, times and places of the activities;
- (ii) objectives and types of the activities;
- (iii) number and list of residents attended and staff involved, other participants and organisers/co-organisers;
- (iv) responses and feedback of residents and/or relatives; and
- (v) photographs taken during the activities.



(l) Fire Drill Record

An RCHE shall maintain a record of each fire drill including information such as time and date, numbers of participating staff and residents, etc. (please refer to paragraph 5.5.6 of Chapter 5 in this Code of Practice).

(m) “List of Residents with Special Care Needs” and Follow-up Records

An RCHE shall maintain a “list of residents with special care needs” [i.e. those totally lacking in self-care ability and being unable to express their own needs effectively (e.g. residents with intellectual disabilities or suffering from cognitive impairment, stroke, etc. who are bedridden), or those who require special care for individual reasons (such as being in quarantine or under medical advice)], and the home manager’s records of random checks and observation concerning the care of these residents (please refer to paragraph 12.2.4 of Chapter 12 in this Code of Practice).

(n) Other Records

An RCHE should properly keep the correspondence with government departments and/or other organisations and written records in relation to the operation of the RCHE for reference and taking follow-up action. The RCHE should also keep other records as specified by the DSW or his/her representative, such as guidelines and circular letters issued by LORCHE.

## **8.8 Staff Meetings**

To maintain an effective communication, the operator or home manager of an RCHE should regularly conduct staff meetings, briefing sessions, case conferences or seminars, with relevant records kept. As a good practice, the operator and home manager may consider inviting residents and/or guardians/guarantors/family members/relatives to attend home management meetings and case conferences.

## **8.9 Prevention of Elder Abuse**

8.9.1 An RCHE should be responsible for protecting elderly persons from any kind of abuse, including physical abuse, psychological abuse, neglect, financial abuse, abandonment and sexual abuse.

- 8.9.2 In the event of a suspected elder abuse incident, the RCHE shall handle the case in accordance with the “Procedural Guidelines for Handling Elder Abuse Cases” (the latest revised version) issued by the SWD, with a consideration to ensure the immediate safety of the elderly person as a matter of priority. The RCHE should, as soon as possible, arrange or make a referral to a social worker for follow-up so as to conduct professional assessment, investigation and follow-up actions, to formulate appropriate welfare plans and arrange necessary services for the resident. For the relevant guidelines for handling abuse cases in RCHEs, please refer to Chapter 9 - “Procedures for Handling Institutional Abuse of Elderly Persons” in the “Procedural Guidelines for Handling Elder Abuse Cases” (the latest revised version).
- 8.9.3 The RCHE shall submit a “Special Incident Report” (Annex 8.3) to LORCHE within 3 calendar days (including public holiday) if there is a suspected elder abuse incident occurred in an RCHE.
- 8.9.4 An RCHE should properly maintain records and documents of elder abuse cases (including special incident reports, log books, “Personal Health and Nursing Record” of residents, correspondence with government departments and/or other organisations, etc.) for inspection and investigation.
- 8.9.5 To ensure that residents are free from elder abuse, an RCHE should formulate effective measures and provide clear work guidelines, and arrange training and supervision for staff, in order to enhance their knowledge for identifying, preventing and handling elder abuse incidents.
- 8.9.6 For early identification of elder abuse cases and provision of appropriate services to abused residents, RCHEs should post a notice about reporting/channels of making complaints at conspicuous places in the RCHEs for the staff, residents, their family members or other people to know the means of reporting suspected elder abuse incidents.

## **8.10 Handling Personal Data**

- 8.10.1 In accordance with the Personal Data (Privacy) Ordinance (Cap. 486), personal data shall only be used (including disclosure and transfer) for the purpose for which the data were collected at the time of collecting the data; or a purpose directly related to that purpose, unless the prescribed consent of the data subject is obtained or the data are exempted under that Ordinance. Therefore, RCHEs shall only use (including disclosure and transfer) the personal data of a resident for purposes relating to or for which the data were collected. Where

the purpose of releasing personal data of a resident is different from that at the time of collecting the data, the prescribed consent of the resident shall be obtained before releasing the data.

- 8.10.2 With regard to the use of personal data (including disclosure and transfer) mentioned in above paragraph 8.10.1, an RCHE should clearly explain to the residents and/or their guardians/guarantors/family members/relatives, when collecting such data of the residents, that the RCHE shall comply with section 18 of the Residential Care Homes (Elderly Persons) Ordinance and section 17 of the Residential Care Homes (Elderly Persons) Regulation, to produce or provide any information relating to the operation, management or any other activity in respect of the RCHE as required by the DSW or a specified person.
- 8.10.3 The following matters shall be considered in determining whether the security measures of an RCHE are able to provide appropriate protection –
- (a) location where such data are stored;
  - (b) security measures attached to a facility in which such data are stored (e.g. the use of a computer password);
  - (c) measures taken for ensuring the integrity, prudence and competence of the persons having access to such data; and
  - (d) measures taken for ensuring a secure transmission of such data.

Hence, an RCHE should formulate internal guidelines to control the staff in accessing and using personal data of residents, and to take measures to protect the personal data of residents.

- 8.10.4 Under normal circumstances, an open disclosure of the personal data of a subject without his/her consent infringes the person's privacy. In this regard, an RCHE should be careful in displaying the daily programme schedule or timetable for routine activities of residents. No personal data (e.g. identity card numbers, medical records) should be disclosed to the public or openly displayed together with the names of residents to ensure that personal data of residents are properly protected against unauthorised or accidental access, processing, erasure or other uses.

## **8.11 Prevention of Corruption and Bribery**

- 8.11.1 In conducting all business or affairs of the RCHE, the management officers or other staff must comply with the Prevention of Bribery Ordinance (Cap. 201) and must not –
- (a) solicit or accept any advantage from others as a reward for or inducement to doing any act or showing favour in relation to the RCHE's business or affairs, or offer any advantage to an agent of another as a reward for or inducement to doing any act or showing favour in relation to his principal's business or affairs;
  - (b) offer any advantage to any public servant (e.g. Government/public body employee) as a reward for or inducement to his performing any act in his official capacity or his showing any favour or providing any assistance in business dealing with the Government/a public body; or
  - (c) offer any advantage to any staff of a Government department or public body while having business dealings with the latter.
- 8.11.2 In order to prevent any forms of bribery and corruption, the RCHE must compile a code of conduct for the management officers and other staff, which covers essential integrity requirements, including policy on soliciting, accepting and offering advantage; declaration and management of conflict of interest; handling of confidential information; and prohibition against misuse of official position, etc. The RCHE should prohibit their business partners (e.g. suppliers/contractors/service providers) from soliciting, accepting and offering any advantage in relation to the RCHE's business or affairs. The RCHE should also remind the residents and their guardians/guarantors/family members/relatives/contact persons, etc. that they should not offer any advantage to management officers or staff for any favour (e.g. special care services). In addition, the RCHE should promptly report any suspected corruption to the Independent Commission Against Corruption (ICAC)<sup>34</sup>.
- 8.11.3 Operators may refer to the Prevention of Bribery Ordinance (Cap. 201), Strengthening Integrity and Accountability - Government Funding Schemes Grantee's Guidebook, Best Practice Checklist – Staff Administration, Sample Code of Conduct for the Private Sector, Corruption Prevention Guide on Governance and Internal Control for Non-Governmental Organisations, and Sample Codes of Conduct (Board Members/Staff) for Non-Governmental Organisations in Social

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<sup>34</sup> Please refer to the ICAC's Report Corruption Channels: <https://www.icac.org.hk/en/rc/channel/index.html>.

Welfare Sector issued by ICAC for developing relevant codes of conduct and policies<sup>35</sup>.

## **8.12 Other Relevant Legislative Requirements**

Licensing of an RCHE does not imply an exemption from other legal obligations. Operators and home managers of RCHEs should take note and comply with other relevant ordinances and statutory requirements, such as issues related to the RCHE premises, employees, personal data, insurance, etc.

## **8.13 Closure of RCHE or Discharge of Residents**

- 8.13.1 If an operator intends to cease operation of an RCHE, LORCHE shall be informed in writing together with a relocation plan for the residents, at least 3 months prior to its closure.
- 8.13.2 The operator shall give a notice in writing to the residents and guardians/guarantors/family members/relatives/contact persons at least 3 months prior to the closure of the RCHE.
- 8.13.3 The operator shall surrender the licence to LORCHE after the closure of the RCHE. If the licence of the residential care home is an e-licence, the operator shall submit a Home Closure Application and surrender the licence through the Online Platform (<https://lrbop.swd.gov.hk>) (please refer to paragraph 1.6 of Chapter 1 in this Code of Practice).
- 8.13.4 Under section 35 of the Residential Care Homes (Elderly Persons) Regulation, an operator of an RCHE may, by a notice in writing given to any resident of the residential care home and to a relative or contact person of the resident, discharge the resident and require the resident to quit the residential care home, before the expiry of such period, being not less than 30 days, indicated in the notice.

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<sup>35</sup> Please refer to the ICAC's Corruption Prevention Advisory Service Web Portal: <https://cpas.icac.hk>.



**CHAPTER 9**

**STAFFING OF RCHEs**

**9.1 Employment of Staff**

Under section 11(1) of the Residential Care Homes (Elderly Persons) Regulation, the operator of an RCHE (other than a nursing home) must –

- (a) employ a home manager; and
- (b) comply with the minimum staffing requirements for different types of RCHEs stipulated in Schedule 1 to the Residential Care Homes (Elderly Persons) Regulation. Details are as follows –

**9.1.1 Care and attention home**

For a care and attention home, during or at the time specified in column 2 of Table 1 on every day, there must be at least the number of staff members that is specified in column 3 of Table 1 opposite the time. If the number of residents is not a multiple of the specified number, the RCHE must round up the number of residents to the next multiple of the specified number to determine the number of staff members required.

Table 1<sup>36</sup>

Column 1	Column 2	Column 3
Item	Time	Minimum staffing requirement
Nurse and Health Worker		
1.	11 hours within the specified period	1 health worker (on-site and on duty) for every 30 residents, and for this purpose, 1 nurse (on-site and on duty) is considered equivalent to 2 health workers (on-site and on duty)

<sup>36</sup> Starting from the 2<sup>nd</sup> anniversary of the material date (i.e. 16 June 2026), for a care and attention home, there must be 1 nurse (on-site and on duty) for every 60 residents or 1 health worker (on-site and on duty) for every 30 residents during 13 hours within the specified period on every day, denoting an increase of 2 hours from the 11 hours specified in Column 2, Item 1 of Table 1. Starting from the 4<sup>th</sup> anniversary of the material date (i.e. 16 June 2028), for a care and attention home of more than 60 residents, there must be at least (i) 1 nurse and (ii) 1 health worker (on-site and on duty) during 8 hours within the specified period in addition to complying with the aforementioned requirement (for the purpose of (ii), 1 nurse is considered equivalent to 2 health workers).

Column 1	Column 2	Column 3
Item	Time	Minimum staffing requirement
<b>Care Worker</b>		
2.	10 hours within the specified period	1 care worker (on duty) for every 20 residents
3.	Any time other than the 10 hours mentioned in item 2	1 care worker (on duty) for every 40 residents
<b>Ancillary Worker</b>		
4.	11 hours within the specified period	1 ancillary worker (on duty) for every 40 residents
<b>Any Staff Member</b>		
5.	From 6 p.m. on a day to 7 a.m. on the next day	2 staff members (on duty) (who may be persons engaged for complying with a requirement specified in any other item of this Table)
6.	Any time when a resident is in the care and attention home	1 staff member (on-site and on duty) (who may be a person engaged for complying with a requirement specified in any other item of this Table)

### 9.1.2 Aged home

For an aged home, during or at the time specified in column 2 of Table 2 on every day, there must be at least the number of staff members that is specified in column 3 of Table 2 opposite the time. If the number of residents is not a multiple of the specified number, the RCHE must round up the number of residents to the next multiple of the specified number to determine the number of staff members required.



Table 2

Column 1	Column 2	Column 3
Item	Time	Minimum staffing requirement
Nurse and Health Worker		
1.	6 hours within the specified period	(a) 1 nurse (on-site and on duty); or (b) 1 health worker (on-site and on duty) for every 60 residents
Care Worker and Ancillary Worker		
2.	11 hours within the specified period	1 care worker (on duty) or ancillary worker (on duty) for every 30 residents
Any Staff Member		
3.	From 6 p.m. on a day to 7 a.m. on the next day	2 staff members (on duty) (who may be persons engaged for complying with a requirement specified in any other item of this Table)
4.	Any time when a resident is in the aged home	1 staff member (on-site and on duty) (who may be a person engaged for complying with a requirement specified in any other item of this Table)

### 9.1.3 Self-care hostel

For a self-care hostel, during or at the time specified in column 2 of Table 3 on every day, there must be at least the number of staff members that is specified in column 3 of Table 3 opposite the time. If the number of residents is not a multiple of the specified number, the RCHE must round up the number of residents to the next multiple of the specified number to determine the number of staff members required.

Table 3

Column 1	Column 2	Column 3
Item	Time	Minimum staffing requirement
<b>Care Worker and Ancillary Worker</b>		
1.	11 hours within the specified period	1 care worker (on duty) or ancillary worker (on duty) for every 60 residents
<b>Any Staff Member</b>		
2.	Any time between 7 a.m. and 6 p.m. when a resident is in the self-care hostel	1 staff member (on-site and on duty) (who may be a person engaged for complying with the requirement specified in item 1)
3.	From 6 p.m. on a day to 7 a.m. on the next day	Both of the following staff members (who may be persons engaged for complying with the requirement specified in item 1) –  (a) 1 staff member on-site (whether or not on duty);  (b) 1 staff member on call (whether or not on-site)

#### 9.1.4 Specific Hours

- (a) An RCHE (other than a nursing home) must formulate the specific hours (i.e. a specific period of, or specific periods totalling, that number of hours on every day as required above and approved by the DSW in relation to the RCHE) within the specified period (i.e. in relation to a day, means the period from 6 a.m. to 10 p.m. on that day) (please refer to the Guidance Notes for Application in Annex 9.1 for the formulation of specific hours ) on every day with respect to the nursing care needs and daily routines of the residents, and comply with the corresponding minimum staffing requirements in accordance with different types of RCHEs.
- (b) An RCHE must apply for approval of the proposed specific hours in the form (SWD 686) specified at Annex 9.1 on specified date or along with licence application, before the implementation.

The RCHE may propose different specific hours for weekdays (Monday to Friday), Saturdays, Sundays and public holidays with respect to the schedule of activities of the residents.

The applicants must submit 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.)<sup>37</sup>;
  - (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 corporate (including non-governmental organisations)];
  - (vi) copy of annual returns (applicable to existing body corporates);
  - (vii) Notice of Change of Company Secretary and Director (appointment/cessation), if any (applicable to existing body corporates); and
  - (viii) other relevant documents (where necessary), etc.
- (c) If the operator intends to change the approved specific hours in response to changes in residents' daily routines and nursing care needs, application for approval must be submitted at least 1 month before making the change.
- (d) The DSW may approve the specific hours proposed by the operator if satisfied that the proposal is appropriate having regard to all relevant circumstances (including the schedule of activities and rest hours of the residents).

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<sup>37</sup> 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 in this Code of Practice.

## **9.2 Definition**

The following terms are defined under section 2(1) of the Residential Care Homes (Elderly Persons) Ordinance and section 2 of the Residential Care Homes (Elderly Persons) Regulation –

### **9.2.1 Operator**

An operator means a person who holds a licence of an RCHE. In accordance with sections 11 to 14A of the Residential Care Homes (Elderly Persons) Regulation, the duties of an operator include –

- (a) employment of required staff members and compliance with the minimum staffing requirements (please refer to paragraph 9.1 of this chapter);
- (b) maintenance of records of staff members (please refer to paragraph 8.7.1 of Chapter 8 in this Code of Practice);
- (c) furnishing plans or diagrams of the subject premises (please refer to paragraph 3.2.2 of Chapter 3 in this Code of Practice);
- (d) furnishing details of fees (please refer to paragraph 8.4 of Chapter 8 in this Code of Practice); and
- (e) ensuring every advertisement contains information to the effect that a licence is in force in respect of the RCHE.

### **9.2.2 Home Manager**

A home manager means any person responsible for the management of an RCHE. Chapter 10 in this Code of Practice contains more information about home manager and the registration system.

### **9.2.3 Nurse**

A nurse means any person whose name appears on the register of nurses maintained under section 5 of the Nurses Registration Ordinance (Cap. 164), or the roll of enrolled nurses maintained under section 11 of that Ordinance.

### **9.2.4 Health Worker**

A health worker means a person who is responsible for providing health and care services to residents of an RCHE. Chapter 11 in this Code of

Practice contains more information about health worker and the registration system.

#### 9.2.5 Care Worker

A care worker means any person, other than an ancillary worker, health worker or nurse, employed by an operator to render personal care to residents.

#### 9.2.6 Ancillary Worker

An ancillary worker means any person, other than a care worker, health worker or nurse, employed by an operator whose duties include those of a cook, domestic servant, driver, gardener, watchman, welfare worker or clerk.

### 9.3 Service Conditions

#### 9.3.1 Medical Examination

All staff of an RCHE shall have a medical examination by a registered medical practitioner prior to their employment, to certify that the staff concerned are able to meet the requirements and perform duties of the job. An operator should consider reasonably accommodating candidates who are persons with disabilities so that they may carry out the inherent requirements of the job, unless this may impose an unreasonable hardship on the employer.

#### 9.3.2 Hours of Work

There should be a minimum of 2 shifts of staff in attendance for all types of RCHEs. As for the number of working hours, it should be stated in the employment contract signed between the employer and the employee.

#### 9.3.3 Other Relevant Legislative Requirements

Concerning the arrangement on employment of staff, RCHEs shall comply with other relevant legislative requirements. Please refer to Annex 9.2 for details.

## **9.4 Staff Training**

- 9.4.1 All staff of an RCHE should possess basic knowledge of first aid and at least 1 staff member shall have completed a course in first aid and is holding a valid first aid certificate. Under the Occupational Safety and Health Regulation (Cap. 509 sub. leg. A), a person trained in first aid shall be a person who holds a certificate of competency in first aid issued by the St. John's Ambulance Association, the Auxiliary Medical Services or the Hong Kong Red Cross, or who has completed a training course in first aid and who holds a certificate to that effect issued by an organisation approved by the Commissioner for Labour.
- 9.4.2 Registered nurses and enrolled nurses within the meaning of the Nurses Registration Ordinance are recognised for their first aid knowledge and skills. RCHEs with the employment of either a registered nurse or an enrolled nurse are exempted from the requirement of having at least 1 staff member holding a valid first aid certificate.
- 9.4.3 The operator and home manager should arrange continuous on-the-job training and supervision for staff, including occupational safety, stress management, infection control, drug management, nursing care, handling suspected abuse incidents, use of restraints, protection of residents' privacy etc., so as to keep the staff updated on the latest developments in nursing care skills and knowledge for taking care of elderly persons, and to attend to safety and health at work, particularly in terms of proper manual handling techniques for elderly care, increased awareness of drug safety management, and effective infection control measures. At the same time, staff meetings and retreat days should be utilised for sharing relevant information, with the corresponding records maintained.

## **9.5 Relief Staff Members/Hire-of-service Contract Staff Members**

RCHEs shall comply with the minimum staffing requirements at any time as stipulated in Schedule 1 to the Residential Care Homes (Elderly Persons) Regulation. Attendance of appropriate relief staff members shall be arranged whenever there are any staff members on casual leave, vacation leave, sick leave, maternity leave or paternity leave, etc. in order to comply with legislative requirements and maintain operation of the RCHEs. For RCHEs employing hire-of-service contract staff members, all relevant employment records/service contracts shall be kept (please refer to paragraph 8.6 of Chapter 8 in this Code of Practice).

## 9.6 Changes in Staff Employment

- 9.6.1 In accordance with section 11(3) of the Residential Care Homes (Elderly Persons) Regulation, an operator of an RCHE shall inform the DSW, in writing within 14 days, of any change in the employment of a home manager of an RCHE.
- 9.6.2 In accordance with section 15(1) of the Residential Care Homes (Elderly Persons) Regulation, a home manager shall, if so required by the DSW in writing, submit to the DSW a list of staff employed by an operator of the RCHE, within 14 days of being so required.
- 9.6.3 In accordance with section 15(2) of the Residential Care Homes (Elderly Persons) Regulation, a home manager shall at least once every 3 months inform the DSW in writing of any change in the list of staff employed. An operator/home manager shall submit the “staff list” ([Annex 3.2](#)) as at the last day of the preceding month and the “staff duty roster” of the month to the DSW on or before the 5<sup>th</sup> day of January, April, July and October every year as follows –

Date of Staff List Referred to	Month of Staff Duty Roster Referred to	Submission Date
31 December	January	on or before 5 January
31 March	April	on or before 5 April
30 June	July	on or before 5 July
30 September	October	on or before 5 October





## **CHAPTER 10**

### **HOME MANAGER**

#### **10.1 Introduction**

Under section 11(2)(a)(i) of the Residential Care Homes (Elderly Persons) Regulation, RCHE operators must not employ any person as a home manager unless that person is a registered home manager or a registered home manager (provisional). The DSW manages and implements the home manager registration system to enhance the professionalism of home managers, and strengthen the management of residential care homes in order to ensure the service quality of RCHEs.

#### **10.2 Duties of a Home Manager**

A home manager is responsible for managing the daily operation of an RCHE, with the following duties –

- (a) the overall administration and staff matters of the RCHE;
- (b) planning, organising, and implementing social activities programme and care arrangements;
- (c) maintaining safety, cleanliness, tidiness and sanitation of the RCHE;
- (d) maintaining contacts with social service units/medical institutions concerned, and referring residents to these units/institutions where necessary;
- (e) handling all emergencies;
- (f) conducting random checks and observing the care of “residents with special care needs”, and keeping the records (please refer to paragraph 12.2.4 of Chapter 12 in this Code of Practice);
- (g) ensuring that the staff concerned has obtained verbal consent from the home manager and persons concerned before applying restraints to the residents in emergencies (please refer to paragraph 12.7.10 of Chapter 12 in this Code of Practice);

- (h) submitting a staff list as required under section 15 of the Residential Care Homes (Elderly Persons) Regulation;
- (i) maintaining up-to-date records regarding management of the RCHE and condition of residents as required under section 16 of the Residential Care Homes (Elderly Persons) Regulation and Chapter 8 in this Code of Practice;
- (j) providing information concerning the RCHE as required by the DSW under section 17 of the Residential Care Homes (Elderly Persons) Regulation; and
- (k) reporting information concerning scheduled infectious diseases as required under section 18 of the Residential Care Homes (Elderly Persons) Regulation.

### **10.3 Qualification Requirement for Registration as Registered Home Manager/Registered Home Manager (provisional)**

In accordance with part IIA of the Residential Care Homes (Elderly Persons) Regulation, registration of home managers is categorised into registered home managers and registered home managers (provisional). The qualification requirement for each category of application is –

- 10.3.1 Under section 3B of the Residential Care Homes (Elderly Persons) Regulation, any person applying for registration as a registered home manager must meet the following qualification requirements –
- (a) having completed a training course specified by the DSW (please refer to the website of the SWD (<https://www.swd.gov.hk>) for the list of training courses that have been approved by the DSW); and
  - (b)
    - (i) holding a professional qualification relating to healthcare or social work specified by the DSW; or holding a bachelor or higher degree, or an academic qualification regarded by the DSW as equivalent; and
    - (ii) having, within 3 years before making the application, worked in one or more RCHEs or RCHDs for a total of at least 1 year in a position involving or assisting in the management of the RCHEs or RCHDs; or
  - (c)
    - (i) being a registered health worker as defined by section 2 of the Residential Care Homes (Elderly Persons) Regulation or the

Residential Care Homes (Persons with Disabilities) Regulation;  
and

- (ii) having worked in one or more RCHEs or RCHDs as a health worker for a total of at least 5 years; or
- (d) being a pre-material-date home manager<sup>38</sup> who applies for registration as a registered home manager under section 3A of the Residential Care Homes (Elderly Persons) Regulation during the 6-month period beginning on the material date (i.e. on or before 15 December 2024); or
- (e)
  - (i) being a pre-material-date home manager who is –
  - (ii) a registered home manager (provisional) as defined by section 2 of the Residential Care Homes (Elderly Persons) Regulation or the Residential Care Homes (Persons with Disabilities) Regulation.
- (f) being a registered home manager as defined by section 2 of Residential Care Homes (Persons with Disabilities) Regulation.

10.3.2 Under section 3N of the Residential Care Homes (Elderly Persons) Regulation, any person applying for registration as a registered home manager (provisional) must meet the following qualification requirements –

- (a) holding a professional qualification relating to healthcare or social work specified by the DSW;
- (b) holding a bachelor or higher degree, or an academic qualification regarded by the DSW as equivalent; or
- (c) being a pre-material-date home manager who applies for registration as a registered home manager (provisional) under section 3M of the Residential Care Homes (Elderly Persons) Regulation during the 6-month period beginning on the material date (i.e. on or before 15 December 2024).

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<sup>38</sup> A pre-material-date home manager mentioned in this Code of Practice refers to a person who was employed as a home manager in an RCHE or RCHD immediately before the material date (i.e. 16 June 2024).

## **10.4 Registration as Registered Home Manager/Registered Home Manager (provisional)**

10.4.1 Under section 3A(1) or 3M(1) of the Residential Care Homes (Elderly Persons) Regulation, any person who intends to apply for registration as a registered home manager or registered home manager (provisional), must make an application to the DSW in the form and manner specified by the DSW (Annex 10.1), and the application must contain the information specified by the DSW.

10.4.2 On the application, the DSW may register the applicant as a registered home manager or registered home manager (provisional) in accordance with section 3A(2) or 3M(2) of the Residential Care Homes (Elderly Persons) Regulation, if the applicant meets the following requirements –

- (a) the DSW is satisfied that the applicant –
  - (i) meets the qualification requirements specified in paragraph 10.3 of this chapter;
  - (ii) is competent to perform the duties of a home manager;
  - (iii) is fit and proper to be so registered; and
  - (iv) if the applicant is not a pre-material-date home manager, on being so registered, will be employed as a home manager in an RCHE under section 11(1)(a) or (1A)(a) of the Residential Care Homes (Elderly Persons) Regulation (only applicable to application for registration as a registered home manager (provisional)); and
- (b) the applicant has paid the applicable fee for the registration.

10.4.3 In considering whether a person is fit and proper, the DSW must have regard to all relevant matters, including –

- (a) whether the person has been –
  - (i) convicted of an offence involving fraud or dishonesty, or of a sexual nature, in any place;
  - (ii) convicted of an indictable offence in Hong Kong;
  - (iii) sentenced to imprisonment (however described) in a place outside Hong Kong, whether or not the sentence is suspended; or

- (iv) convicted of an offence under the Residential Care Homes (Elderly Persons) Ordinance, the Residential Care Homes (Elderly Persons) Regulation, the Residential Care Homes (Persons with Disabilities) Ordinance or the Residential Care Homes (Persons with Disabilities) Regulation; and
  - (b) if any professional or academic qualification of the person (whether or not relating to healthcare or social work) has been revoked, the reason for the revocation must be considered.
- 10.4.4 Under section 3A(3) or 3M(3) of the Residential Care Homes (Elderly Persons) Regulation, the DSW may impose on the registration any condition that the DSW considers appropriate, including any condition relating to continuous learning.

## **10.5 Renewal of Registration as Registered Home Manager**

- 10.5.1 Under section 3E of the Residential Care Homes (Elderly Persons) Regulation, a registered home manager may apply for the renewal of his/her registration. The application must be made in the specified form and manner to the DSW ([Annex 10.2](#)) at least 3 months before, but not earlier than 6 months before, the expiry of the registration; and the renewal application must contain the information specified by the DSW.
- 10.5.2 On the application, the DSW may renew the registration if the applicant meets the following requirements –
  - (a) the DSW is satisfied that the registered home manager –
    - (i) is still competent to perform the duties of a home manager and is fit and proper to be registered; and
    - (ii) complies with all conditions imposed on the registration; and
  - (b) The manager has paid the applicable fee for the renewal.
- 10.5.3 Under section 3E(4) of the Residential Care Homes (Elderly Persons) Regulation, the DSW may impose on the renewed registration any condition that the DSW considers appropriate, including any condition relating to continuous learning.

## **10.6 Validity Period of Registration as Registered Home Manager/Registered Home Manager (provisional)**

- 10.6.1 Under section 3H of the Residential Care Homes (Elderly Persons) Regulation, the validity period of a registration or renewed registration as a registered home manager is to be decided by the DSW and must not exceed 5 years.
- 10.6.2 Under section 3Q of the Residential Care Homes (Elderly Persons) Regulation, the validity period of a registration as a registered home manager (provisional) is to be decided by the DSW and must not exceed 2 years. The registration system for registered home manager (provisional) is a transitional arrangement, no renewal will be available. A registered home manager (provisional) should meet the requirements specified in paragraph 10.3.1 of this chapter within the validity period, and apply for registration as a registered home manager.

## **10.7 Registration/Renewal Fee**

A person who applies for registration as a registered home manager/registered home manager (provisional) or renewal of a registration as a registered home manager is required to pay the registration/renewal fee specified in Schedule 3 under section 38 of the Residential Care Homes (Elderly Persons) Regulation.

## **10.8 Reporting Requirements**

Under section 3W of the Residential Care Homes (Elderly Persons) Regulation, a registered home manager or a registered home manager (provisional) must report to the DSW in writing ([Annex 10.3](#)) as soon as reasonably practicable after the event occurs, if –

- (a) a prosecution is started against the manager for an indictable offence in Hong Kong;
- (b) a prosecution is started against the manager for an offence punishable with imprisonment (however described) in a place outside Hong Kong;
- (c) the manager is convicted of an indictable offence in Hong Kong;
- (d) the manager is sentenced to imprisonment (however described) in a place outside Hong Kong, whether or not the sentence is suspended;
- (e) any professional or academic qualification of the manager (whether or not relating to healthcare or social work) is revoked; or

- (f) there is a change in the name or correspondence address of the manager  
(In this case, the report must be given within 3 months after the change).

## **10.9 Cancellation of Registration**

10.9.1 Under section 3I or 3T of the Residential Care Homes (Elderly Persons) Regulation, the DSW may cancel a person's registration as a registered home manager or a registered home manager (provisional) if satisfied that –

- (a) the registration was obtained by fraudulent means;
- (b) the person is no longer competent to perform the duties of a home manager; or is no longer fit and proper to be a registered home manager or a registered home manager (provisional); or
- (c) the person contravenes –
  - (i) a condition imposed on the registration under section 3A(3), 3E(4) or 3M(3) (mentioned in paragraphs 10.4.4 and 10.5.3 of this chapter respectively) of the Residential Care Homes (Elderly Persons) Regulation; or
  - (ii) the reporting requirements under section 3W of the Residential Care Homes (Elderly Persons) Regulation (mentioned in paragraph 10.8 of this chapter).

10.9.2 The DSW must cancel a person's registration as a registered home manager or a registered home manager (provisional) under the Residential Care Homes (Elderly Persons) Regulation if –

- (a) the person makes a written request to the DSW for cancelling the registration;
- (b) the person was also registered as a registered home manager or a registered home manager (provisional) under Residential Care Homes (Persons with Disabilities) Regulation; and that registration is cancelled under section 3I(1)(a) or (b) or 3T(1)(a) or (b) of Residential Care Homes (Persons with Disabilities) Regulation; or
- (c) the person is registered as a registered home manager under section 3A of the Residential Care Homes (Elderly Persons) Regulation (only applicable to registered home managers (provisional) who applied and registered as a registered home manager successfully).

### **10.10 Continuous Learning**

A registered home manager or a registered home manager (provisional) should enhance service quality through continuous learning. If a registered home manager or a registered home manager (provisional) has been registered for a long period of time before taking up employment or returning to the residential care service industry, he/she should take relevant training courses prior to taking up employment in order to revise and update his/her knowledge and skills in residential care home management.

### **10.11 Transitional Arrangement (Applicable to pre-material-date home manager<sup>38</sup>)**

A person who had been employed as a home manager in an RCHE immediately before the material date must apply for registration as a registered home manager or a registered home manager (provisional) during the 6-month period beginning on the material date (i.e. on or before 15 December 2024). Please refer to paragraph 10.4 of this chapter for the details of registration.



## **CHAPTER 11**

### **HEALTH WORKER**

#### **11.1 Introduction**

Under section 11(2)(d)(i) of the Residential Care Homes (Elderly Persons) Regulation, RCHE operators must not employ any person as a health worker unless that person is a registered health worker. The DSW manages and implements the health worker registration and renewal system, and may impose conditions on such registration to continuously enhance the professionalism of health workers in order to ensure the service quality of RCHEs.

#### **11.2 Duties of a Health Worker**

A health worker is responsible for providing health and care services to residents of an RCHE, with the following duties –

- (a) to conduct regular health checking and record health condition of residents (e.g. blood pressure, pulses, body temperature, blood oxygen level, excretion, emotional change, etc.), for early identification of any illness and arrange treatment for the residents (please refer to paragraphs 12.2.4 and 12.2.5 of Chapter 12 in this Code of Practice);
- (b) to properly maintain and timely update residents' health record, including medical history, health condition, treatment plan, use of drugs, medical appointments, hospitalisation, etc.;
- (c) to work closely with the visiting medical practitioners and other healthcare professionals to provide information on the medical history of residents and follow up with the health care plans;
- (d) to maintain communication with residents' guardians/guarantors/family members/relatives and report the health condition of residents to them when necessary;
- (e) to assist residents in using drugs safely according to the prescriptions of registered medical practitioners, registered Chinese medicine practitioners or listed Chinese medicine practitioners;
- (f) to design menu as needed and assist residents in the use of tube-feeding;

- (g) to assist residents in doing simple exercises;
- (h) to provide dressing for wounds or pressure injuries (pressure sores) of residents;
- (i) to provide basic first aid for residents in times of accident or emergency; and
- (j) to guide care workers with advice on basic knowledge of health and nursing care, provision of daily personal care service, use of simple medical equipment and disinfection of instruments, update of log book, etc.

### **11.3 Qualification Requirement for Registration as Registered Health Worker**

11.3.1 Under section 4 of the Residential Care Homes (Elderly Persons) Regulation, a person who –

- (a) has completed a course of training approved by the DSW in writing either generally or in any particular case; or
- (b) by reason of the person's education, training, professional experience and skill in health work, satisfies the DSW that the person is a suitable person to be registered as a registered health worker,

is qualified to be registered as a registered health worker for the purposes of employment at an RCHE.

11.3.2 For the lists of training courses approved by the DSW serving the purpose mentioned in paragraph 11.3.1(a) above, please refer to the website of the SWD (<https://www.swd.gov.hk>).

### **11.4 Registration as Registered Health Worker**

11.4.1 Under section 6(1) of the Residential Care Homes (Elderly Persons) Regulation, any person who intends to apply for registration as a registered health worker, must make an application to the DSW in the form and manner specified by the DSW (Annex 10.1), and the application must contain the information specified by the DSW.

11.4.2 On the application, the DSW may register an applicant as a registered health worker in accordance with section 6(2) of the Residential Care Homes (Elderly Persons) Regulation if the applicant meets the following requirements –

- (a) the DSW is satisfied that the applicant –
  - (i) is qualified as specified in paragraph 11.3.1 of this chapter;
  - (ii) is competent to perform the duties of a health worker; and
  - (iii) is fit and proper to be so registered; and
- (b) the applicant has paid the applicable fee for the registration.

11.4.3 Under section 6(3) of the Residential Care Homes (Elderly Persons) Regulation, the DSW may impose on the registration any condition that the DSW considers appropriate, including any condition relating to continuous learning.

## **11.5 Renewal of Registration as Registered Health Worker**

11.5.1 Under section 7A of the Residential Care Homes (Elderly Persons) Regulation, a registered health worker may apply for the renewal of registration. The application must be made in the specified form and manner to the DSW (Annex 10.2) at least 3 months before, but not earlier than 6 months before, the expiry of the registration, and must contain the information specified by the DSW.

11.5.2 On the application, the DSW may renew the registration if the applicant meets the following requirements –

- (a) the DSW is satisfied that the registered health worker –
  - (i) is still qualified to be registered as a health worker (stated in paragraph 11.3.1 of this chapter), competent to perform the duties of a health worker, and fit and proper to be registered; and
  - (ii) complies with all conditions imposed on the registration; and
- (b) the health worker has paid the applicable fee for the renewal.

11.5.3 Under section 7A(4) of the Residential Care Homes (Elderly Persons) Regulation, the DSW may impose on the renewed registration any condition that the DSW considers appropriate, including any condition relating to continuous learning.

## **11.6 Validity Period of Registration as Registered Health Worker**

Under section 7D of the Residential Care Homes (Elderly Persons) Regulation, the validity period of a registration or renewed registration as a registered health worker is to be decided by the DSW and must not exceed 5 years.

## **11.7 Registration/Renewal Fee**

A person who applies for registration or renewal of a registration as a registered health worker is required to pay the registration/renewal fee specified in Schedule 3 under section 38 of the Residential Care Homes (Elderly Persons) Regulation.

## **11.8 Reporting Requirements**

Under section 10B of the Residential Care Homes (Elderly Persons) Regulation, a registered health worker must report to the DSW in writing (Annex 10.3) as soon as reasonably practicable after the following event occurs –

- (a) a prosecution is started against the health worker for an indictable offence in Hong Kong;
- (b) a prosecution is started against the health worker for an offence punishable with imprisonment (however described) in a place outside Hong Kong;
- (c) the health worker is convicted of an indictable offence in Hong Kong;
- (d) the health worker is sentenced to imprisonment (however described) in a place outside Hong Kong, whether or not the sentence is suspended; or
- (e) there is a change in the name or correspondence address of the health worker. (In this case, the report must be given within 3 months after the change).

## **11.9 Cancellation of Registration**

11.9.1 Under section 8 of the Residential Care Homes (Elderly Persons) Regulation, the DSW may cancel a person's registration as a health worker if satisfied that –

- (a) the registration was obtained by fraudulent means;
- (b) the person is no longer qualified to be registered as a registered health worker (stated in paragraph 11.3.1 of this chapter), competent to perform the duties of a health worker, or fit and proper to be so registered; or
- (c) the person contravenes –
  - (i) a condition imposed on the registration under section 6(3) or 7A(4) of the Residential Care Homes (Elderly Persons) Regulation (stated in paragraphs 11.4.3 and 11.5.3 of this chapter respectively); or
  - (ii) the reporting requirements under section 10B of the Residential Care Homes (Elderly Persons) Regulation (stated in paragraph 11.8 of this chapter).

11.9.2 The DSW must cancel a person's registration as a registered health worker –

- (a) if the person makes a written request to the DSW for cancelling the registration; or
- (b) if the person was also registered as a registered health worker under the Residential Care Homes (Persons with Disabilities) Regulation and that registration is cancelled under section 8(1)(a) or (b) of the Residential Care Homes (Persons with Disabilities) Regulation.

## **11.10 Continuous Learning**

A registered health worker should enhance service quality through continuous learning. If a registered health worker has been registered for a long period of time before taking up employment or returning to the residential care service industry, he/she should take relevant training courses prior to taking up employment in order to revise and update his/her knowledge and skills in nursing care.



## **CHAPTER 12**

### **HEALTH AND CARE SERVICES**

#### **12.1 Introduction**

In providing residential care service for elderly persons, an RCHE should deliver health and care services to individual residents based on their health condition and self-care ability as required.

#### **12.2 Health Service**

- 12.2.1 Under section 34 of Residential Care Homes (Elderly Persons) Regulation, the operator of an RCHE shall ensure that each resident is medically examined at least once in every 12 months. The examination shall be conducted by a registered medical practitioner, who shall report in writing to the operator on the health of every resident. RCHEs should use the “Medical Examination Form for Residents in Residential Care Homes for the Elderly” (Annex 12.1) or any other forms as endorsed by the DSW to record and maintain the residents’ health condition for inspection by inspectors of LORCHE.
- 12.2.2 Every resident shall have a medical examination conducted by a registered medical practitioner prior to admission to an RCHE, using the “Medical Examination Form for Residents in Residential Care Homes for the Elderly” (Annex 12.1) or any other forms as endorsed by the DSW (including a valid Minimum Data Set-Home Care Assessment (MDS-HC) under the Standardised Care Need Assessment for Elderly Services). For urgent or special cases that medical examinations cannot be conducted prior to admission, medical examinations shall still be conducted within 3 calendar days after admission to an RCHE.
- 12.2.3 An RCHE shall arrange regular visits (preferably once to twice per week) by a registered medical practitioner to residents for health checking, medical consultation or follow-up treatment. In addition, an RCHE should provide assistance for visiting healthcare professionals and other professional practitioners in delivering services to the RCHE (including the Community Geriatric Assessment Team (CGAT) and the Community

Psychogeriatric Team (CPT) of the Hospital Authority (HA), the Visiting Health Team (VHT) and Outreaching Dental Care (ODC) of the Department of Health (DH), the Visiting Medical Practitioner Service for Residential Care Homes, the Multi-disciplinary Outreaching Support Teams for the Elderly provided by the SWD, etc.) in the provision of the required health service, dental checking or health education activities for residents.

- 12.2.4 Apart from regular medical examinations or follow-up appointments, an RCHE shall arrange appropriate personnel (such as nurses or health workers) to conduct a health check (including measuring body temperature, blood pressure, pulse and/or blood oxygen level) for “residents with special care needs” [i.e. those totally lacking in self-care ability and being unable to express their own needs effectively (e.g. residents with intellectual disabilities or suffering from cognitive impairment, stroke, etc. who are bedridden), or those who require special care for individual reasons (such as being in quarantine or under medical advice)] at least every 2 calendar days; and the home manager of an RCHE shall conduct random checks and observe the care of the above-said residents, and keep relevant records. The RCHE shall also conduct health checks for other residents at least every 7 calendar days, and maintain relevant records. Meanwhile, the RCHE shall also keep and update the “list of residents with special care needs” from time to time (please refer to paragraph 8.7.2(m) of Chapter 8 in this Code of Practice).
- 12.2.5 When a resident is sick, injured or there is a change in his/her health condition, a health assessment shall be made immediately with a view to arranging consultation or seeking medical/nursing opinion. The resident’s guardians/guarantors/family members/relatives should also be informed of the condition with a record in his/her “Personal Health and Nursing Record”.
- 12.2.6 An RCHE should have contingency arrangements in place at all times for emergencies or accidents, including the formulation of work guidelines for handling unforeseen incidents, (e.g. kinds of the emergencies, ways of immediate handling, lists of emergency contact numbers, division of work among staff, when and which staff to contact families of the residents, documentary records, etc.) and training and supervision of the competencies of staff in handling emergencies so that residents may receive proper care in case of emergencies.
- 12.2.7 RCHEs should seek advice from healthcare professionals and professional practitioners in encouraging residents to participate in



rehabilitation exercises and arranging suitable rehabilitation services for residents.

- 12.2.8 An RCHE should adopt proper work procedures so that the staff concerned can correctly identify and match the personal identities and health records of the residents during the process of medical consultation.

## **12.3 Individual Care Plan**

- 12.3.1 An RCHE should consult healthcare professionals and professional practitioners for advice and maintain effective communication with residents' guardians/guarantors/family members/relatives, so as to formulate specific and appropriate individual care plans (ICPs) depending on the needs of residents, with a view to providing and arranging necessary care services. During the initial period after admission, an RCHE should pay more attention to the new residents' behaviours and needs, and maintain liaison with their guardians/guarantors/family members/relatives to help them adapt to the RCHE environment as soon as possible (please refer to paragraph 16.3.1 of Chapter 16 in this Code of Practice).
- 12.3.2 An RCHE should formulate the ICPs of residents jointly with the residents and their guardians/guarantors/family members/relatives within 1 month after admission, conduct the first review 6 months after the dates of formulating the first ICPs, review the ICPs at least annually or when the required care services have changed, and maintain the relevant records.
- 12.3.3 The content of the ICP should include the following –
- (a) medical history;
  - (b) mental state;
  - (c) mobility assessment;
  - (d) self-care ability assessment;
  - (e) assessment of risk factors and preventive measures (e.g. swallowing difficulty, falls, wandering, cognitive impairment, depression, behavioural problems, allergies, etc.);

- (f) assessment of nursing care needs and nursing care plan (e.g. wounds, urinary catheters, feeding tubes, peritoneal dialysis, stoma care, etc.);
- (g) personal habits and daily activities (e.g. social, emotional, behavioural conditions, etc.); and
- (h) rehabilitation need and plan.

## **12.4 Personal Care**

- 12.4.1 An RCHE should devise a personal care schedule and provide personal care services for residents, such as bathing, hair washing, hair cutting, shaving, nail cutting, dental and oral care, changing clothes and diapers, etc. in a timely manner and whenever required, so as to help them keep their body clean and comfortable, and keep their skin dry.
- 12.4.2 An RCHE should assist bedridden residents in changing their positions regularly, and assist in keeping their skin and clothes clean and dry to avoid skin in contact with sweat or excreta for a long time, which can lead to breakage, infection or pressure injuries (pressure sores).
- 12.4.3 Under section 33B of the Residential Care Homes (Elderly Persons) Regulation, when a personal care service is provided to, or a nursing care procedure is performed on, a resident in an RCHE, adequate facilities (e.g. partitions, curtains, etc.) or measures must be provided or taken, to the satisfaction of the DSW, to avoid improper exposure of body parts and protect the dignity and privacy of the resident.
- 12.4.4 An RCHE should take appropriate measures, including placing signs near the bedsides of residents and/or other suitable locations for identifying the special nursing care needs or risk factors of residents (e.g. allergies, falls, swallowing difficulty, etc.) to ensure their safety.
- 12.4.5 In order to render appropriate personal care services to residents, RCHE operators should arrange for staff to receive training and supervision related to personal care and nursing care skills (e.g. lifting/transfer, feeding, bathing, etc.) and consult the relevant guidelines and healthcare professionals' advice.

## **12.5 Personal Health and Nursing Record**

An RCHE shall properly maintain and update the “Personal Health and Nursing Record” of each resident, including –

- (a) medical examination forms;
- (b) medical history (e.g. history of major illnesses, previous operations, vaccination, special care needs, accidents, etc.);
- (c) records of admission to and discharge from hospitals;
- (d) records of medical consultation and follow-up treatment;
- (e) health condition assessments (e.g. body weights, vital signs, activities of daily living, intake and output condition, dental and oral, emotional, mental, social and behavioural condition, smoking or alcoholism, exercises, etc.); and
- (f) special nursing care needs and nursing records (e.g. incontinence care, use of feeding tubes/urinary catheters, prevention of pressure injuries (pressure sores), peritoneal dialysis care, stoma or wound care, etc.).

## **12.6 Drug Management**

- 12.6.1 Under section 33(2) of the Residential Care Homes (Elderly Persons) Regulation, a medicine that is prescribed by a registered medical practitioner, a registered Chinese medicine practitioner or a listed Chinese medicine practitioner for a resident of an RCHE may only be administered to the resident in accordance with the prescription. An RCHE shall adhere to the proper procedures in the drug management and assisting residents in using drugs (including oral, topical and injectable drugs), including the storage and preparation of drugs, giving drugs and maintenance of drug records. For details, please refer to the “Guide on Drug Management in Residential Care Homes” (“the Guide”) jointly published by the SWD, the DH and the HA.
- 12.6.2 RCHEs should make reference to the Guide in drawing up work guidelines on drug management (including the procedures of handling drug incidents) for the compliance of their staff. The home managers shall ensure that all designated staff members who are responsible for handling drugs have received proper

training. If applicable, the above-mentioned training should form a part of the induction training and regular training for staff.

12.6.3 RCHEs shall strictly follow the prescriptions and the related instructions of registered medical practitioners, registered Chinese medicine practitioners or listed Chinese medicine practitioners to assist residents in using drugs. Any person shall not arbitrarily cease or change the dosages or routes of using drugs without authorisation. Medical advice should be sought if there is doubt.

12.6.4 An RCHE shall ensure that drugs are used on residents prescribed of the drugs and shall not arbitrarily re-distribute the drugs of individual residents or use the drugs on other residents. If an automated drug packaging system is used, the RCHE shall comply with the guidelines and requirements of the Guide.

12.6.5 If an electronic drug management system is used, the RCHE shall comply with the principles stipulated in paragraph 3.3 of Chapter 3 in the Guide, including work procedures, operation guidelines, monitoring mechanisms, protecting personal data, contingencies and requirements of an electronic signature.

12.6.6 Drug Storage

In accordance with section 33(1) of the Residential Care Homes (Elderly Persons) Regulation, all medicine kept in an RCHE must, to the satisfaction of the DSW, be kept in a secure and locked place. An RCHE shall adhere to the following requirements for drug storage –

- (a) all drugs (including oral, topical and injectable drugs) shall be clearly labelled and stored in a secure place (e.g. locked drug cabinet or room) under the monitoring of designated staff members for drug management;
- (b) the drugs of every resident (including drugs that are used when necessary) shall be stored individually in a compartment bearing the resident's name, and each compartment shall only store the drugs of a resident;
- (c) store oral, topical and injectable drugs separately; and
- (d) store drugs appropriately according to the directions on drug labels (e.g. temperature, away from direct light, etc.) to preserve the efficacy of drugs.

### 12.6.7 Preparing Drugs

- (a) RCHEs should arrange for staff with relevant training (nurses or health workers<sup>39</sup>) to be responsible for preparing drugs and to carry out the procedures of “**3 Checks and 5 Rights**” strictly to ensure that the drugs tally with the “Medication Administration Records (MARs)” and the information on the drug labels, including –  
  
[**First Check**] when taking the drugs out of the drug cabinet;  
[**Second Check**] before taking out the drugs from the drug packets/bottles;  
[**Third Check**] before putting the drugs back into the drug cabinet; and  
[**Five Rights**] include name of the resident, name and dosage form of the drug, dosage of the drug, time of using the drug and route of using the drug.
- (b) The staff responsible for preparing drugs shall record and sign on the MAR immediately after preparing drugs for each resident. Signing in advance and/or on behalf of others is prohibited to ensure accuracy of the record.
- (c) Unless a designated drug preparation system<sup>40</sup> is used, an RCHE can only prepare drugs for a maximum period of 24 hours in advance.
- (d) If there is any change in the drug prescription of a resident, the RCHE should update the drug records immediately and prepare drugs according to the latest prescription.

### 12.6.8 Giving Drugs

- (a) An RCHE should arrange for staff with relevant training to be responsible for giving drugs and assisting residents in using drugs.
- (b) The staff responsible for giving drugs should carry out the “Five Rights” procedures again when giving drugs.
- (c) The staff giving drugs shall ensure that the resident has swallowed the drugs before leaving.

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<sup>39</sup> Excludes self-care hostel as stated on the licence.

<sup>40</sup> A designated drug preparation system refers to a multi-day drug preparation system, drug preparation service provided by community pharmacies and an automated drug packaging system. Please refer to paragraph 2.4.6 of Chapter 2 of the Guide for details.

- (d) The staff giving drugs should record and sign on the MAR immediately after giving drugs for each resident. Signing in advance and/or on behalf of others is prohibited to ensure accuracy of the record. Reasons for not using drugs shall be clearly recorded for individual residents who fails to take drugs.
- (e) An RCHE should take proper measure for identifying residents with communication problems or cognitive impairment (e.g. names of residents, bed numbers, photos, etc.) to ensure accuracy in giving drugs.

#### 12.6.9 Record of Drugs

- (a) An RCHE shall maintain an up-to-date record of drugs for every resident, including the “Individual Drug Record” (IDR) and MAR to ensure accuracy of the information.
- (b) Information of currently and previously used drugs shall be shown clearly and accurately on the IDRs, containing personal information of residents, drug allergy history, drug information (including names of the drugs, dosage forms of the drugs, dosages of the drugs, frequency/times and routes of administration, dates of commencing and ceasing use of the drugs, sources of the drugs and precautions) and signature of the staff responsible for record at each time.
- (c) Residents’ daily used drugs shall be clearly and accurately shown on the MARs, containing personal information of residents, drug allergy history and information of currently used drugs (including dates of prescriptions, sources of drugs, names of the drugs, dosage forms of the drugs, dosages of the drugs, frequency of administration, times of administration and routes of administration) and signature of the staff responsible for preparing and giving drugs at each time.
- (d) Whenever there is any change in the drug prescription of a resident (e.g. change of the prescription by a registered medical practitioner, a registered Chinese medicine practitioner or a listed Chinese medicine practitioner after medical follow-up or discharge from the hospital), the RCHE should update the IDR and MAR on the same day.

#### 12.6.10 Use of Chinese Medicines

If Chinese medicines are used by a resident, the RCHE shall follow the instructions of a registered Chinese medicine practitioner or a listed Chinese medicine practitioner, and properly keep the relevant information such as the name of the Chinese medicine practitioner, prescription, etc., and record the medicine information (including the prescription number <sup>41</sup> for verification of correctness of the Chinese medicines, the dosage forms of the Chinese medicines, the dosages of the Chinese medicines; and frequency, times and routes of administration of the Chinese medicines) and medicine administration condition on the resident's IDR and MAR. Staff members of an RCHE should also pay attention to paragraph 4.1 of Chapter 4 in the Guide for the points to note on the use of Chinese medicines.

#### 12.6.11 Use of Proprietary/Non-prescription Drugs and Self-administration of Drugs

- (a) An RCHE should not suggest or encourage residents to use drugs obtained or purchased from sources other than a prescription by a registered medical practitioner, a registered Chinese medicine practitioner or a listed Chinese medicine practitioner (including Chinese and Western medicines or proprietary drugs). If a resident insists on using non-prescription drugs, the staff of the RCHE should give advice or consult healthcare professionals if necessary. The RCHE should make a record on the "Confirmation of Request for Giving Proprietary/Non-Prescription Drugs" (Annex 12.2), and mark on the "Personal Health and Nursing Record" of the resident and keep the "Directions for the Use of Drugs" for healthcare professionals' reference when necessary.
- (b) If residents administer drugs on their own, RCHEs should conduct assessments on them to ensure their drug compliance, which includes assessing their abilities to fully understand and follow the prescriptions given by registered medical practitioners, registered Chinese medicine practitioners or listed Chinese medicine practitioners and take drugs on time. RCHEs should also make sure that the residents can keep the self-administered drugs in secure and locked places, and that nearby residents will not take the drugs mistakenly. Prior written consent of the residents and

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<sup>41</sup> RCHEs should assign an independent number for identification purposes if the Chinese medicine prescription does not have a prescription number.

their guardians/guarantors/family members/relatives shall be obtained using the “Consent Form for Self-storage and Self-administration of Drugs” ([Annex 12.3](#)). RCHEs shall re-assess and renew/terminate the consent forms for at least once every 6 months, and keep records. RCHEs shall continue to maintain and update the residents’ IDRs to regularly monitor and assess their abilities to store and take drugs by themselves, and maintain the relevant records for inspections by inspectors of LORCHE.

#### 12.6.12 Drug Incidents

Drug incidents refer to the occurrences of any abnormality related to the administration of drugs (e.g. residents failing to follow the prescriptions in using drugs, using others’ drugs mistakenly, using wrong dosages of drugs, using expired drugs, etc.). If a serious drug incident happens in an RCHE resulting in hospitalisation of the affected resident(s), the RCHE shall submit a Special Incident Report ([Annex 8.3](#)) and a Medication Risk Management Report to LORCHE within 3 calendar days (including public holidays) after the incident. For details, please refer to paragraph 3.4 of Chapter 3 in the Guide.

#### 12.6.13 Drugs for Home Leave

RCHEs shall strictly follow the prescriptions and related instructions of registered medical practitioners, registered Chinese medicine practitioners or listed Chinese medicine practitioners to assist residents in preparing sufficient drugs for home leave and keep the relevant records.

#### 12.6.14 Expired and Surplus Drugs

An RCHE should handle expired and surplus drugs, which are regarded as chemical wastes, in accordance with the requirements stipulated in the Waste Disposal Ordinance (Cap. 354) and the Waste Disposal (Chemical Waste) Regulation (Cap. 354 sub. leg. C). For details, please refer to paragraph 4.4 of Chapter 4 in the Guide.

### 12.7 **Avoid Using Restraint**

12.7.1 Restraint refers to a means of limiting a resident’s movement so as to minimise harm to himself/herself and/or other residents,



including the use of purposely-made devices such as safety vests, wrist restraints, gloves or safety belts, etc.

12.7.2 An RCHE may consider it necessary to use restraint to limit residents' movement for the following reasons –

- (a) to prevent residents from injuring themselves or others;
- (b) to prevent residents from falling; and/or
- (c) to prevent residents from removing medical equipment, urinary bags, urinary catheters, feeding tubes, diapers or clothes.

12.7.3 General Principles

- (a) An RCHE should adopt measures to avoid using restraints whenever possible. The use of restraints should only be considered when there are no other less restrictive means available (i.e. after other alternative attempts have proven ineffective) or in case of emergencies and when the safety, health or well-being of the resident and/or other residents is jeopardised. Consent from the persons concerned shall be obtained in advance for the use of restraints.
- (b) Minimum restraint should be applied and the time for applying restraints should be minimised. The use of restraints should not be regarded as a usual practice and absolutely not to be taken as a form of punishment, or as a substitute for caring for the residents or for the convenience of staff. The use of restraints should be the last resort.
- (c) Dignity and privacy of the residents shall be protected if restraints are applied, with appropriate measures against any assaults to the residents under restraint.
- (d) Guidelines on the use of restraints (including their use in emergency circumstances) should be formulated for staff members' reference and compliance. The home manager should arrange for all the staff members participating in the use of restraints to receive proper training in particular for the impact of restraints on the dignity, privacy and safety of residents, techniques of using restraints, after-care procedures, etc. The proper use of restraints should be included as a part of the induction training and regular training for staff where applicable.

#### 12.7.4 Assessment

Nurses/health workers/allied health professionals should conduct assessments of the needs and risk factors of individual residents, the contributing factors that place the residents/other residents in peril rendering necessity for restraints, alternative attempts made, proposed types of restraints to be used and the time of application. The assessment includes the following items –

- (a) self-injury and harassment (e.g. confusion, disorientation, etc.);
- (b) functional capacity and activities of daily living (e.g. fall risks, inability to maintain correct posture, etc.); and/or
- (c) harm on one's health (e.g. removing feeding tube, urinary catheter, etc.).

#### 12.7.5 Alternatives

Methods other than the use of restraint should be adopted as far as practicable, including the following –

- (a) staff members of RCHEs and the residents' guardians/guarantors/family members/relatives should attend to the residents at times of unstable emotions which may result in injuring themselves or others;
- (b) RCHEs should adopt methods such as behavioural therapy at the times when the residents have self-injuring or aggressive acts (e.g. biting hands or kicking others);
- (c) leisure and diversionary activities (e.g. exercise groups and assisted walking activities) should be provided;
- (d) the triggers that may agitate the residents leading to the need for restraints (e.g. to arrange and provide assistance in routine toileting for residents with unsteady gaits to reduce the chance of falling when they go to the toilet on their own) should be removed; and
- (e) recommended measures to be adopted for providing a safe environment, including –
  - (i) removing sharp edged furniture;

- (ii) strengthening the signage for guiding residents to bedrooms;
- (iii) assisting residents with suitable footwear and appropriate use of walking aids;
- (iv) providing good lighting;
- (v) installing bed monitoring systems;
- (vi) ensuring correct posture/positions for residents on wheelchair; and
- (vii) applying brakes to all movable objects (e.g. beds, wheelchairs and commode chairs).

#### 12.7.6 Intervention Plan and Written Consent

Before application of restraints –

- (a) explain to the registered medical practitioners, residents and guardians/guarantors/family members/relatives in detail about the reasons for applying restraints, discuss the intervention plans (including alternative attempts and outcome), the purposes and procedures of applying restraints and the possible adverse effects;
- (b) the type, size and material of the physical restraint intended to be used should suit the individual need of residents; and a wrist restraint with soft padding is suggested; or consult healthcare professionals for advice when necessary, so as to ensure that the application of physical restraint will not cause discomfort or injury to the residents;
- (c) the type and duration of the restraint intended to be applied should be determined by the principle of least restraint; and
- (d) written consent must be obtained from registered medical practitioners, residents and guardians/guarantors/family members/relatives (Annex 12.4) prior to the application of restraints; if the residents cannot understand the use of restraints, written consent shall be obtained from registered medical practitioners and guardians/guarantors/family members/relatives of the residents. In addition, RCHEs shall review and re-assess the need for continual restraints, the types of physical restraints and/or the scheduling for

applying restraints at least once every 6 months or when there is any change in the residents' condition, and written consent from the persons concerned must be obtained again.

#### 12.7.7 Application of Restraints

Under section 33A of the Residential Care Homes (Elderly Persons) Regulation, RCHEs must apply restraints in a safe and proper manner as per the requirements in this Code of Practice. Staff members of RCHEs must take note of the following points when applying restraints –

- (a) Residents' dignity, privacy and freedom of movement must be protected when applying restraints. The safety and comfort of residents shall be frequently attended to, and restraint shall be used to the minimum extent and for no longer than is necessary;
- (b) RCHEs should consult healthcare professionals on the types and designs of the physical restraints to be used. Bandages, nylon ropes or strips of cloth must not be used as physical restraints to ensure that no discomfort, abrasions or physical injury will be caused to the residents when applying restraints;
- (c) The types, sizes and materials of physical restraints shall be suitable with a good condition so as to ensure minimal discomfort and danger to the residents; various sizes of safety vests should be available so as to suit the individual needs of residents. It is necessary to provide soft padding when applying restraint to the wrists to protect the skin and prevent abrasions;
- (d) Physical restraints should be applied properly to ensure safety and comfort of residents with allowance for change of their positions. Physical restraints should be fixed and tied at the lateral sides of the bed frame, wheelchair or chair with armrest and a wide/secure base. The knots of restraint should be fixed at areas beyond reach of the residents to prevent the residents from loosening the restraints. Fixing physical restraints on movable objects (e.g. movable bed rails) is strictly prohibited to avoid causing injuries to the residents when moving the objects; and
- (e) A physical restraint shall be applied in such a manner that it can be removed instantly in case of emergencies (e.g. using

reef knots), and should not be doubly secured to two or more different objects (e.g. tying to a chair and a bed simultaneously) so that staff members of RCHEs can assist the residents in evacuating as quickly as possible where necessary.

#### 12.7.8 Observation

Observation shall be conducted during the period of applying physical restraint(s) as follows –

- (a) It is required to closely monitor the condition of the resident during the period of using physical restraint(s). At the same time, the physical restraint(s) shall be released for examination and allowing the resident for relaxation and body movement, checking and recording the blood circulation, skin condition, respiratory condition and degree of restraint of the resident at least once every 2 hours. The following conditions should be observed in particular –
  - (i) resident's level of consciousness;
  - (ii) resident's emotions (e.g. resistance or low mood, or unusual emotional state);
  - (iii) whether there is any dislocation or loosening of the physical restraint; and
  - (iv) need of water and nutrition, and toileting of the resident.
- (b) The staff concerned shall keep a record and sign immediately after observing and examining the condition of every resident under restraint. If there is any abnormality of the resident, the staff should report to the home manager/nurse/health worker immediately for further checking and assessment. The resident should be arranged to seek medical advice timely if necessary.

#### 12.7.9 Continuous Assessment and Close Monitoring

- (a) An RCHE should, in response to changes in the residents' conditions, review and re-assess if there is a need to continue with the use of restraints, change the types of physical restraints and/or change the time of use. When the residents

no longer display dangerous behaviours, or when other non-restrictive alternatives can achieve the same protection, the use of restraints should be ceased immediately.

- (b) An RCHE should establish a monitoring mechanism for the home manager/nurses/health workers to oversee the application of restraints in the home to ensure that the staff members concerned have observed proper procedures in applying restraints.
- (c) The home manager/nurses/health workers shall conduct random checks at least once a day on the condition of every resident under restraint and review the observation record so as to continuously monitor staff's compliance with proper procedures in applying restraints. The observation record should be countersigned by the home manager/nurse/health worker concerned after checking; and
- (d) RCHEs should prepare records on the use of restraints according to the requirements stipulated in paragraph 8.7.2(e) of Chapter 8 in this Code of Practice.

#### 12.7.10 Use of Restraints in Emergency Situations

- (a) Verbal consent must be obtained from the home manager and the residents' guardians/guarantors/family members/relatives, and where possible, registered medical practitioners, when written consent, as stated in paragraph 12.7.6(d) of this chapter, cannot be obtained by RCHEs in advance of using restraints, in case of sudden changes in the residents' conditions and when the use of restraints is considered necessary in accordance with the circumstances outlined in paragraphs 12.7.2 and 12.7.3 of this chapter, following assessments conducted by nurses/health workers/allied health professionals. Verbal consent must be obtained from registered medical practitioners and home manager for applying restraints to the residents without guardians/guarantors/family members/relatives under emergency.
- (b) While applying restraint(s) in emergency situations, staff members must monitor closely and examine the condition of residents under restraint in accordance with the requirements specified in paragraph 12.7.8 of this chapter (the frequency of observation and examination should be increased as necessary), and keep a record affixed with a signature.

- (c) Staff members must record the details of the use of restraints in emergency situations properly and instantly, including the reasons for applying restraints; alternatives attempted and their effects; information about contacting registered medical practitioners; the names of the persons who gave verbal consent and the time when such consent was obtained; the types and duration of restraints applied; and the conditions of residents during the period of restraint; and
- (d) The use of restraints in emergency situations must only be regarded as an interim measure. RCHEs must re-assess the situation, formulate an intervention plan and obtain relevant written consent as soon as possible based on the needs of the residents in accordance with the requirements as specified in paragraphs 12.7.4 to 12.7.6 of this chapter.

## **12.8 Special Nursing Care Procedures**

The home manager shall ensure that special nursing care procedures for residents are performed by qualified staff and comply with the nursing care/healthcare guidelines, and any subsequently revised version, issued by the DH, the HA and/or LORCHE.

### **12.8.1 Use of Urinary Catheters**

- (a) RCHEs shall follow the instructions of registered medical practitioners to assist residents in using urinary catheters (including indwelling urethral catheters, suprapubic catheters and intermittent catheters) based on the needs of individual residents.
- (b) The insertion or change of indwelling urethral catheters shall be carried out by a registered nurse or an enrolled nurse.
- (c) The insertion or change of suprapubic catheters may be carried out by a registered nurse with relevant training, when the stoma is well formed and in a stable condition as confirmed by a registered medical practitioner.
- (d) For residents using intermittent catheters, the frequency of catheterisation should be determined based on medical advice from registered medical practitioners. RCHEs should review the use of catheters regularly and seek advice and instructions from registered medical practitioners.

- (e) The following items should be noted when assisting residents in using urinary catheters –
  - (i) assist residents in changing any kinds of catheters regularly according to the instructions of healthcare professionals;
  - (ii) catheters should be placed in a position that allows free flow of urine. To prevent backflow of urine causing infection, staff should make sure that the urinary bag is placed in a position lower than the bladder when transferring the resident;
  - (iii) keep urinary bags clean at all times, and monitor and keep records of the resident's intake and output of fluid on a need basis; and
  - (iv) observe if any abnormality occurs (e.g. presence of sediments and blood in urine, reduced urine output, etc.) and seek opinion from healthcare professionals if necessary.

#### 12.8.2 Use of Feeding Tubes

- (a) RCHEs shall follow the instructions of registered medical practitioners to assist residents in using feeding tubes (including nasogastric tubes and percutaneous endoscopic gastrostomy feeding tubes) based on the needs of individual residents.
- (b) The insertion or change of nasogastric tubes shall be carried out by a registered nurse or an enrolled nurse.
- (c) The insertion or change of percutaneous endoscopic gastrostomy feeding tubes may be carried out by a registered nurse with relevant training, when the stoma is well formed and in a stable condition as confirmed by a registered medical practitioner.
- (d) RCHEs should assist residents in changing feeding tubes regularly according to the instructions of healthcare professionals and take note of the following points –
  - (i) arrange the type of milk, quantity, intervals and frequency of feeding according to the advice of registered medical practitioners or dietitians;



- (ii) every resident should have his/her own feeding tools (e.g. feeding funnels/bags, feeding connecting tubes, feeding syringes, etc.);
  - (iii) after each use, feeding funnels and feeding connecting tubes should be flushed with water individually and air dried before being put into covered containers;
  - (iv) feeding funnels shall be disinfected daily, and feeding bags and feeding connecting tubes should be replaced daily;
  - (v) oral and nasal hygiene should be observed, and oral care should be provided for residents at least 3 times daily;
  - (vi) use pH test strips to test the pH value of gastric aspirate so as to ensure that the feeding tube is positioned correctly before each feeding, and maintain the relevant record;
  - (vii) do not feed by pressure, and the resident should be placed in a semi-sitting position when feeding and remained in the position for around 30 minutes after feeding and before lying down; and
  - (viii) monitor and keep record of the intake of fluid and the output of urine, and note any abnormal condition of gastric contents. Medical opinions should be sought if necessary.
- (e) RCHEs should review the use of feeding tubes regularly and note the residents' capability in swallowing, and seek the opinion and instructions from medical professionals timely.

## **12.9 Care for Elders with Dementia**

- 12.9.1 RCHEs should consult healthcare professionals and relevant professional practitioners for advice and take appropriate measures in providing care and protection to residents with dementia as required.
- 12.9.2 To ensure safety of the residents, an RCHE should formulate effective guidelines to identify residents with wandering behaviours, and provide appropriate facilities to prevent them from leaving the

RCHE unnoticed or entering restricted areas that are not open to the residents.

- 12.9.3 RCHEs should arrange for staff to receive training for strengthening their skills in taking care of residents with dementia.

## **12.10 Escort/Escorting Services for Medical Consultation**

12.10.1 RCHEs should discuss the arrangement of escorting or accompanying residents to outdoor activities or to hospitals/clinics for treatment with the residents and/or their guardians/guarantors/family members/relatives/contact persons, and encourage family members to take part in the escort or accompanying in order to show concern, from which they may also get the most updated health condition of residents directly from the healthcare professionals.

12.10.2 If there is a need for an RCHE to arrange escorts for or accompany residents to hospitals/clinics for treatment, the RCHE should formulate and implement relevant work guidelines, and take note of the following points –

- (a) maintain contact with the residents' guardians/guarantors/family members/relatives/contact persons in order to ensure the arrangement of escort/accompanying for medical consultation and follow up with the needs of the residents;
- (b) arrange for appropriate persons and transportation to escort or accompany the residents to the hospitals/clinics for treatment on time;
- (c) remind relevant residents and staff members to take appropriate infection control measures while escorting/accompanying residents for medical consultation;
- (d) while waiting in hospitals or clinics, the persons responsible for escorting or accompanying residents for medical consultation should provide assistance and care which the residents need, and seek assistance according to the actual circumstances in order to safeguard the safety of the residents; and
- (e) provide training regarding escorting or accompanying residents for medical consultation for staff, where necessary.

- 12.10.3 If there are accidents or conditions of residents wandering away while escorting or accompanying residents out of doors, the staff concerned shall immediately report to the home manager and take follow-up actions. The RCHE shall as well inform the residents' guardians/guarantors/family members/relatives/contact persons. Where necessary, the residents should be sent to the hospital or reported to the police for assistance immediately.



## **CHAPTER 13**

### **INFECTION CONTROL**

#### **13.1 Introduction**

Residents, staff and visitors may be exposed to pathogens during daily activities or care processes, RCHEs therefore should implement effective infection control measures to ensure the health of residents, staff and the public.

#### **13.2 Infection Control Officer**

The home manager of an RCHE shall appoint either a nurse or a health worker as an Infection Control Officer (ICO) (for self-care hostels, the home manager or appropriate staff who received relevant training on infection control should be appointed as an ICO) to handle matters related to infection control and the prevention of infectious diseases in the RCHE, and to receive infection control training regularly. Duties of an ICO are as follows –

- 13.2.1 to co-ordinate and carry out measures related to infection control and prevention of infectious diseases in an RCHE, as well as review and devise the strategies regularly to prevent the outbreak of infectious diseases;
- 13.2.2 to identify signs of infectious diseases and assess the risk of outbreak, arrange treatments for infected residents, consult healthcare professionals and implement appropriate measures to prevent the outbreak of infectious diseases;
- 13.2.3 to report cases (including confirmed and suspected cases) to LORCHE, the Centre for Health Protection (CHP) of the DH and carry out preventive measures and follow-up actions according to the relevant departments' advice;
- 13.2.4 to assist the home manager in providing necessary PPE for staff, to advise and supervise the staff on the use and disposal of PPE according to proper procedures;
- 13.2.5 to oversee the cleaning and disinfection work inside an RCHE, to ensure that all used or infected instruments are properly cleaned and

disinfected, and soiled linens and other wastes are properly handled and disposed of;

- 13.2.6 to disseminate updated information and guidelines on infection control to all staff and residents in the RCHE, and help new staff members get acquainted with the relevant guidelines;
- 13.2.7 to assist the home manager in arranging infection control training for staff; and
- 13.2.8 to assist the home manager in overseeing that the infection control guidelines are being observed and implemented properly by staff and residents, including maintaining personal, environmental and food hygiene.

### **13.3 Report of Infectious Diseases**

- 13.3.1 Under section 18 of the Residential Care Homes (Elderly Persons) Regulation, if a home manager suspects or knows of a case of scheduled infectious disease amongst the residents or staff of a residential care home or suspects or knows that any such person has been in contact with a case of scheduled infectious disease, he shall immediately so report to the DSW. In this regard, the home manager should report through designated means required by LORCHE.
- 13.3.2 Scheduled infectious diseases refer to the Schedule 1 to the Prevention and Control of Disease Ordinance (Cap. 599). Please refer to Annex 13.1 for details.
- 13.3.3 Apart from the aforesaid scheduled infectious diseases that are statutorily notifiable, the home manager/ICO should also report to LORCHE and the CHP through designated means required by LORCHE [including by using the “Notification Form for Suspected Infectious Disease Outbreak in RCHE” (Annex 13.2)] as soon as possible for early advice and assistance if several home staff members or residents develop similar symptoms of an infectious disease in clusters or are suspected to have contracted an infectious disease (e.g. influenza, scabies, etc.) within a short period of time.
- 13.3.4 Under the circumstances specified by the DSW, the home manager/ICO should report the required information (including “zero” infection case) to LORCHE and the CHP by the designated reporting means and time for early follow-up.

## **13.4 Isolation Measures**

- 13.4.1 RCHEs shall be provided with proper isolation facilities, and a designated isolation room<sup>42</sup> shall be provided for every 50 beds. Isolation rooms should be equipped with basic bedroom furniture, electric call bells, hand hygiene facilities, good ventilation, enough space for donning and doffing PPE and equipment for proper discarding of contaminated articles. In addition, the RCHE should ensure that the designated isolation room(s) is always ready to be used as an infection control measure.
- 13.4.2 RCHEs which existed prior to January 2020 shall formulate effective isolation measures for arranging isolation for residents in need. If an RCHE makes changes to the layout of the premises or alter the partition of rooms in the future, they shall also comply with the requirement as mentioned in paragraph 13.4.1 above to provide the designated isolation room(s).

## **13.5 Prevention of Infectious Diseases**

An RCHE should implement appropriate measures of infection control with reference to the Guidelines on Prevention of Communicable Diseases in Residential Care Homes for Elderly Persons (the latest revised version) issued by the CHP, and take note of the following key points –

- 13.5.1 staff and residents of RCHEs should maintain good personal and environmental hygiene at all times.
- 13.5.2 RCHEs should carry out standard precautions and transmission-based precautions of infectious diseases properly, including –
- (a) providing hand hygiene facilities (including installing wash basins, providing liquid soap, hand-drying facilities and alcohol-based handrub) at appropriate locations to facilitate staff, residents and visitors to perform hand hygiene;
  - (b) implementing standard precautionary measures in handling potentially infectious materials (e.g. blood, body fluids, secretions, excreta, wounds, secretions of mucous membranes, etc.) and carrying out appropriate and relevant protective measures in different situations;

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<sup>42</sup> All RCHEs shall provide at least 1 designated isolation room. If there are more than 50 beds, an additional isolation room/facility shall be provided for every extra 50 beds (or less). For RCHEs providing 200 beds or above, 4 isolation rooms/facilities (including at least 1 designated isolation room) shall be provided.

- (c) using appropriate PPE (e.g. face masks, disposable gloves, protective gowns, protective caps, goggles/face shields, etc.) when carrying out nursing or personal care procedures;
- (d) providing suitable space for cleaning and disinfecting sanitary articles and appliances as appropriate, and properly store disinfectants and sanitary articles to prevent transmission of pathogens;
- (e) maintaining good indoor ventilation and keeping the environment clean at all times; and
- (f) complying with the relevant requirements stipulated in the Waste Disposal Ordinance (Cap. 354) and the Waste Disposal (Clinical Waste) (General) Regulation (Cap. 354 sub. leg. O) when handling, collecting and disposing of clinical wastes.

13.5.3 RCHEs should encourage and assist in the arrangement of vaccination for residents and staff, e.g. the seasonal influenza vaccination provided by the Government, and participate in other vaccination programmes to prevent and minimise the risk of outbreak of infectious diseases in RCHEs.

#### 13.5.4 Receiving COVID-19 Vaccination

To safeguard the health of residents, RCHE operators and home managers must –

- (a) ensure that all newly admitted residents (excluding residents of emergency placements or residential respite service) should have received at least the first dose of a COVID-19 vaccine or obtained a COVID-19 Vaccination Medical Exemption Certificate issued by a doctor to prove that they are unsuitable for vaccination due to health reasons;
- (b) ensure the newly admitted residents who have received the first dose of a COVID-19 vaccine, to receive suitable doses of vaccine (e.g. booster dose) in accordance with the latest COVID-19 vaccination arrangement for residents of RCHEs by the CHP and the latest announcement by the Government in order for them to remain eligible for residing in the RCHEs; and
- (c) keep information concerning COVID-19 vaccination in the medical records of residents [e.g. “Medical Examination Form for Residents in Residential Care Homes for the Elderly”



(Annex 12.1) and “Personal Health and Nursing Record”], and retain the records/information of COVID-19 vaccination properly for inspection by LORCHE inspectors.

## **13.6 Record of Infectious Diseases**

13.6.1 Apart from the log book and residents’ “Personal Health and Nursing Records”, an RCHE should properly maintain a record of infectious diseases, including –

- (a) dates and times of the onset of disease of infected residents and staff;
- (b) numbers and names of infected residents and staff;
- (c) names of hospitals/clinics/registered medical practitioners and the dates of receiving medical treatment of the infected persons;
- (d) dates of notifying the CHP/LORCHE/HA; and
- (e) follow-up action taken by the RCHE.

13.6.2 The home manager/ICO should adopt a good practice to keep a visitors’ attendance record to facilitate the CHP to trace the source of infection based on such information in case of need. The home manager/ICO should also inform/alert visitors and/or relatives of the residents about the outbreak of infectious diseases, and to adjust the visiting arrangement, where necessary.



## **CHAPTER 14**

### **NUTRITION AND DIET**

#### **14.1 Introduction**

RCHEs should provide suitable and nutritionally well-balanced diet based on the needs of residents, and maintain hygiene in the process of supplying food in order to ensure food safety.

#### **14.2 Menu**

RCHEs shall design a menu in advance covering a period of at least 2 weeks and display it at prominent locations. RCHEs should provide food for residents according to the menu and make changes depending on the seasons. Special diet (e.g. vegetarian food, low-fat, low-sugar, low-salt, minced food, pureed food, soft diet, etc.) should also be provided having regard to the residents' personal special needs, including health condition, religious belief, other risk factors (e.g. swallowing difficulty, cognitive ability, etc.). Special diet menu should be designed for staff in preparing food and arranging meals for residents. RCHEs should immediately update their menus in the event of any changes to residents' special dietary needs to ensure the safety of residents during meals.

#### **14.3 Dietary Needs**

- 14.3.1 RCHEs should get to know the eating habits and preferences of residents, and conduct assessments of the residents' feeding abilities and dietary needs on admission to the RCHEs, and review them regularly. RCHEs should seek advice from healthcare professionals in designing menu and providing appropriate meals to residents with chewing/swallowing difficulties, and regularly review the residents' swallowing/eating condition.
- 14.3.2 RCHEs should arrange for regular weighing of residents and keep relevant records. If a resident has a weight loss of more than 5% within a month or more than 10% within 6 months suggesting likely signs of malnutrition, the RCHE should seek advice from healthcare professionals and arrange medical treatment for the resident.

- 14.3.3 RCHEs should, subject to individual residents' special needs, keep records of their food and fluid intake so as to monitor their dietary needs.

## **14.4 Meal Supply**

RCHEs shall arrange or provide at least 3 meals (breakfast, lunch and dinner) every day. The timing of every meal should be spaced at appropriate intervals with provision of drinks and snacks in between depending on the need of individual residents. RCHEs should refer to the following principles in supplying appropriate meals in a timely manner based on the dietary needs of residents –

### **14.4.1 Balanced Diet**

- (a) a balanced diet should be provided for the residents everyday according to the principles of the “Healthy Eating Food Pyramid” guide, which means taking grains as the major dietary source, with more vegetables and fruits, suitable amount of meat, fish, eggs or alternatives and dairy products or alternatives;
- (b) provide dishes with fibre-rich and whole-grain ingredients; and
- (c) provide sufficient liquid food and drinks for the residents to maintain good hydration and to keep healthy.

### **14.4.2 Easy-to-chew**

- (a) provide food of appropriate consistencies, texture and size;
- (b) finely chopped and tenderly cooked vegetable and meat; and
- (c) avoid providing bony fish and meat.

### **14.4.3 Low-fat**

- (a) use lean meat (e.g. pork fillet, chicken fillet, etc.) and trim skin and fat before cooking;
- (b) avoid providing food with high saturated fat (e.g. pork bone, Chinese preserved sausage, chicken skin, food with coconut milk, etc.);

- (c) avoid frequent use of high-cholesterol food (e.g. pork back ribs, pork jowl, etc.); and
- (d) use low-fat cooking methods (e.g. steaming, boiling, simmering, stewing, etc.).

#### 14.4.4 Natural Ingredients

- (a) serve fresh seasonal food; and
- (b) use of natural condiments (such as ginger, spring onion, parsley, garlic, pepper, etc.) and less salt and sugar.

#### 14.4.5 Habits and Preferences

- (a) adjust the consistencies and texture of food according to residents' preference and ability;
- (b) enhance the appeal of the dishes by serving bright-coloured food or combining different colours of food; and
- (c) serve food according to residents' preference, cultural, ethnic and religious customs, and eating habits.

### 14.5 Food Safety

RCHEs should ensure food safety in the process of food preparation, including proper storage of food, handling of frozen food, cooking and serving of food, attention on hygiene, and take note of the following key points –

#### 14.5.1 Storage of Food

- (a) all kinds of food should be properly stored and covered; and
- (b) raw food and cooked food should be stored separately.

#### 14.5.2 Handling of Frozen Food

- (a) check the temperature of refrigerator and freezer constantly to ensure that they are kept at 4°C or below and -18°C or below, respectively;
- (b) frozen meat and fish should be thawed completely before cooking;

- (c) cooked food taken out from the refrigerator shall be reheated thoroughly;
- (d) defrosted food should not be refrozen;
- (e) avoid storing too much food in refrigerators or freezers; and
- (f) never thaw the food under room temperature.

#### 14.5.3 Cooking of Food

- (a) wash hands thoroughly before cooking;
- (b) wash the vegetables, meat, poultry, seafood, etc. thoroughly before cooking;
- (c) cook only when near the meal times;
- (d) all kinds of food, especially meat, poultry, egg and seafood should be cooked thoroughly; and
- (e) reheat cooked food thoroughly.

#### 14.5.4 Cookware

- (a) keep the cookware clean at all times; and
- (b) separate knives, cutting boards and utensils should be used for handling raw and cooked food.

#### 14.5.5 Food Supply

- (a) use of unlicensed food suppliers is prohibited;
- (b) observe the expiry date on the package when handling and providing food; and
- (c) avoid giving food that is too sticky (e.g. glutinous rice, glutinous rice dumplings, Chinese New Year cake, etc.), too crumbly (e.g. egg rolls, shortbread, etc.) or hard in texture (e.g. peanuts, walnuts, etc.).

## **14.6 Serving of Meals**

14.6.1 RCHEs should arrange for staff to monitor the eating conditions of residents (including meal times and snack times), render appropriate assistance to residents, and take note of the following key points –

- (a) serve meals in a place with adequate lighting and ventilation;
- (b) give sufficient meal time for the residents so that they may have meals without feeling hurried;
- (c) provide appropriate eating utensils and assistive devices for residents; and
- (d) provide assistance and prompts as appropriate to encourage eating.

14.6.2 For residents requiring assistance in eating, RCHEs should take note of the following key points –

- (a) arrange for staff with relevant training to feed or assist residents in need;
- (b) feed or assist residents in eating safely and appropriately according to healthcare professionals' recommendations (including the use of thickeners);
- (c) residents should sit up straight as far as possible when eating;
- (d) food shall be fed at a reasonable pace to ensure that residents have swallowed the food; and
- (e) avoid allowing residents to lie down immediately after meals.

14.6.3 Handling of Food Brought in by Family Members or Visitors

- (a) RCHEs should pay attention to the food brought in by family members or visitors, and clearly explain to them points to note on bring-in food and advise them of the individual residents' risks in eating (e.g. swallowing, food allergies, etc.). If family members/visitors are found bringing in food for residents, they should be advised to ask the nurse/health worker-on-duty first to decide whether the food is suitable for the residents.

- (b) Depending on the need, RCHEs should prepare a notice for family members or visitors in reminding them of the principles of bringing in food in order to ensure safety and health of residents.

## **14.7 Water Safety**

- 14.7.1 RCHEs shall ensure that water for drinking is provided from the aqueducts of the Water Supplies Department or any other approved source.
- 14.7.2 RCHEs should keep the drinking water clean and provide boiled or disinfected drinking water for residents.



## **CHAPTER 15**

### **CLEANLINESS AND SANITATION**

#### **15.1 Introduction**

RCHEs should always maintain cleanliness and sanitation to provide a safe and comfortable living environment for the residents.

#### **15.2 Cleaning Schedule**

RCHEs should draw up and implement an effective cleaning schedule, and to carry out immediate cleaning or disinfection whenever necessary, including the following key points to note –

- 15.2.1 all floors should be cleaned daily and disinfected as necessary with 1:99 diluted household bleach, especially for the toilets/bathrooms, kitchens and isolation rooms;
- 15.2.2 bed sheets and pillow cases should be washed and changed once a week, and should be changed and disinfected immediately when necessary;
- 15.2.3 kitchens should always be kept clean. The kitchen, covering cooking utensils and food containers as well, should be cleaned promptly every time after food preparation. Cleaned utensils and containers should be stored in a clean container or cabinet with cover;
- 15.2.4 furniture and facilities should be cleaned regularly, including doors, windows, handrails, seats, refrigerators/freezers, exhaust fans and filters of air-conditioners;
- 15.2.5 all garbage receptacles shall be cleaned regularly and covered at all times; and
- 15.2.6 assist residents in tidying their rooms and cleaning up disused articles regularly.

### **15.3 Personal Hygiene**

- 15.3.1 RCHEs should assist residents in maintaining personal hygiene, including grooming, oral cleaning, bathing, hair washing, changing clean clothes, hair cutting, manicuring, etc.
- 15.3.2 Staff of RCHEs should maintain personal hygiene, in particular when handling food and rendering daily personal care to residents, and take note of the following key points –
- (a) keep hair, fingernails and clothes clean;
  - (b) avoid wearing unnecessary accessories (e.g. wristlet, bracelet);
  - (c) any staff member suffering from a bleeding or discharging wound, diarrhea, vomiting or infectious disease should receive treatment and stop handling food or rendering personal care/nursing care service. If the staff member concerned is required to perform other ancillary duties, PPE should be used (e.g. face mask, disposable gloves, etc.); and
  - (d) staff of RCHEs should wash their hands thoroughly with liquid soap or disinfected with alcohol-based handrub under the following conditions –
    - (i) before preparing food or feeding;
    - (ii) before and after providing personal care or nursing care to a resident;
    - (iii) the time between taking care of different residents; and
    - (iv) after handling vomitus, faeces and changing diapers.

### **15.4 Environmental Hygiene**

RCHEs should keep the environment clean at all times to provide a safe and comfortable living environment for the residents, and should take note of the following key points –

- 15.4.1 cover garbage bins with lids at all times, and seal the garbage bags properly before regular disposal every day;
- 15.4.2 empty stagnant water in saucers of flower pots or vases;

- 15.4.3 inspect sewage and drainage systems regularly, and maintain the systems in good conditions at all times; and
- 15.4.4 carry out appropriate and effective pest control measures; clean and handle food wastes properly. Clean-up of the facilities in RCHEs and proper follow-up actions should be arranged as soon as possible when there are signs of pest, fleas or rodent infestation in order to bring the pest and rodent problem under control. In case of need, RCHEs may contact the Pest Control Advisory Section of the Food and Environmental Hygiene Department (Telephone No.: 3188 2064/ 24-hour hotline: 2868 0000) for advice and assistance.
- 15.4.5 RCHEs shall proactively report to the affected residents/their guardians/guarantors/family members/relatives about special circumstances in the surrounding environment of the RCHE that may affect the residents' daily living and/or health and hygiene (e.g. fleas or rodents, etc.). If these situations persist or become widespread, RCHEs should post or issue a notice to inform, in a timely manner, the residents and their guardians/guarantors/family members/relatives of the follow-up actions being taken, in order to solicit their cooperation as appropriate. In addition, RCHEs should, depending on the nature and seriousness of the individual incident, submit a Special Incident Report to LORCHE in a timely manner in accordance with paragraph 8.7.2 (j) of Chapter 8 in this Code of Practice.



## **CHAPTER 16**

### **SOCIAL CARE**

#### **16.1 Introduction**

RCHEs should encourage residents to keep a healthy lifestyle and provide diverse social, leisure and recreational programmes in order to facilitate their maintenance of physical, mental and psychological health.

#### **16.2 Homely Atmosphere**

RCHEs should cultivate a homely atmosphere through the following means such that the residents can feel safe and comfortable –

- 16.2.1 the resident bedrooms may be designed in personalised fit-out;
- 16.2.2 staff should be familiar with residents' living habits and personal preferences;
- 16.2.3 staff should facilitate communications amongst residents for building a harmonious and trustful relationship; and
- 16.2.4 Residents should be provided with a safe and protected living environment (e.g. sharp objects shall be kept properly at a place that is not accessible by residents; items that are harmful to residents' health if mistakenly used shall be stored carefully; effective measures shall be implemented and notices be posted to prevent residents from colliding with large floor-to-ceiling glass and entering prohibited areas such as the server room, rooftop or balcony, etc.). RCHEs should also formulate appropriate and effective measures to protect residents' privacy and dignity, and safeguard them from any form of bullying, assault or abuse.

#### **16.3 Adaptation to Living in a Residential Care Home**

An RCHE should provide assistance for the residents to adapt to the residential care home environment, and note the following key points –

- 16.3.1 introduce residents to the RCHE's environment, staff, daily routine, activity arrangements, etc. as early as possible, and pay more

attention to residents' adaptability to group living (please refer to paragraph 12.3.1 of Chapter 12 in this Code of Practice), particularly during the initial period after admission;

- 16.3.2 maintain good and effective communication with residents' guardians/guarantors/family members/relatives to help them understand the RCHE's services, daily routine, activity arrangements, etc.; encourage them to visit the residents more frequently during the initial period after admission, keep constant contacts with the residents, and participate in formulating ICPs of the residents, in order to help residents adapt to group living in the RCHE; and
- 16.3.3 pay attention to residents' emotions and behaviours, and when necessary, seek advice from professionals, arrange appropriate professional intervention, and contact the residents' guardians/guarantors/family members/relatives to provide appropriate emotional support and assistance.

## **16.4 Social Activities**

RCHEs should arrange suitable activities to assist residents in developing regular and healthy living habits, and make effective use of community resources and support services to meet the social needs of residents, including –

- 16.4.1 arrange appropriate individual leisure activities (e.g. drawing and music) in accordance with residents' characters and abilities, or arrange therapeutic activities based on residents' needs and professional advice;
- 16.4.2 organise social and recreational groups to facilitate residents' cooperation and interaction, including interest groups (e.g. Cantonese Opera, handicraft, and reading/newspaper reading) and therapeutic groups;
- 16.4.3 organise large-scale activities regularly (e.g. birthday parties or festival celebrations), and make optimal use of community resources, including organising volunteer visits, outdoor activities or joining neighbourhood cultural and entertainment programmes, etc. to encourage residents to connect with the community;
- 16.4.4 organise timely educational talks or sharing sessions, or social gatherings for relatives/family members to promote interactions between residents and their families and strengthen their social support; and

- 16.4.5 display information of activities on notice boards for residents and their relatives to have a clear understanding of the schedule of different kinds of activities, in order to facilitate their participation in activities of their interest. The records of activities should also be properly kept.





## **Residential Care Homes (Elderly Persons) Ordinance**

### **Application for a Licence**

Note: Please put a “✓” in the appropriate boxes

#### **Part I Details of Application**

☐ Application for a licence for setting up a new Residential Care Home for the Elderly (RCHE) (please fill in Part II)

Tentative date of commencement of the proposed RCHE:

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (dd/mm/yyyy)

☐ Application for a licence by a licensed RCHE

Date of commencement of the existing RCHE:

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ (dd/mm/yyyy)

Reasons for applying for a new licence (may choose more than one item):

☐ **Change of the name of the RCHE**

Current name of the RCHE: \_\_\_\_\_

Proposed new name of the RCHE: \_\_\_\_\_

☐ **Change of the address of the RCHE**

Current address of the RCHE: \_\_\_\_\_

Proposed new address of the RCHE: \_\_\_\_\_

☐ **Change of the operator/operating company**

Name of the current operator/operating company: \_\_\_\_\_

Name of the proposed new operator/operating company: \_\_\_\_\_

☐ **Change of the type of the RCHE**

Current RCHE type: ☐ Care and Attention home

☐ Aged home

☐ Self-care hostel

Proposed RCHE type: ☐ Care and Attention home

☐ Aged home

☐ Self-care hostel

☐ **Change of the maximum capacity of the RCHE**

Maximum capacity of the existing RCHE: \_\_\_\_\_

Maximum capacity of the proposed new RCHE: \_\_\_\_\_

**Part II Particulars of the RCHE**

Name of the RCHE in English	
Name of the RCHE in Chinese	
Address of the RCHE in English	
Address of the RCHE in Chinese	
Telephone number	Fax number
Email address	
<p>Operation mode of the RCHE</p> <p><input type="checkbox"/> Subvented home</p> <p><input type="checkbox"/> Self-financing home</p> <p><input type="checkbox"/> Subvented cum self-financing home</p> <p><input type="checkbox"/> Private home</p> <p><input type="checkbox"/> Contract home</p>	
<p>Type of the RCHE</p> <p><input type="checkbox"/> Care and Attention home</p> <p><input type="checkbox"/> Aged home</p> <p><input type="checkbox"/> Self-care hostel</p>	
<p>The premises of the RCHE is:</p> <p><input type="checkbox"/> a self-owned property</p> <p><input type="checkbox"/> a rented property (please specify the duration of the tenancy agreement below)</p> <p><input type="checkbox"/> situated on leased government land</p> <p><input type="checkbox"/> a partially self-owned and partially rented property (please specify the duration of the tenancy agreement below)</p> <p style="margin-left: 40px;">Details of the self-owned portion _____</p> <p style="margin-left: 40px;">Details of the rented portion _____</p> <p>Validity of Tenancy Agreement (1)      From _____ to _____</p> <p>Validity of Tenancy Agreement (2)      From _____ to _____</p> <p>Validity of Tenancy Agreement (3)      From _____ to _____</p> <p>(Please use supplementary sheets if necessary)</p>	

<b>Number of places in the RCHE</b> <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: right; width: 40%;"> Care and Attention home places  Aged home places  Self-care hostel places  Total </div> <div style="width: 60%;"> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px;"></div> </div> </div>	
<b>Area of floor space of the RCHE</b> (Shall be the same as that shown on the layout plan submitted with this application form) <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border-bottom: 1px solid black; width: 80%;"></div> <div style="text-align: center;">m<sup>2</sup></div> </div>	
<b>Type of applicant/operator for the RCHE</b> <input type="checkbox"/> Sole proprietorship (Please fill in Part III(A)) <input type="checkbox"/> Partnership (Please fill in Part III(A)) <input type="checkbox"/> Body corporate (including a non-governmental organisation (NGO)) (Please fill in Part III(B))	

### Part III (A) To be filled in by a Sole Proprietorship or Partnership

(If partner in the partnership is a body corporate, please fill in Part III(B))

<b>Name(s) of the operator/partner(s) in the partnership</b> (Shall be the same as the name shown on the Hong Kong Identity Card) (1) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <div style="width: 60%; border-bottom: 1px solid black;"></div> <div style="text-align: center;">( <div style="border-bottom: 1px solid black; width: 100px;"></div> )</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 60%; text-align: center;">English (surname first, then other names)</div> <div style="width: 35%; text-align: center;">Chinese</div> </div>	
<b>Hong Kong Identity Card number</b>	
<b>Correspondence address</b>	
<b>Telephone number</b>	<b>Email address</b>
(2) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <div style="width: 60%; border-bottom: 1px solid black;"></div> <div style="text-align: center;">( <div style="border-bottom: 1px solid black; width: 100px;"></div> )</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 60%; text-align: center;">English (surname first, then other names)</div> <div style="width: 35%; text-align: center;">Chinese</div> </div>	
<b>Hong Kong Identity Card number</b>	
<b>Correspondence address</b>	
<b>Telephone number</b>	<b>Email address</b>
(3) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 10px;"> <div style="width: 60%; border-bottom: 1px solid black;"></div> <div style="text-align: center;">( <div style="border-bottom: 1px solid black; width: 100px;"></div> )</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 60%; text-align: center;">English (surname first, then other names)</div> <div style="width: 35%; text-align: center;">Chinese</div> </div>	
<b>Hong Kong Identity Card number</b>	
<b>Correspondence address</b>	
<b>Telephone number</b>	<b>Email address</b>
(Please use supplementary sheets if necessary)	

**Part III (B) To be filled in by a Body Corporate (Including an NGO/a Partner in the Partnership who is a Body Corporate)**

Name of the company/NGO in English	
Name of the company/NGO in Chinese	
Business registration number (if applicable)	<input type="checkbox"/> The trust/ <input type="checkbox"/> Company's Certificate of Incorporation number/ <input type="checkbox"/> The chapter number of the Ordinance of the Laws of Hong Kong under which the statutory body is incorporated (if applicable)
Address of the company/NGO in English	
Address of the company/NGO in Chinese	
Telephone number	Email address

**Part IV Correspondence of Authorised Representative**

(A body corporate (including an NGO/a partner in the partnership) shall authorise an "authorised representative" in writing. For details, please refer to the Guidance Notes for Application for a Licence)

Name of the authorised representative (Shall be the same as the name shown on the Hong Kong Identity Card) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms _____ ( _____ ) English (surname first, then other names) Chinese	
Telephone number	Email address
Position of the authorised representative in the <input type="checkbox"/> company/ <input type="checkbox"/> NGO/ <input type="checkbox"/> RCHE (if applicable)	

**Part V Declaration of the Applicant (Including Sole Proprietor, Body Corporate, Partner in the Partnership)**

(For partnership, each partner must fill in a separate Part V)

I hereby declare that:

1. the ☐ sole proprietor/ ☐ body corporate/ ☐ partner (applicable to partner being an individual or a body corporate) is currently being prosecuted for or has been convicted of an offence involving fraud or dishonesty in any place.

☐ No

☐ Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

2. the ☐ sole proprietor/ ☐ body corporate/ ☐ partner (applicable to partner being an individual or a body corporate) is currently being prosecuted for or has been convicted of an indictable offence<sup>1</sup> in Hong Kong.

☐ No

☐ Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Offence committed	
Penalty imposed	
Date of conviction	

<sup>1</sup> According to section 14A of the Criminal Procedure Ordinance (Cap. 221), if the legislative provision creating the offence contains the words "upon indictment" or "on indictment" etc., then the offence is an indictable offence.

3. the ☐ sole proprietor/☐ partner (applicable to partner being an individual) is currently being prosecuted for an offence punishable with imprisonment or has been sentenced to imprisonment, whether or not the sentence is suspended, in a place outside Hong Kong.

☐ No

☐ Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

4. the ☐ body corporate/☐ partner (applicable to partner being a body corporate) is currently being prosecuted for or has been convicted of an offence in a place outside Hong Kong.

☐ No

☐ Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

5. the ☐ sole proprietor/ ☐ body corporate/ ☐ partner (applicable to partner being an individual or a body corporate) is currently being prosecuted for or has been convicted of an offence against the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Elderly Persons) Regulation/Residential Care Homes (Persons with Disabilities) Ordinance/Residential Care Homes (Persons with Disabilities) Regulation.

☐ No

☐ Yes (If you answer “yes”, please provide relevant the prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Offence committed	
Penalty imposed	
Date of conviction	

6. the ☐ sole proprietor/ ☐ body corporate/ ☐ partner (applicable to partner being an individual or a body corporate) has been refused the issuance or renewal of a licence/certificate of exemption under the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Persons with Disabilities) Ordinance.

☐ No

☐ Yes (If you answer “yes”, please provide the following details)

Date	
LORCHE/LORCHD number and RCH name (if applicable)	
Reason(s)	

7. the ☐ sole proprietor/ ☐ partner (applicable to partner being an individual) is an undischarged bankrupt.

☐ No

☐ Yes (If you answer “Yes”, please provide the following details)

Date of adjudication	
Court that made the adjudication	

8. the ☐ sole proprietor/☐ partner (applicable to partner being an individual or a body corporate)/☐ body corporate has entered into a composition or scheme of arrangement with the creditor(s).

☐ No

☐ Yes (If you answer “Yes”, please provide the following details)

Date of approval of the composition or scheme of arrangement with the creditor(s)	
Repayment proposal	

9. the ☐ sole proprietor/☐ partner (applicable to partner being an individual or a body corporate)/☐ body corporate is a director of a body corporate that is in liquidation or the subject of a winding-up order.

☐ No

☐ Yes (If you answer “Yes”, please provide the following details)

Name of the company in English	
Name of the company in Chinese (if applicable)	
Business Registration number	
Certificate of Incorporation number (if applicable)	
Registered address of the company	
Date of adjudication	
Court that made the adjudication	

10. the ☐ body corporate/☐ partner (applicable to partner being a body corporate) is in liquidation or the subject of a winding-up order.

☐ No

☐ Yes (If you answer “Yes”, please provide the following details)

Date of adjudication	
Court that made the adjudication	



11. I have read, understood and agreed to the contents of this declaration, the Personal Information Collection Statement, and the Guidance Notes for Application for a Licence;
12. the information I have provided on this application form is true and correct to the best of my knowledge and belief;
13. I consent to the Social Welfare Department (SWD) making necessary enquiries on matters regarding my application for an RCHE licence and for verifying the information given above (e.g. requesting details of my conviction records (if any) from the Commissioner of Police; details of my bankruptcy records (if any) from the Official Receiver);
14. I (applicable to the sole proprietor and the partner (being an individual)) agree to sign the specified authorisation in the witness of the staff of Licensing Office of Residential Care Homes for the Elderly (LORCHE) so as to authorise the Commissioner of Police to release my criminal record(s) to the SWD for the vetting of this application for an RCHE licence;
15. I authorise all government departments and other organisations or agencies (including but not limited to Town Planning Board/ Planning Department/ Lands Department/ Hong Kong Police Force/ Hong Kong Fire Services Department/ Buildings Department/ Electrical and Mechanical Services Department/ Official Receiver's Office/ Government bureaux and departments/ public utilities companies, etc.) to disclose any relevant records and information pertaining to my application for an RCHE licence on a need-to-know basis; and
16. the operation, keeping, management or other control of the RCHE above is under my continuous supervision.

Signature of the

☐ Applicant/

☐ Authorised Representative/

☐ Partner (applicable to partner being an individual): \_\_\_\_\_

Date: \_\_\_\_\_

Name (Block letters): \_\_\_\_\_

Company/Organisation Chop

(if applicable): \_\_\_\_\_

**WARNING**

1. Under section 21(6)(a) of the Residential Care Homes (Elderly Persons) 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 the person 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.
2. Under section 6 of the Residential Care Homes (Elderly Persons) Ordinance, any person who operates, keeps, manages or otherwise has control of a residential care home while no licence is in force in respect of the residential care home commits an offence and is liable to a fine of \$1,000,000 and to imprisonment for 2 years and to a fine of \$10,000 for each day during which the offence continues.
3. Licensing of an RCHE does not prejudice the power of other government departments to take enforcement or regulatory actions, neither release or affect any contract, covenant or deed of mutual covenant in respect of the premises or building. The applicant/authorised representative shall be responsible for ensuring that the premises used for the purpose of RCHE comply with the relevant legislations, statutory plans, land lease conditions, deed of mutual covenant and tenancy conditions.

## **Personal Information Collection Statement**

**Please read this notice before you provide any personal data<sup>2</sup> to the SWD.**

### Purposes of Collection

1. The personal data supplied by you will be used by the SWD to process your application for a residential care home licence and related matters, including (but is not limited to) service supervision and regulation. Provision of personal data to the SWD is voluntary. However, if you fail to provide the requested personal data, the SWD may be unable to process your application.

### Classes of Transferees

2. The personal data you provided may be made available to other government departments/organisations/persons or under the circumstances listed below for the purposes mentioned in paragraph 1 above –
  - (a) Other government departments/organisations/persons if they are involved in –
    - (i) the application for residential care home licence;
    - (ii) service supervision and regulation of residential care homes, including handling of complaints;
  - (b) Where such disclosure is authorised or required by law; or
  - (c) Where you have given your prescribed consent to such disclosure.

### Access to Personal Data

3. You have the right to request access to and correction of your personal data held by the SWD in accordance with the Personal Data (Privacy) Ordinance, Cap 486. A fee is charged for supplying copies of personal data. Requests for access to and correction of personal data collected by the SWD should be addressed to –

Post title : Executive Officer I (Licensing & Regulation)<sup>2</sup>  
Office : Development Section, Licensing & Regulation Branch, Social Welfare  
Department  
Address : 5/F, THE HUB, 23 Yip Kan Street, Wong Chuk Hang, Hong Kong  
Email : lorcheenq@swd.gov.hk

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<sup>2</sup> Under the Personal Data (Privacy) Ordinance (Cap. 486), personal data means any data –

- (a) relating directly or indirectly to a living individual;
- (b) from which it is practicable for the identity of the individual to be directly or indirectly ascertained; and
- (c) in a form in which access to or processing of the data is practicable.

## **Residential Care Homes (Elderly Persons) Ordinance**

### **Guidance Notes for Application for a Licence**

1. An “applicant” includes a sole proprietorship, partnership and body corporate (including an NGO).
2. A partnership and body corporate (including an NGO) shall authorise a “authorised representative” to sign on this application form, and submit a written authorisation together with this application form.
3. The applicant/representative of the applicant shall forward the original copy of a completed application form by dispatch or by registered post to the LORCHE of the SWD, or the application form can be completed and submitted electronically via the Online Platform. The address of LORCHE is –  
6/F, THE HUB, 23 Yip Kan Street,  
Wong Chuk Hang, Hong Kong
4. Any person applying for an RCHE licence shall submit the following documents at the same time –

#### **(a) Applicable to all applications**

- ☐ layout plans of the RCHE<sup>1</sup> (please refer to Annex 3.3 of the Code of Practice for Residential Care Homes (Elderly Persons) for the requirements of layout plans)
- ☐ photocopy of the tenancy agreement of the RCHE premises (applicable to rented premises)
- ☐ photocopy of the deed of assignment of the RCHE premises (applicable to self-owned premises)
- ☐ certified copy of the Business Registration Application (applicable to applications of private RCHEs)
- ☐ photocopy of the Business Registration Certificate (applicable to applications of private RCHEs)
- ☐ photocopy of the Branch Registration Certificate (applicable to applications of private RCHEs) (if applicable)
- ☐ staff list of the RCHE
- ☐ application form for establishing of “specific hours” during the specified period
- ☐ photocopy of the relevant documents related to fire safety and precautionary measures (please refer to Annex 5.2 of the Code of Practice for Residential Care Homes (Elderly Persons))

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<sup>1</sup> If the layout plans of the RCHE involves alteration and addition (A&A) works of which prior approval of plans and consent to the commencement of works from the Building Authority is required, the applicant shall enclose the related documents including approved plan(s) and letter(s) in submitting the licence application. In case the proposed layout plans involves A&A works and there are no related documents enclosing in the application form, the said application and all the submitted documents would be returned to the applicant and no follow-up action would be taken. If the applicant considers making an application again for the licence, the applicant shall resubmit the application form and all the documents as required in Chapter 3 in this Code of Practice.

- ☐ photocopy of the letter issued by the Buildings Department regarding the change in use of a building (applicable to RCHE premises situated at non-domestic premises or non-domestic part of composite buildings)
- ☐ documentary proof of planning permission issued by the Town Planning Board (if applicable)
- ☐ waiver issued by the Lands Department (if applicable)
- ☐ proposal of a responsible person for an RCHE
- ☐ photocopy of Hong Kong Identity Card and correspondence address of responsible person

Besides the items in (a) above, the following documents shall be submitted –

**(b) (i) Applicable to an application of a sole proprietorship**

- ☐ photocopy of Hong Kong Identity Card of the applicant
- ☐ relevant court document related to the criminal record of the applicant (if applicable)
- ☐ relevant records issued by Official Receiver to the applicant (if applicable)
- ☐ relevant documents of the entered composition or scheme of arrangement with their creditors (if applicable)

**(b) (ii) Applicable to an application of a partnership**

- ☐ photocopies of Hong Kong Identity Card of all partners
- ☐ original copy of the written authorisation for the representative of the applicant (if applicable)
- ☐ relevant court document related to the criminal record of all partners (if applicable)
- ☐ relevant records issued by Official Receiver to all partners (if applicable)
- ☐ relevant documents of the entered composition or scheme of arrangement with their creditors (if applicable)

**(b) (iii) Applicable to an application of a body corporate (including an NGO)**

- ☐ original copy of the written authorisation for the representative of the applicant
- ☐ photocopy of the Incorporation Form (NNC1)
- ☐ photocopy of the Certificate of Incorporation
- ☐ Memorandum of Association and/or Articles of Association
- ☐ photocopy of the Annual Return (NAR1) (applicable to an existing body corporate)
- ☐ photocopy of the Notice of Change of Company Name (NNC2) (if applicable)
- ☐ photocopy of the Notice of Change of Company Secretary and Director (Appointment/Cessation) (ND2A) (if applicable)
- ☐ relevant court document related to the criminal record of the body corporate (if applicable)
- ☐ relevant records issued by Official Receiver to the body corporate (if applicable)
- ☐ relevant documents of the entered composition or scheme of arrangement with their creditors (if applicable)



Staff List of Residential Care Home for the Elderly (RCHE)

Name of RCHE:

Name of RCHE:

Telephone of RCHE:

Date of Report: 

☐31/3/20

☐30/6/20

☐30/9/20

☐31/12/20

(dd/mm/yyyy)

Another date (please specify)

☐

/

/

No. of Residents on the Date of Report: 

(including resident(s) on home leave or staying in hospital)

No. of Beds on the Date of Report:

Operator/Home Manager of RCHE:

Signature:

Name:

Post:

RCHE Stamp

Part I Staff Information (Note 1)

S/N	Name in English	Name in Chinese	Sex (M/F)	HKIC No. (e.g.: A123456(7))	Date of Commencement of Current Post (dd/mm/yyyy) (e.g. 1/1/2016)	Current Post (Note 2)	Total Working Hours Per Week	Daily Working Time		Qualifications (Note 3)
								On Duty Time (am/pm)	Off Duty Time (am/pm)	
					/ /					
					/ /					
					/ /					
					/ /					
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Annex 3.2 - 1

**Part II Number of Staff**

Post	Number	Post	Number
Home Manager		Social Worker	
Registered Nurse		Physiotherapist	
Enrolled Nurse		Occupational Therapist	
Health Worker		Dietician	
Care Worker		Others (Please specify):	
Ancillary Worker			
		<b>Total Number of Staff:</b>	

Operator/Home Manager of RCHE:

RCHE Stamp

I understand the warning statement set out at the bottom of this page and confirm that the information contained in this Staff List is true and accurate.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Post: \_\_\_\_\_

**Note 1:** The operator/home manager of an RCHE shall report all staff employed to perform work in the RCHE on the date of report (including the relief staff).

**Note 2:**

Post		
HM: Home Manager	CW: Care Worker	PT: Physiotherapist
RN: Registered Nurse	AW: Ancillary Worker*	OT: Occupational Therapist
EN: Enrolled Nurse	SW: Social Worker	DT: Dietician
HW: Health Worker	Others (please specify):	

\*AW may include a cook, domestic servant, driver, gardener, watchman, welfare worker or clerk

**Note 3:**

Qualifications (may choose more than one item)		
(1) Licensing Requirement	(2) Other Certification	(3) Training Subsidy Scheme for Staff of Residential Care Homes
A1: Registered Nurse	B1: Care Worker Certificate	C1: Training for Home Managers (Course A) Certificate
A2: Enrolled Nurse	B2: Physiotherapist	C2: Training for Home Managers (Course B) Certificate
A3: Certificate of Registered Health Worker	B3: Occupational Therapist	
A4: First Aid Certificate	B4: Social Worker	C3: Advanced Training for Health Workers Certificate
A5: Certificate of Registered Home Manager/ Registered Home Manager (Provisional)		
		C4: Training for Care Workers Certificate

- Remarks:**
- (1) Please make copies of the front page for insufficient space, with the name, post and signature of the RCHE operator/home manager together with the RCHE stamp on each page.
  - (2) An operator shall inform the Director of Social Welfare, in writing within 14 days, of any change in the employment of a home manager.
  - (3) A home manager of an RCHE shall at least once every 3 months inform the Director of Social Welfare in writing of any change in the list of staff employed. The home manager shall report this staff list as at 31 March, 30 June, 30 September and 31 December every year to the Director of Social Welfare on or before the 5th day of April, July, October and January respectively.

**WARNING**

Under sections 21(6)(a) & 21(6)(c) of the Residential Care Homes (Elderly Persons) Ordinance, any person who furnishes any information which is false in a material particular and which he knows or reasonably ought to know is false in such particular commits an offence.



### **Guidance Notes on Submission of Layout Plans of Residential Care Homes for the Elderly**

1. 4 sets of layout plans of the residential care home for the elderly (RCHE) shall be submitted, 6 sets for the RCHE situated in premises under or divested by the Housing Authority.
2. Each plan shall be duly signed by the applicant (applicable to RCHEs operated by sole proprietorship)/authorised representative [applicable to RCHEs operated by partnership or body corporates] with the plan submission date and the company/organisation stamp (if applicable).
3. Name of the RCHE (in both Chinese and English) and address (in both Chinese and English) shall be clearly mentioned on each plan.
4. Each plan shall be drawn in metric units with the scale of 1:100 or 1:50.
5. Each plan shall demarcate the area of the home to be licensed in red on the plan and state clearly the abutting streets/lanes, adjoining common area such as lift lobbies, escape staircases, protected lobbies, corridors, etc.
6. The proposed use of all rooms or partitions shall be specified on the plan; the measurements in metric units with annotations of all rooms, corridors, passages, etc. shall also be indicated.
7. The position of all columns, load bearing walls, fire resisting walls, fire-rated doors, fire alarm panels, exit signs, windows, parapets, partitions, gates, electric locks, false ceiling, artificial lighting and mechanical ventilating systems, areas of raised floors (if any) and all other fixture shall be clearly indicated and annotated.
8. Walls should be indicated by double lines. The height and materials of parapets and partitions and the fire resistance rating of fire-rated doors and gates shall be specified.
9. The headroom under ceilings (the ceiling structure or suspended false ceilings) and beams of all parts of the RCHE premises, measuring vertically from the floor should be indicated.
10. The bedspace arrangement (with bedspace numbering), sanitary fitments, exhaust fans, air-conditioning units, stoves, water heaters and other movable fittings shall be clearly indicated and annotated.
11. Number and location of stoves and water heaters and the type of fuel in use shall be specified. If liquefied petroleum gas (LPG) is used in the RCHE, the location of LPG chambers should also be indicated.
12. The area of floor space of the proposed RCHE premises shall be indicated [please refer to paragraph 6.3 of Chapter 6 in the Code of Practice for Residential Care Homes (Elderly Persons)]. Calculation of the actual area of all rooms, passages, corridors, etc. should be correctly indicated on another plan.
13. Whenever there is any change of the layout plans, the parts where revisions proposed to be made shall be coloured with annotations on the revised layout plans in order to show the difference as compared with the approved plans.
14. The configuration and layout of the RCHE premises shown in the plans shall tally with the actual situation.



## **Residential Care Homes (Elderly Persons) Ordinance**

### **Application for Renewal of a Licence**

Note: Please put a “✓” in the appropriate boxes

#### **Part I Particulars of the Residential Care Home for the Elderly (RCHE)**

LORCHE number	
Name of the RCHE	
Address of the RCHE	
Telephone number	Fax number
Email address	
<p>The premises of the RCHE is:</p> <p><input type="checkbox"/> a self-owned property</p> <p><input type="checkbox"/> a rented property (please specify the duration of the tenancy agreement below)</p> <p><input type="checkbox"/> situated on leased government land</p> <p><input type="checkbox"/> a partially self-owned and partially rented property (please specify the duration of the tenancy agreement below)</p> <p style="margin-left: 40px;">Details of the self-owned portion _____</p> <p style="margin-left: 40px;">Details of the rented portion _____</p> <p>Validity of Tenancy Agreement (1)      From _____ to _____</p> <p>Validity of Tenancy Agreement (2)      From _____ to _____</p> <p>Validity of Tenancy Agreement (3)      From _____ to _____</p> <p>(Please use supplementary sheets if necessary)</p>	
<p>Number of places in the RCHE</p> <p style="margin-left: 40px;">Care and Attention home places _____</p> <p style="margin-left: 80px;">Aged home places _____</p> <p style="margin-left: 40px;">Self-care hostel places _____</p> <p style="margin-left: 120px;">Total _____</p>	
<p>Type of applicant/operator for the RCHE</p> <p><input type="checkbox"/> Sole proprietorship (Please fill in Part II(A))</p> <p><input type="checkbox"/> Partnership (Please fill in Part II(A))</p> <p><input type="checkbox"/> Body corporate (including a non-governmental organisation (NGO)) (Please fill in Part II(B))</p>	

**Part II (A) To be filled in by a Sole Proprietorship or Partnership**

(If partner in the partnership is a body corporate, please fill in Part III(B))

Name(s) of the operator/partner(s) in the partnership (Shall be the same as the name shown on the Hong Kong Identity Card) (1) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 60%; text-align: center;">             _____              English (surname first, then other names)         </div> <div style="width: 35%; text-align: center;">             ( _____ )              Chinese         </div> </div>	
Hong Kong Identity Card number	
Correspondence address	
Telephone number	Email address
(2) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 60%; text-align: center;">             _____              English (surname first, then other names)         </div> <div style="width: 35%; text-align: center;">             ( _____ )              Chinese         </div> </div>	
Hong Kong Identity Card number	
Correspondence address	
Telephone number	Email address
(3) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 60%; text-align: center;">             _____              English (surname first, then other names)         </div> <div style="width: 35%; text-align: center;">             ( _____ )              Chinese         </div> </div>	
Hong Kong Identity Card number	
Correspondence address	
Telephone number	Email address
(4) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 60%; text-align: center;">             _____              English (surname first, then other names)         </div> <div style="width: 35%; text-align: center;">             ( _____ )              Chinese         </div> </div>	
Hong Kong Identity Card number	
Correspondence address	
Telephone number	Email address
(5) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 60%; text-align: center;">             _____              English (surname first, then other names)         </div> <div style="width: 35%; text-align: center;">             ( _____ )              Chinese         </div> </div>	
Hong Kong Identity Card number	
Correspondence address	
Telephone number	Email address
(Please use supplementary sheets if necessary)	

**Part II (B) To be filled in by a Body Corporate (Including an NGO/a Partner in the Partnership who is a Body Corporate)**

Name of the company/NGO in English	
Name of the company/NGO in Chinese	
Business registration number (if applicable)	<input type="checkbox"/> The trust/ <input type="checkbox"/> Company's Certificate of Incorporation number/ <input type="checkbox"/> The chapter number of the Ordinance of the Laws of Hong Kong under which the statutory body is incorporated (if applicable)
Address of the company/NGO in English	
Address of the company/NGO in Chinese	
Telephone number	Email address

**Part III Correspondence of Authorised Representative**

(A body corporate (including an NGO/a partner in the partnership) shall authorise an "authorised representative" in writing. For details, please refer to the Guidance Notes for Application for Renewal of a Licence)

Name of the authorised representative (Shall be the same as the name shown on the Hong Kong Identity Card) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms _____ ( _____ ) English (surname first, then other names) Chinese	
Telephone number	Email address
Position of the authorised representative in the <input type="checkbox"/> company/ <input type="checkbox"/> NGO/ <input type="checkbox"/> RCHE (if applicable)	

## Part IV Personal Particulars of the Responsible Person

(Please also submit the Proposal of a Responsible Person for a Residential Care Home for the Elderly if change of responsible person is required in this renewal application)

Name of the proposed responsible person (Shall be the same as the name shown on the Hong Kong Identity Card) <input type="checkbox"/> Mr / <input type="checkbox"/> Ms <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 60%; text-align: center;">           _____            English (surname first, then other names)         </div> <div style="width: 35%; text-align: center;">           ( _____ )            Chinese         </div> </div>	
Hong Kong Identity Card number	
Correspondence address in English	
Correspondence address in Chinese	
Telephone number	Email address
Position of the proposed responsible person in the <input type="checkbox"/> sole proprietorship / <input type="checkbox"/> partnership / <input type="checkbox"/> company / <input type="checkbox"/> NGO / <input type="checkbox"/> RCHE	
Is the proposed responsible person currently being the person the responsible person in other Residential Care Home(s) for the Elderly/Persons with Disabilities? <input type="checkbox"/> No <input type="checkbox"/> Yes (Please provide LORCHE/LORCHD number(s) and the RCH name(s): _____ )	

## Part V Declaration of the Applicant (Including Sole Proprietor, Body Corporate, Partner in the Partnership)

(For partnership, each partner must fill in a separate Part V)

I hereby declare that:	
1. the <input type="checkbox"/> sole proprietor / <input type="checkbox"/> body corporate / <input type="checkbox"/> partner (applicable to partner being an individual or a body corporate) is currently being prosecuted for or has been convicted of an offence involving fraud or dishonesty in any place. <input type="checkbox"/> No <input type="checkbox"/> Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details) <input type="checkbox"/> being prosecuted currently	
Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

2. the ☐ sole proprietor/ ☐ body corporate/ ☐ partner (applicable to partner being an individual or a body corporate) is currently being prosecuted for or has been convicted of an indictable offence<sup>1</sup> in Hong Kong.

☐ No

☐ Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Offence committed	
Penalty imposed	
Date of conviction	

3. the ☐ sole proprietor/ ☐ partner (applicable to partner being an individual) is currently being prosecuted for an offence punishable with imprisonment or has been sentenced to imprisonment, whether or not the sentence is suspended, in a place outside Hong Kong.

☐ No

☐ Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

<sup>1</sup> According to section 14A of the Criminal Procedure Ordinance (Cap. 221), if the legislative provision creating the offence contains the words "upon indictment" or "on indictment" etc., then the offence is an indictable offence.

4. the ☐ body corporate/ ☐ partner (applicable to partner being a body corporate) is currently being prosecuted for or has been convicted of an offence in a place outside Hong Kong.

☐ No

☐ Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

5. the ☐ sole proprietor/ ☐ body corporate/ ☐ partner (applicable to partner being an individual or a body corporate) is currently being prosecuted for or has been convicted of an offence against the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Elderly Persons) Regulation/Residential Care Homes (Persons with Disabilities) Ordinance/Residential Care Homes (Persons with Disabilities) Regulation.

☐ No

☐ Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Offence committed	
Penalty imposed	
Date of conviction	



6. the ☐ sole proprietor/ ☐ body corporate/ ☐ partner (applicable to partner being an individual or a body corporate) has been refused the issuance or renewal of a licence/certificate of exemption under the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Persons with Disabilities) Ordinance.

☐ No

☐ Yes (If you answer “yes”, please provide the following details)

Date	
LORCHE/LORCHD number and RCH name (if applicable)	
Reason(s)	

7. the ☐ sole proprietor/ ☐ partner (applicable to partner being an individual) is an undischarged bankrupt.

☐ No

☐ Yes (If you answer “Yes”, please provide the following details)

Date of adjudication	
Court that made the adjudication	

8. the ☐ sole proprietor/ ☐ partner (applicable to partner being an individual or a body corporate)/ ☐ body corporate has entered into a composition or scheme of arrangement with the creditor(s).

☐ No

☐ Yes (If you answer “Yes”, please provide the following details)

Date of approval of the composition or scheme of arrangement with the creditor(s)	
Repayment proposal	

9. the ☐ sole proprietor/☐ partner (applicable to partner being an individual or a body corporate)/☐ body corporate is a director of a body corporate that is in liquidation or the subject of a winding-up order.

☐ No

☐ Yes (If you answer “Yes”, please provide the following details)

Name of the company in English	
Name of the company in Chinese (if applicable)	
Business Registration number	
Certificate of Incorporation number (if applicable)	
Registered address of the company	
Date of adjudication	
Court that made the adjudication	

10. the ☐ body corporate/☐ partner (applicable to partner being a body corporate) is in liquidation or the subject of a winding-up order.

☐ No

☐ Yes (If you answer “Yes”, please provide the following details)

Date of adjudication	
Court that made the adjudication	

11. I have read, understood and agreed to the contents of this declaration, the Personal Information Collection Statement, and the Guidance Notes for Application for Renewal of a Licence;

12. the information I have provided on this application form is true and correct to the best of my knowledge and belief;

13. I consent to the Social Welfare Department (SWD) making necessary enquiries on matters regarding my application for renewal of an RCHE licence and for verifying the information given above (e.g. requesting details of my conviction records (if any) from the Commissioner of Police; details of my bankruptcy records (if any) from the Official Receiver);

14. I (applicable to the sole proprietor and the partner (being an individual)) agree to sign the specified authorisation in the witness of the staff of Licensing Office of Residential Care Homes for the Elderly (LORCHE) so as to authorise the Commissioner of Police to release my criminal record(s) to the SWD for the vetting of this application for renewal of an RCHE licence;
15. I authorise all government departments and other organisations or agencies (including but not limited to Town Planning Board/ Planning Department/ Lands Department/ Hong Kong Police Force/ Hong Kong Fire Services Department/ Buildings Department/ Electrical and Mechanical Services Department/ Official Receiver's Office/ Government bureaux and departments/ public utilities companies, etc.) to disclose any relevant records and information pertaining to my application for renewal of an RCHE licence on a need-to-know basis; and
16. the operation, keeping, management or other control of the RCHE above is under my continuous supervision.

Signature of the

☐ Applicant/

☐ Authorised Representative/

☐ Partner (applicable to partner being an individual): \_\_\_\_\_

Date: \_\_\_\_\_

Name (Block letters): \_\_\_\_\_

Company/Organisation Chop (if applicable): \_\_\_\_\_

### **WARNING**

1. Under section 21(6)(a) of the Residential Care Homes (Elderly Persons) 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 the person 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.
2. Under section 6 of the Residential Care Homes (Elderly Persons) Ordinance, any person who operates, keeps, manages or otherwise has control of a residential care home while no licence is in force in respect of the residential care home commits an offence and is liable to a fine of \$1,000,000 and to imprisonment for 2 years and to a fine of \$10,000 for each day during which the offence continues.

## **Personal Information Collection Statement**

**Please read this notice before you provide any personal data<sup>2</sup> to the SWD.**

### Purposes of Collection

1. The personal data supplied by you will be used by the SWD to process your application for renewal of a residential care home licence and related matters, including (but is not limited to) service supervision and regulation. Provision of personal data to the SWD is voluntary. However, if you fail to provide the requested personal data, the SWD may be unable to process your application.

### Classes of Transferees

2. The personal data you provided may be made available to other government departments/organisations/persons or under the circumstances listed below for the purposes mentioned in paragraph 1 above –
  - (a) Other government departments/organisations/persons if they are involved in –
    - (i) the application for residential care home licence;
    - (ii) service supervision and regulation of residential care homes, including handling of complaints;
  - (b) Where such disclosure is authorised or required by law; or
  - (c) Where you have given your prescribed consent to such disclosure.

### Access to Personal Data

3. You have the right to request access to and correction of your personal data held by the SWD in accordance with the Personal Data (Privacy) Ordinance, Cap 486. A fee is charged for supplying copies of personal data. Requests for access to and correction of personal data collected by the SWD should be addressed to –

Post title : Executive Officer I (Licensing & Regulation)<sup>2</sup>  
Office : Development Section, Licensing & Regulation Branch, Social Welfare Department  
Address : 5/F, THE HUB, 23 Yip Kan Street, Wong Chuk Hang, Hong Kong  
Email : lorcheenq@swd.gov.hk

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<sup>2</sup> Under the Personal Data (Privacy) Ordinance, Cap. 486, personal data means any data –

- (a) relating directly or indirectly to a living individual;
- (b) from which it is practicable for the identity of the individual to be directly or indirectly ascertained; and
- (c) in a form in which access to or processing of the data is practicable.

## **Residential Care Homes (Elderly Persons) Ordinance**

### **Guidance Notes for Application for Renewal of a Licence**

1. An “applicant” includes a sole proprietorship, partnership and body corporate (including an NGO).
2. A partnership and body corporate (including an NGO) shall authorise a “authorised representative” to sign on this application form, and submit a written authorisation together with this application form.
3. The applicant/representative of the applicant shall forward the original copy of a completed renewal application form by dispatch or by registered post to the LORCHE of the SWD, or the application form can be completed and submitted electronically via the Online Platform. The address of LORCHE is –  
6/F, THE HUB, 23 Yip Kan Street,  
Wong Chuk Hang, Hong Kong
4. Any person applying for renewal of an RCHE licence shall submit the following documents at the same time –

#### **(a) Applicable to all applications**

- ☐ photocopy of the tenancy agreement of the RCHE premises (applicable to rented premises)
- ☐ photocopy of the deed of assignment of the RCHE premises (applicable to self-owned premises)
- ☐ certified copy of the Business Registration Application (applicable to applications of private RCHEs)
- ☐ photocopy of the Business Registration Certificate (applicable to applications of private RCHEs)
- ☐ photocopy of the Branch Registration Certificate (applicable to applications of private RCHEs)  
(if applicable)
- ☐ staff list of the RCHE
- ☐ photocopy of the relevant documents related to fire safety and precautionary measures (please refer to Annex 5.2 of the Code of Practice for Residential Care Homes (Elderly Persons) (Code of Practice))
- ☐ layout plans of the RCHE (applicable to RCHEs which have undergone the addition and alteration works as mentioned in paragraph 4.13 of Chapter 4 in the Code of Practice. Please refer to Annex 3.3 of the Code of Practice for the requirements of layout plans)
- ☐ proposal of a responsible person for an RCHE (applicable to first licence renewal application on or after 16 June 2024/the licence renewal application that requires a change of responsible person)
- ☐ photocopy of Hong Kong Identity Card and correspondence address of responsible person (if applicable)

Besides the items in (a) above, the following documents shall be submitted –

**(b) (i) Applicable to an application of a sole proprietorship**

- ☐ photocopy of Hong Kong Identity Card of the applicant
- ☐ relevant court document related to the criminal record of the applicant (if applicable)
- ☐ relevant records issued by Official Receiver to the applicant (if applicable)
- ☐ relevant documents of the entered composition or scheme of arrangement with their creditors (if applicable)

**(b) (ii) Applicable to an application of a partnership**

- ☐ photocopies of Hong Kong Identity Card of all partners
- ☐ original copy of the written authorisation for the representative of the applicant (if applicable)
- ☐ relevant court document related to the criminal record of all partners (if applicable)
- ☐ relevant records issued by Official Receiver to all partners (if applicable)
- ☐ relevant documents of the entered composition or scheme of arrangement with their creditors (if applicable)

**(b) (iii) Applicable to an application of a body corporate (including an NGO)**

- ☐ original copy of the written authorisation for the representative of the applicant
- ☐ photocopy of the Certificate of Incorporation
- ☐ photocopy of the Annual Return (NAR1)
- ☐ photocopy of the Notice of Change of Company Name (NNC2) (if applicable)
- ☐ photocopy of the Notice of Change of Company Secretary and Director (Appointment/Cessation) (ND2A) (if applicable)
- ☐ relevant court document related to the criminal record of the body corporate (if applicable)
- ☐ relevant records issued by Official Receiver to the body corporate (if applicable)
- ☐ relevant documents of the entered composition or scheme of arrangement with their creditors (if applicable)

RESIDENTIAL CARE HOMES (ELDERLY PERSONS) ORDINANCE

安老院條例  
(Chapter 459, Laws of Hong Kong)  
(香港法例第459章)

LORCHE Number  
牌照處檔號

Licence Number  
牌照編號

Licence of Residential Care Home for the Elderly  
安老院牌照

1.

This licence is issued under Part IV, Section \_\_\_\_\_, of the Residential Care Homes (Elderly Persons) Ordinance in respect of the undermentioned residential care home —

茲證明下述安老院已根據《安老院條例》第IV部第\_\_\_\_\_條獲發牌照—
2.

Particulars of residential care home —

安老院資料—

(a)

Name (in English)

名稱（英文）

Name (in Chinese)

名稱（中文）

(b)

(i)

Address of home

安老院地址

Premises where home may be operated

可開設安老院的處所

as more particularly shown and described on Plan Number \_\_\_\_\_ deposited with and approved by me.

其詳情見於圖則第\_\_\_\_\_號，該圖則現存本人處，並經本人批准。

(c)

Maximum number of persons that the residential care home is capable of accommodating —

安老院可收納的最多人數

3.

Particulars of person / company to whom / which this licence is issued in respect of the above residential care home

獲發上述安老院牌照人士／公司的資料—

(a)

Name / Company (in English)

姓名／公司名稱（英文）

Name / Company (in Chinese)

姓名／公司名稱（中文）

(b)

Address

地址

4.

The person / company named in paragraph 3 above is authorized to operate, keep, manage or otherwise have control of a residential care home of the following type : \_\_\_\_\_.

第3段所述的人士／公司已獲批准營辦、料理、管理或以其他方式控制一所屬\_\_\_\_\_種類的安老院。

5.

This licence is valid for \_\_\_\_\_ months effective from the date of issue to cover the period from \_\_\_\_\_ to \_\_\_\_\_ inclusive.

本牌照由簽發日期起生效，有效期為\_\_\_\_\_個月，由\_\_\_\_\_至\_\_\_\_\_止，首尾兩天計算在內。

6.

This licence is issued subject to the following conditions —

本牌照附有下列條件—

7.

This licence may be cancelled or suspended in exercise of the powers vested in me under Section 10 of the Residential Care Homes (Elderly Persons) Ordinance in the event of a breach of or a failure to perform any of the conditions set out in paragraph 6 above.

若有關安老院違反或未能履行以上第6段所列的任何條件，本人可行使安老院條例第10條賦予本人的權力，撤銷或暫時吊銷本牌照。
- Date 日期
- Director of Social Welfare  
Hong Kong Special Administrative Region  
香港特別行政區社會福利署署長
- WARNING  
警告
- Licensing of a residential care home does not release the operator or any other person from compliance with any requirement of the Buildings Ordinance (Cap. 123) or any other Ordinance relating to the premises, nor does it in any way affect or modify any agreement or covenant relating to any premises in which the residential care home is operated.  
安老院獲發給牌照，並不表示其營辦人或任何其他人士毋須遵守《建築物條例》（第123章）或任何其他與該處所有關的條例的規定，亦不會對與開設該安老院的處所有關的任何合約或租約條款有任何影響或修改。
- SWD 605 (Revised in 2024)
- Annex 3.5 - 1





LORCHE No. : L  
Tel. No. :  
Fax No. :  
Email address :

Name of the Company  
Address of the Company

Date

To: Director of Social Welfare  
(Attn: LORCHE inspector concerned)

Dear Sir/Madam,

### **Notice of Change of Director(s)' Information**

Our company/organisation is writing to inform you that the information of director(s) of the company holding the licence of \_\_\_\_\_ (name of residential care home for the elderly) has been changed since \_\_\_\_\_ (date). For details, please refer to the form(s) specified by the Companies Registry [Form ND2A "Notice of Change of Company Secretary and Director (Appointment/Cessation)" and/or Form ND2B "Notice of Change in Particulars of Company Secretary and Director"].

For any enquiry, please contact me/our staff on \_\_\_\_\_ (telephone number).

Yours faithfully,

Signature

Name of the company representative

Post title

Company's chop



## **Residential Care Homes (Elderly Persons) Ordinance**

### **Proposal of a Responsible Person for a Residential Care Home for the Elderly**

Note: Please put a “✓” in the appropriate boxes

#### **Part I Details of Application**

<input type="checkbox"/> Proposal of a responsible person for an application for a licence in respect of a Residential Care Home for the Elderly (RCHE) under section 8 of the Residential Care Homes (Elderly Persons) Ordinance (No need to fill in Part II).	
<input type="checkbox"/> Proposal of a responsible person for an application for the renewal of a licence in respect of an RCHE under section 9 of the Residential Care Homes (Elderly Persons) Ordinance (No need to fill in Part II) (This is only applicable to the first application for the licence renewal made on or after 16 June 2024; and the licence was in force immediately before that date; or is issued on or after 16 June 2024 on an application made before that date.).	
<input type="checkbox"/> Change of responsible person under <input type="checkbox"/> section 11F (Change of responsible person as required by the Director of Social Welfare (DSW)); or <input type="checkbox"/> section 11G (Change of responsible person because of death, incapacity, etc.); or <input type="checkbox"/> section 11H (Change of responsible person in other circumstances) of the Residential Care Homes (Elderly Persons) Ordinance	
Name of the RCHE in English	
Name of the RCHE in Chinese	
Address of the RCHE in English	
Address of the RCHE in Chinese	
LORCHE No. (if applicable)	
Telephone number	Fax number
Email address	

## Part II Change of Responsible Person

(For specified time requirement for the application, please refer to Part V)

I hereby inform the DSW that the responsible person of the RCHE

☐ has ceased/☐ will cease\* to hold the position on

\_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year)

due to the following reason (Please select one option only):

<input type="checkbox"/>	Required by DSW to change the responsible person in accordance with section 11F of the Residential Care Homes (Elderly Persons) Ordinance
<input type="checkbox"/>	Deceased
<input type="checkbox"/>	Becoming incapable of managing and administering his or her property and affairs due to mental or physical incapacity
<input type="checkbox"/>	Ceased to be a management officer of the operator of the residential care home
<input type="checkbox"/>	Withdrawal of his or her consent to be the responsible person of the RCHE by providing a written notice to the RCHE operator and DSW
<input type="checkbox"/>	Others (Please specify):

The newly proposed responsible person will assume office on

\_\_\_\_\_ (day) \_\_\_\_\_ (month) \_\_\_\_\_ (year)

## Part III Personal Particulars of the Proposed Responsible Person (To be filled in by the Applicant/Operator) *(please provide the photocopy of Hong Kong Identity Card and correspondence address of responsible person)*

I, the applicant/operator, propose the following management officer to be appointed as the responsible person of the aforementioned RCHE.

Name of the proposed responsible person (Shall be the same as the name shown on the Hong Kong Identity Card) <input type="checkbox"/> Mr/ <input type="checkbox"/> Ms _____ ( _____ ) English (surname first, then other names) Chinese	
Hong Kong Identity Card number	
Correspondence address in English	
Correspondence address in Chinese	
Telephone number	Email address
Position of the proposed responsible person in the <input type="checkbox"/> sole proprietorship/ <input type="checkbox"/> partnership/ <input type="checkbox"/> body corporate/ <input type="checkbox"/> Non-Governmental Organisation / <input type="checkbox"/> RCHE	
Is the proposed responsible person currently being appointed as the responsible person in other Residential Care Home(s) for the Elderly/Persons with Disabilities? <input type="checkbox"/> No <input type="checkbox"/> Yes (Please provide LORCHE/LORCHD number and RCH name: _____ )	

#### **Part IV Other Particulars of the Proposed Responsible Person**

I, the applicant/operator, hereby declare that:

1. the proposed responsible person is currently being prosecuted for or has been convicted of an offence involving fraud or dishonesty in any place.

☐ No

☐ Yes (If you answer “Yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

2. the proposed responsible person is currently being prosecuted for or has been convicted of an indictable offence<sup>1</sup> in Hong Kong.

☐ No

☐ Yes (If you answer “Yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Offence committed	
Penalty imposed	
Date of conviction	

<sup>1</sup> According to section 14A of the Criminal Procedure Ordinance (Cap. 221), if the legislative provision creating the offence contains the words "upon indictment" or "on indictment" etc., then the offence is an indictable offence.

3. the proposed responsible person is currently being prosecuted for an offence punishable with imprisonment or has been sentenced to imprisonment, whether or not the sentence is suspended, in a place outside Hong Kong.

- ☐ No
- ☐ Yes (If you answer “Yes”, please provide the relevant prosecution documents/court documents with the following details)
- ☐ being prosecuted currently

Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

- ☐ has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

4. the proposed responsible person is currently being prosecuted for or has been convicted of an offence against the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Elderly Persons) Regulation/Residential Care Homes (Persons with Disabilities) Ordinance/Residential Care Homes (Persons with Disabilities) Regulation.

- ☐ No
- ☐ Yes (If you answer “Yes”, please provide the relevant prosecution documents/court documents with the following details)
- ☐ being prosecuted currently

Prosecuting authority	
Offence involved	
Date of hearing	

- ☐ has been convicted

Court that tried the offence	
Offence committed	
Penalty imposed	
Date of conviction	

5. the proposed responsible person, being the operator of RCHE/RCHD (applicable to both the individual and the partner (being an individual)) previously, has been refused the issuance or renewal of a licence/certificate of exemption under the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Persons with Disabilities) Ordinance.

☐ No

☐ Yes (If you answer “Yes”, please provide the following details)

Date	
LORCHE/LORCHD number and RCH name (if applicable)	
Reason(s)	

6. the proposed responsible person is an undischarged bankrupt.

☐ No

☐ Yes (If you answer “Yes”, please provide the following details and relevant documents)

Date of adjudication	
Court that made the adjudication	

7. the proposed responsible person has entered into composition or scheme of arrangement with the creditor(s).

☐ No

☐ Yes (If you answer “Yes”, please provide the following details and relevant documents)

Date of approval of the composition or scheme of arrangement with the creditor(s)	
Repayment proposal	

8. the proposed responsible person is a director of a body corporate that is in liquidation or the subject of a winding-up order.

☐ No

☐ Yes (If you answer “Yes”, please provide the following details and relevant documents)

Name of the company in English	
Name of the company in Chinese (if applicable)	
Business Registration number	
Certificate of Incorporation number (if applicable)	
Registered address of the company	
Date of adjudication	
Court that made the adjudication	

**Part V Declaration of the Applicant/Operator (Including a Sole Proprietor, a Body Corporate, a Partner in the Partnership)**

**I declare that:**

1. The information I have provided on this application form is true and correct to the best of my knowledge and belief;
2. I fully understand my duties as the operator of the RCHE, and will continue to monitor whether the proposed responsible person meets the “fit and proper” requirement as set out in section 11(E) of the Residential Care Homes (Elderly Persons) Ordinance (“Ordinance”) (including the matters set out in Schedule 2), and whether such person is capable of competently performing the duties mentioned in section 11(D) of the Ordinance;
3. If such responsible person no longer meets the “fit and proper” requirement, I should report to the DSW in accordance with section 11(J) of the Ordinance;
4. I fully understand that, according to section 11(H) of the Ordinance, if there is a change of the responsible person under normal circumstances, I should notify the DSW at least 14 days before such person ceases to be the responsible person, using a form specified by the DSW, and proceed to change the responsible person of the RCHE in accordance with the Ordinance;
5. I fully understand that, according to section 11(G) of the Ordinance, in case of sudden events such as the death or incapacity of the responsible person that require an immediate change of the responsible person, I should notify the DSW within 7 days after the date on which I become aware of the relevant event, using a form specified by the DSW, and proceed to change the responsible person in accordance with the Ordinance; and
6. I understand that if I have complied with the time requirements specified in paragraph 4 and 5 above to notify Social Welfare Department (SWD) for change of the responsible person, the validity of the RCHE licence will not be affected when the DSW is processing and approving the proposal of change of responsible person.

Signature of the

☐ Applicant/

☐ Authorised Representative/

☐ Respective partner: \_\_\_\_\_

Date: \_\_\_\_\_

Name (Block letters): \_\_\_\_\_

Company/Organisation Chop (if applicable): \_\_\_\_\_



**Part VI Declaration of the Proposed Responsible Person**

1. I have read, understood and agreed to the contents of this declaration, and the Personal Information Collection Statement;
2. I agree that the information provided on this application form is true and correct to the best of my knowledge and belief;
3. I agree to be the responsible person of the RCHE, and I fully understand that my duty as the responsible person is to ensure adequate supervision of the operation, keeping, management and control of the RCHE for protecting the interest and safety of the residents and ensure that the RCHE is operated in compliance with the Ordinance;
4. I consent to the SWD making necessary enquiries on matters regarding my application and for verifying the information given above (e.g. requesting details of my conviction records (if any) from the Commissioner of Police; details of my bankruptcy records (if any) from the Official Receiver);
5. I agree to sign the specified authorisation in the witness of the staff of Licensing Office of Residential Care Homes for the Elderly so as to authorise the Commissioner of Police to release my criminal record(s) to the SWD for vetting of this application to be appointed as the responsible person of the RCHE;
6. I authorise all government departments and other organisations or agencies (including but not limited to the Town Planning Board/ Planning Department/ Land Registry/ Hong Kong Police Force/ Fire Services Department/ Buildings Department/ Electrical and Mechanical Services Department/ Official Receiver's Office/ Government bureaux and departments/ public utilities companies, etc.) to disclose any relevant records and information pertaining to my application to be the responsible person of the RCHE on a need-to-know basis; and
7. If I no longer agree to be the responsible person of the RCHE, I may give a written notice to the operator of the RCHE and the DSW to withdraw my consent to be the responsible person.

Signature of the Proposed

Responsible Person: \_\_\_\_\_

Date: \_\_\_\_\_

Name (Block letters): \_\_\_\_\_

## **WARNING**

Under section 21(6)(a) of the Residential Care Homes (Elderly Persons) 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 the person 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.

## **Personal Information Collection Statement**

**Please read this notice before you provide any personal data<sup>2</sup> to the SWD.**

### Purposes of Collection

1. The personal data supplied by you will be used by the SWD to process your proposal for/appointment as responsible person for the RCHE and related matters, including (but is not limited to) licence application, service supervision and regulation and inquiry, etc. Provision of personal data to the SWD is voluntary. However, if you fail to provide the requested personal data, the SWD may be unable to process your application.

### Classes of Transferees

2. The personal data you provided may be made available to other government departments/organisations/persons or under the circumstances listed below for the purposes mentioned in paragraph 1 above –
  - (a) Other government departments/organisations/persons if they are involved in –
    - (i) the application for residential care home licence;
    - (ii) service supervision and regulation of residential care homes, including handling of complaints;
  - (b) Where such disclosure is authorised or required by law; or
  - (c) Where you have given your prescribed consent to such disclosure.

### Access to Personal Data

3. You have the right to request access to and correction of your personal data held by the SWD in accordance with the Personal Data (Privacy) Ordinance, Cap 486. A fee is charged for supplying copies of personal data. Requests for access to and correction of personal data collected by the SWD should be addressed to –

Post title : Executive Officer I (Licensing & Regulation)<sup>2</sup>  
Office : Development Section, Licensing & Regulation Branch, Social Welfare  
Department  
Address : 5/F, THE HUB, 23 Yip Kan Street, Wong Chuk Hang, Hong Kong  
Email : lorcheenq@swd.gov.hk

<sup>2</sup> Under the Personal Data (Privacy) Ordinance (Cap. 486), personal data means any data –

(a) relating directly or indirectly to a living individual;  
(b) from which it is practicable for the identity of the individual to be directly or indirectly ascertained; and  
(c) in a form in which access to or processing of the data is practicable.

## **Residential Care Homes (Elderly Persons) Ordinance**

### **Form for Reporting Certain Events by the Operator for a Residential Care Home for the Elderly**

(In accordance with section 11(J) of the Residential Care Homes (Elderly Persons) Ordinance, the operator of a residential care home must report to the Director of Social Welfare (DSW) by submitting this specified form within 7 days after the date on which the operator becomes aware of the event or a longer period that the DSW permits.)

Note: Please put a “✓” in the appropriate boxes

#### **Part I Particulars of the Residential Care Home for the Elderly (RCHE)**

Name of the RCHE in English	
Name of the RCHE in Chinese	
Address of the RCHE in English	
Address of the RCHE in Chinese	
LORCHE number	
Telephone number	Fax number
Email address	

#### **Part II Reporting Certain Events**

<p>1. Is the <input type="checkbox"/> sole proprietor/<input type="checkbox"/> operator of the body corporate/<input type="checkbox"/> partner (applicable to partner being an individual or a body corporate)/<input type="checkbox"/> responsible person of the RCHE currently being prosecuted for or previously convicted of an indictable offence<sup>1</sup> in Hong Kong?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)</p> <p><input type="checkbox"/> being prosecuted currently</p> <table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 5px;">Prosecuting authority</td><td style="width: 50%;"></td></tr><tr><td style="padding: 5px;">Offence involved</td><td></td></tr><tr><td style="padding: 5px;">Date of hearing</td><td></td></tr></table> <p><input type="checkbox"/> has been convicted</p> <table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 5px;">Court that tried the offence</td><td style="width: 50%;"></td></tr><tr><td style="padding: 5px;">Offence committed</td><td></td></tr><tr><td style="padding: 5px;">Penalty imposed</td><td></td></tr><tr><td style="padding: 5px;">Date of conviction</td><td></td></tr></table>		Prosecuting authority		Offence involved		Date of hearing		Court that tried the offence		Offence committed		Penalty imposed		Date of conviction	
Prosecuting authority															
Offence involved															
Date of hearing															
Court that tried the offence															
Offence committed															
Penalty imposed															
Date of conviction															

<sup>1</sup> According to section 14A of the Criminal Procedure Ordinance (Cap. 221), if the legislative provision creating the offence contains the words "upon indictment" or "on indictment" etc., then the offence is an indictable offence.

2. Is the ☐ sole proprietor/☐ partner (applicable to partner being an individual)/  
☐ responsible person of the RCHE currently being prosecuted for an offence punishable with imprisonment or previously sentenced to imprisonment, whether or not the sentence is suspended, in a place outside Hong Kong?

☐ No

☐ Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

3. Is the ☐ operator of the body corporate/☐ partner (applicable to partner being a body corporate) of the RCHE currently being prosecuted for or previously convicted of an offence punishable with imprisonment in a place outside Hong Kong?

☐ No

☐ Yes (If you answer “yes”, please provide the relevant prosecution documents/court documents with the following details)

☐ being prosecuted currently

Prosecuting authority	
Place of prosecuting authority	
Offence involved	
Date of hearing	

☐ has been convicted

Court that tried the offence	
Place of the court	
Offence committed	
Penalty imposed	
Date of conviction	

4. Is the ☐ sole proprietor/☐ partner (applicable to partner being an individual) /  
☐ responsible person of the RCHE an undischarged bankrupt?
- ☐ No
- ☐ Yes (If you answer “Yes”, please provide the following details and relevant documents)

Date of adjudication	
Court that made the adjudication	

5. Has the ☐ sole proprietor/☐ partner (applicable to partner being an individual and or a body corporate)/ ☐ operator of the body corporate/☐ responsible person of the RCHE entered into a composition or scheme of arrangement with the creditor(s)?
- ☐ No
- ☐ Yes (If you answer “Yes”, please provide the following details and relevant documents)

Date of approval of the composition or scheme of arrangement by the creditor(s)	
Repayment proposal	

6. Is the ☐ sole proprietor/☐ partner (applicable to partner being an individual or a body corporate)/☐ operator of the body corporate/☐ responsible person of the RCHE a director of a body corporate that is in liquidation or the subject of a winding-up order?
- ☐ No
- ☐ Yes (If you answer “Yes”, please provide the following details and relevant documents)

Name of the company in English	
Name of the company in Chinese (if applicable)	
Business Registration number	
Certificate of Incorporation number (if applicable)	
Registered address of the company	
Date of adjudication	
Court that made the adjudication	

7. Is the ☐ partner (applicable to partner being a body corporate)/☐ operator of the body corporate of the RCHE in liquidation or the subject of a winding-up order?

☐ No

☐ Yes (If you answer “Yes”, please provide the following details and relevant documents)

Date of adjudication	
Court that made the adjudication	

8. Has any personal particulars of the responsible person of the RCHE been changed?

☐ No

☐ Yes (If you answer “Yes”, please provide the following details and relevant documents)

New name of the responsible person

(Shall be the same as the name shown on the Hong Kong Identity Card)

☐ Mr/ ☐ Ms

\_\_\_\_\_ ( \_\_\_\_\_ )  
English (surname first, then other names) Chinese

New correspondence address in English

New correspondence address in Chinese

New telephone number (if applicable)

New fax number (if applicable)

New email address (if applicable)

### **Part III Declaration and Consent**

1. I have read and agreed to the contents of this declaration and the Personal Information Collection Statement.
2. The information I have provided on this specified form is true and correct to the best of my knowledge and belief; I understand that if I knowingly and intentionally provide false information or make false statements, the application will be invalid.

Signature of the

☐ Operator/

☐ Authorised Representative/

☐ Respective Partner: \_\_\_\_\_

Date: \_\_\_\_\_

Name (Block letters): \_\_\_\_\_

Company/Organisation Chop (if applicable): \_\_\_\_\_

### **WARNING**

Under section 21(6)(a) of the Residential Care Homes (Elderly Persons) Ordinance, any person who in or in connection with this application/reporting makes any statement or furnishes any information, whether such statement be oral or written, which is false in any material particular and which the person 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/reporting and the existing licence.

## **Personal Information Collection Statement**

**Please read this notice before you provide any personal data<sup>2</sup> to the Social Welfare Department (SWD).**

### Purposes of Collection

1. The personal data supplied by you will be used by the SWD to process your reporting of certain events in relation to your operation of the RCHE and related matters, including (but is not limited to) licence application, service supervision and regulation and inquiry etc. Provision of personal data to the SWD is voluntary. However, if you fail to provide the requested personal data, the SWD may be unable to process your application.

### Classes of Transferees

2. The personal data you provided may be made available to other government departments/organisations/persons or under the circumstances listed below for the purposes mentioned in paragraph 1 above –
  - (a) Other government departments/organisations/persons if they are involved in –
    - (i) application for residential care home licence;
    - (ii) service supervision and regulation of residential care homes, including handling of complaints;
  - (b) Where such disclosure is authorised or required by law; or
  - (c) Where you have given your prescribed consent to such disclosure.

### Access to Personal Data

3. You have the right to request access to and correction of your personal data held by the SWD in accordance with the Personal Data (Privacy) Ordinance, Cap 486. A fee is charged for supplying copies of personal data. Requests for access to and correction of personal data collected by the SWD should be addressed to –

Post title : Executive Officer I (Licensing & Regulation)<sup>2</sup>  
Office : Development Section, Licensing & Regulation Branch, Social Welfare  
Department  
Address : 5/F, THE HUB, 23 Yip Kan Street, Wong Chuk Hang, Hong Kong  
Email : lorcheenq@swd.gov.hk

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<sup>2</sup> Under the Personal Data (Privacy) Ordinance (Cap. 486), personal data means any data –  
(a) relating directly or indirectly to a living individual;  
(b) from which it is practicable for the identity of the individual to be directly or indirectly ascertained; and  
(c) in a form in which access to or processing of the data is practicable.



**Fire safety requirements for the part of the residential care homes for the elderly (RCHEs)  
situated at a height of more than 24 metres above the ground floor  
and used for dormitory purpose**

**I. Building fire safety design**

In addition to complying with the design and construction requirements as stipulated in the Code of Practice for Fire Safety in Buildings 2011 issued by the Building Authority and any subsequent revision, RCHE operator(s) shall observe the following fire safety design requirements.

<b>Building fire safety design</b>	<b>Descriptions</b>
1. Open balcony approach <sup>Note</sup>	(i) should be provided to all dormitories along the external façade of the building and be connected with the protected lobby/protected corridor for evacuation of residents to a safer place or zone (ii) should allow the maneuvering of beds with wheels or wheelchairs
2. Widened corridor(s)	(i) should allow at least two beds with wheels to move in parallel (ii) should be connected with escape staircase(s) and fireman's lift(s)
3. Sufficient size of compartment zone	The size of a compartment zone should be sufficient to accommodate the residents of the adjoining compartment simultaneously to facilitate evacuation to a safer place or zone
4. Refuge floor <sup>Note</sup>	(i) should be provided on every 24 metres (ii) height should be measured from the ground level of the building or floor level of the refuge floor (iii) will serve as a refuge for residents to assemble
5. Widened escape staircase(s) <sup>Note</sup>	should allow the maneuvering of stretchers or wheelchairs
6. Enlarged fireman's lift(s) <sup>Note</sup>	(i) should be able to accommodate at least one bed with wheels and two rescuers (ii) the lobby/lobbies to the fireman's lift(s) should allow the maneuvering of beds with wheels or wheelchairs
7. Fire-resisting door(s)	should be provided to separate compartment zones for evacuation of residents to a safer place or zone

8. Dormitories fitted with fire-resisting doors	(i) dormitories should be fitted with fire-resisting doors (ii) transparent vision-panel/ window, if any, on the fire-resisting door should have the same fire-resistance rating as that of the door
9. Building exterior not covered by combustible material	The exterior of the building should not be covered by combustible material, such as green walls and combustible claddings, to avoid vertical fire spread along the building exterior
10. Emergency Vehicular Access <sup>Note</sup>	should serve at least 50% of the major façade of the building subject to site condition
11. Additional fire service installations and equipment (FSI)	may be required by the Fire Services Department (FSD) subject to the building design

**Note:** RCHE operators may submit alternative proposals for meeting the above specified fire safety requirements if structural and/ or technical difficulties are encountered. FSD will adopt a flexible and pragmatic approach to holistically consider the alternative proposals on a case-by-case basis. Subject to achieving the level of fire safety accepted by FSD, alternative measures for certain building fire safety requirements may be adopted, with some examples as follows –

	Specified Fire Safety Design Requirements	Examples of Alternative Measures May be Considered <sup>1</sup>
For the part of the RCHE situated at a height of <b><u>more than 24 metres and up to 30 metres above the ground floor</u></b> and used for dormitory purpose [applicable to both <b><u>existing</u></b>	1. Open balcony approach <sup>2</sup> ; 4. Refuge floor <sup>2</sup> ; 5. Widened escape staircase(s) <sup>2</sup> ; 6. Enlarged fireman's lift(s) <sup>2</sup> ; and	<ul style="list-style-type: none"> <li>Provision of smoke free corridor which shall be connected to each dormitory by installation of automatic window-opening system and alternative exits in each dormitory<sup>3</sup>; and</li> </ul>

<sup>1</sup> The adoption of the alternative measures is subject to FSD's advice on other fire safety requirements (including those as set out in the above table on "Building fire safety design" as well as "Management requirements for RCHEs" set out in the table in the ensuing part) for the purposes of, among others, ensuring the efficient evacuation of affected residents by RCHE staff to a safer place prior to the arrival of FSD personnel and facilitating FSD's emergency rescue teams to perform rescue and/or evacuation efficiently in case of fire.

<sup>2</sup> These five requirements could be considered being replaced by alternative measures, while the remaining six requirements as listed in the table on "Building fire safety design" continue to apply.

<sup>3</sup> The width of the smoke free corridor should be sufficient for the manoeuvring of beds with wheels or wheelchairs. As regards the automatic window-opening system, the total area of windows for smoke discharge should be not less than 2% of floor area and the windows for smoke discharge should be permanently open or automatically open when the system is actuated.

purpose-built buildings (i.e. those buildings purposely built for RCHEs) and institutional buildings (e.g. multi-purpose government complex, multi-purpose welfare complex run/owned by Non-governmental Organisations), <b>as well as those purpose-built and institutional buildings under new development projects</b>	10. Emergency vehicular access <sup>2</sup> ;	<ul style="list-style-type: none"> <li>Provision of sufficient number of wheelchairs/ stretchers to facilitate vertical evacuation<sup>4</sup></li> </ul>
If part of the RCHE used for dormitory purpose is situated at a height of <b>more than 30 metres</b> above the ground floor, for the entire part of the RCHE situated at a height of <b>more than 24 metres</b> above ground and used for dormitory purpose [applicable to purpose-built buildings and institutional buildings <b>under new development projects</b> ]	1. Open balcony approach <sup>5</sup>	<ul style="list-style-type: none"> <li>Provision of smoke free corridor which shall be connected to each dormitory by installation of automatic window-opening system and alternative exits in each dormitory<sup>3</sup></li> </ul>
	4. Refuge floor <sup>5</sup>	<ul style="list-style-type: none"> <li>Provision of refuge floor every 30 metres</li> </ul>

## II. Management requirements for RCHEs

Management requirements for RCHEs	Descriptions
1. One operator for the same floor	The RCHE premises located on the same floor should be operated by one single operator to facilitate coordinated and orderly horizontal evacuation

<sup>4</sup> FSD will advise on the required proportion or number of wheelchairs and stretchers on a case-by-case basis with due regard to various factors, including the availability and size of fireman's lifts, design of escape staircase, etc.

<sup>5</sup> These two requirements could be considered being replaced by alternative measures, while the remaining nine requirements as listed in the table on "Building fire safety design" continue to apply.

2. Training for adequate number of RCHE staff <sup>#</sup>	Training should be provided for an adequate number of staff, so that there will be enough number of trained staff to assist all residents in affected compartment(s) to evacuate to adjoining compartment zone(s) simultaneously in case of fire or other emergencies
3. Formulation of fire safety management plan (FSMP)	The FSMP should cover details of maintenance plan of fire safety provision, staff training plan and fire action plan in case of fire or other emergencies, etc.
4. Total fire safety management	The overall fire safety level should be enhanced by ensuring regular staff training, timely maintenance or inspection of FSI and regular fire safety inspections

<sup>#</sup> Training refers to the completion of required fire safety training course(s). Staff members who have completed training should be competent in implementing the FSMP including the evacuation procedures. (For arrangement of fire safety training courses for RCHE staff, please contact the Licensing Office of Residential Care Homes for the Elderly of the Social Welfare Department at 3184 0729 / 2834 7414.)

## Checklist of Documents for Fire Safety and Precautionary Measures

### I. Applicable to Application for a New Licence (including expansion or merger of an RCHE, or change of the home name, etc.)

1.	Floor Plan for Fire Service Installations and Equipment within RCHE		<input type="checkbox"/>
2.	Relevant Documents and Certificates of Fire Service Installation and Equipment (applicable to newly installed and existing fire service installations and equipment)	(i) Certificate of Fire Service Installation and Equipment (FS251)	
		Fire detection system	<input type="checkbox"/>
		Fire alarm system	<input type="checkbox"/>
		Portable fire-fighting equipment	<input type="checkbox"/>
		Exit signs and directional signs	<input type="checkbox"/>
		Emergency lighting	<input type="checkbox"/>
		Sprinkler system (applicable to gross floor area exceeding 230 m <sup>2</sup> )	<input type="checkbox"/>
		Hose reel system (applicable to gross floor area exceeding 230 m <sup>2</sup> )	<input type="checkbox"/>
		Emergency generator (if any)	<input type="checkbox"/>
		Ventilation/air conditioning control system (if any)	<input type="checkbox"/>
		Automatic actuating devices of fire shutters (if any)	<input type="checkbox"/>
		Fire retardant paint/solution accepted by the Director of Fire Services (D of FS) (if applicable)	<input type="checkbox"/>
		(ii) Relevant satisfactory letter issued by the D of FS, Fire Services Certificate (FS 161) and Fire Service Completion Advice from the Water Authority (applicable to new installed sprinkler system and hose reel system)	<input type="checkbox"/>
		(iii) Testing and commissioning checklist for fire detection and fire alarm systems issued by the D of FS	<input type="checkbox"/>
		(iv) Proof of fire detection system connection to direct telephone link of Service Providers of the Computerised Fire Alarm Transmission System	<input type="checkbox"/>
(v) Listing certificates/records/printouts/documents issued by Product Certification Bodies (if applicable)	<input type="checkbox"/>		
(vi) FSD approval/acceptance reference (if applicable)	<input type="checkbox"/>		
3.	(i) Fire Service Installation Plans (FSI/314A), (ii) Fire Service Installation Plans for Prescribed Commercial Premises/Specified Commercial Buildings (FSI/314B); or (iii) Fire Service Installation Plans for Composite Building/Domestic Building (FSI/314C); (as appropriate) Relevant fire service installation plan(s) with the stamp of the FSD and subsequent reply from the D of FS shall be included.		<input type="checkbox"/>
4.	Ventilating System	3 copies of proposed ventilating system layout plans (including data of ventilation rate for the ventilating system)	<input type="checkbox"/>
		Letter of Compliance issued by the FSD	<input type="checkbox"/>
5.	Documentary proof on flammability standard for all combustible materials including all linings for acoustic, thermal insulation or decorative purposes (if applicable)		<input type="checkbox"/>
6.	Certificates of flame retardant product for all linings for acoustic, thermal insulation and decorative purposes in ducting and concealed locations (if applicable)		<input type="checkbox"/>
7.	Emergency evacuation plan and fire/emergency escape routes plan		<input type="checkbox"/>

8.	Polyurethane (PU) Foam Filled Mattresses and Upholstered Furniture	Invoices from manufactures/suppliers (to indicate the goods conform to the relevant standard	<input type="checkbox"/>
		Test certificates issued by accredited laboratories (authenticated by the company's stamp of manufactures/suppliers)	<input type="checkbox"/>
		Goods label	<input type="checkbox"/>
9.	Electricity (Wiring) Regulations Work Completion Certificate (Form WR1)		<input type="checkbox"/>
10.	Gas installation	Copy of the Certificate of compliance/certificate of completion for gas installation	<input type="checkbox"/>
		Copy of the Registered Gas Contractor Certificate	<input type="checkbox"/>
		Copy of the Registered Gas Installer Card	<input type="checkbox"/>

## II. Applicable to Application for Renewal of a Licence

1.	Certificates of Fire Service Installation and Equipment (FS251)	Fire detection system	<input type="checkbox"/>
		Fire alarm system	<input type="checkbox"/>
		Portable fire-fighting equipment	<input type="checkbox"/>
		Exit signs and directional signs	<input type="checkbox"/>
		Emergency lighting	<input type="checkbox"/>
		Sprinkler system (applicable to gross floor area exceeding 230 m <sup>2</sup> )	<input type="checkbox"/>
		Hose reel system (applicable to gross floor area exceeding 230 m <sup>2</sup> )	<input type="checkbox"/>
		Emergency generator (if any)	<input type="checkbox"/>
		Ventilation/air conditioning control system (if any)	<input type="checkbox"/>
		Automatic actuating devices of fire shutters (if any)	<input type="checkbox"/>
2.	Electricity (Wiring) Regulations Work Completion Certificate (Form WR1) (applicable to first 5 years); or Periodic Test Certificate (Form WR2)		<input type="checkbox"/>
3.	Ventilating System	Annual Inspection Certificate (AIC)	<input type="checkbox"/>
4.	Gas Installation	Copy of the Certificate of compliance/certificate of completion for gas installation	<input type="checkbox"/>
		Copy of the Registered Gas Contractor Certificate	<input type="checkbox"/>
		Copy of the Registered Gas Installer Card	<input type="checkbox"/>
5.	Fire Drill Record	Shall be still valid on the day of renewal for a licence	<input type="checkbox"/>

## **Guideline for ‘Emergency Evacuation Plan’ of Residential Care Homes for the Elderly (RCHE)**

An Emergency Evacuation Plan should include two parts :

### **(A) Fire Safety Instructions**

Outline the actions to be taken by residents, visitors and staff of an RCHE upon discovery of fire, noticed of fire alarm signal or evacuation during emergency.

References can be made to the following samples while preparing the instructions:

- (A)(I) Fire Safety Instruction – for Residents / Visitors
- (A)(II) Fire Safety Instruction – for RCHE Staff
- (A)(III) Fire Safety Instruction – for RCHE Home Managers

### **(B) Fire/Emergency Evacuation Route Plan**

The layout plan of an RCHE showing evacuation route(s) to designated safe assembly point(s) upon discovery of fire, noticed of fire alarm signal or evacuation during emergency.

While preparing the plans, references can be made to the Sample Diagrams (1) and (2) and the following essential information shall be included:

1. General layout of premises including location of kitchen, switch room, store room, laundry, passages and exits.
2. Legend and locations for the following fire service installations and equipment:  
Fire extinguishers, Fire Blankets, Hose Reels, and Manual Fire Alarm Call Points.
3. Mark the “You are here” point regarding the posting location of this plan and highlight the nearest route to exit thereon. An alternative route should also be highlighted if there is more than one exit on premises.
4. To provide address and information of the “Designated Assembly Point” in an auxiliary map. Names of streets surrounding the building where RCHE located should also be shown.

**(A)(I) Fire Safety Instruction – for Residents /Visitors*****When you discover a fire .....***

1. Alert others by shouting “Fire”.
2. Activate the fire alarm system by breaking the glass of manual fire alarm call point.
3. Report the fire by dialling 999 and give the following RCHE name and address.  
< RCHE Name & Address >
4. When it is safe to do so, use fire extinguisher, fire blanket or hose reel to put out the fire.
5. If the magnitude of fire is large or uncontrollable, leave the fire compartment/floor and proceed to the designated assembly point.
6. Help others who are in need of assistance if possible.
7. When arrive at the designated assembly point, report to the home manager of the RCHE.

***When you notice any fire alarm signal (alarm bell sound or red flash light) .....***

1. Leave the RCHE calmly and proceed to the designated assembly point.
2. Help others who are in need of assistance if possible.
3. When arrive at the designated assembly point, report to the home manager of the RCHE.

**Remarks – for Residents /Visitors:**

- (i) Residents should be conversant with all exits in the RCHE and the escape routes leading to the designated assembly point.
- (ii) This instruction should be posted in prominent locations inside the RCHE.



**(A)(II) Fire Safety Instruction – for RCHE Staff*****When you discover a fire.....***

1. Alert others by shouting “Fire”.
2. Activate the fire alarm system by breaking the glass of manual fire alarm call point.
3. Remove residents close to the fire or affected by the smoke to a safe location.
4. Report the fire by dialling 999 and give the following information:
  - (i) RCHE Name & Address;
  - (ii) Location and situation of the fire; and
  - (iii) Number and location of person(s) injured/trapped.
5. If it is safe to do so, remove medical gas cylinders and other combustibles away from fire/fire compartment/floor.
6. When the magnitude of fire is small and it is safe to do so, use fire extinguisher, fire blanket or hose reel to put out the fire.
7. If the magnitude of fire is large or uncontrollable, evacuate all residents out of the fire compartment/floor.
8. After all personnel have been evacuated, close the door of fire compartment/ floor and evacuate all residents to the designated assembly point.
9. If immediate evacuation to the designated assembly point is not feasible, residents may, depending on situation, be evacuated to the following locations waiting for rescue and thence to the designated assembly point when situation permitted :
  - (i) other compartments, lift lobby, or open air podium on same floor,
  - (ii) floors below fire compartment/ floor.
10. When arrive at the designated assembly point, report to the home manager of the RCHE.
11. Contact/approach the attending fire-fighters with a view to providing information to assist firefighting and rescue, including but not limited to:
  - (i) Location and situation of the fire;
  - (ii) Number and location of person(s) injured/trapped; and
  - (iii) Location of medical gas cylinders stored.

***When you notice any fire alarm signal (alarm bell sound or red flash light) .....***

1. Check the location of the fire immediately.
2. If there are signs of fire (e.g. fire, smoke, smell of combustion, etc.), follow the guidance on “When you discover a fire...”

3. If there is no sign of fire, approach/contact the attending fire personnel with a view to providing information and assistance.

**Remarks – for RCHE Staff:**

- (i) RCHE staff should be conversant with...
  1. The complete emergency evacuation plan of RCHE.
  2. All evacuation routes from RCHE to the designated assembly point.
  3. Location and operation of the following fire service installations and equipment:
    - Manual Fire Call points
    - Hose Reel
    - Fire extinguisher and fire blanket
    - RCHE or building sprinkler system inlet
  4. How to remove non-ambulant residents during fire or other emergency.
  5. The responsibilities and division of labour of each position in case of fire or emergency situations.
- (ii) This instruction is solely for staff of RCHE and is not required to be posted in public.

**(A)(III) Fire Safety Instruction – for RCHE Home Managers**

***When you discover a fire or notice any fire alarm signal (alarm bell sound or red flash light) .....***

1. Carry out relevant procedures stated in ‘Fire Safety Instruction – for RCHE Staff’.
2. Direct staff to evacuate residents and visitors according to their degree of urgency.
3. Ensure all personnel have been evacuated before closing the door of the fire affected compartment/floor door.
4. Personally contact the attending fire personnel to provide information to assist firefighting and rescue, including but not limited to:
  - (i) Location and situation of the fire;
  - (ii) Number and location of person(s) injured/trapped; and
  - (iii) Location of medical gas cylinders stored.

If immediate contact with the attending fire personnel is not successful, dial 999 to acquire assistance.

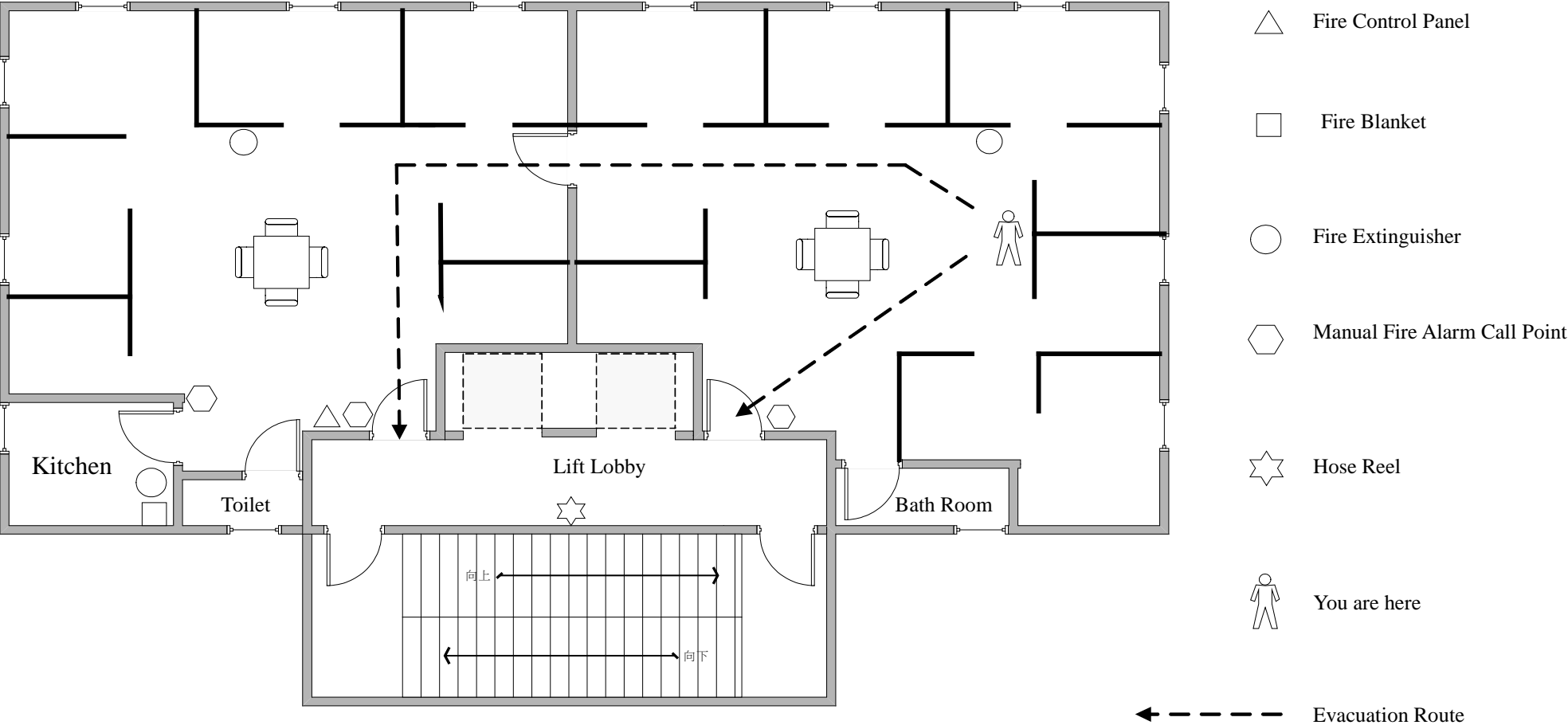
5. To take (or delegate staff to take) roll call at designated assembly point.

**Remarks – for RCHE Home Managers :**

- (i) RCHE Home Manager should be conversant with the emergency evacuation plan of RCHE and ensure all staff are acquainted with the items mentioned in “Remarks – for RCHE Staff” and the responsibilities and division of labour of each position in case of fire or emergency situations. In addition, RCHE Home Manager is also responsible to provide training for staff on the following :
  1. How to operate the following fire service installations and equipment :  
Fire Extinguisher, Fire Blanket, Hose Reel set, Manual Fire Alarm System and Fire Control Panel.
  2. How to evacuate residents and visitors to designated assembly point.
  3. How to remove non-ambulant residents during fire or other emergency.
  4. How to take roll call at the designated assembly point.
- (ii) This instruction is solely for RCHE Home Managers and is not required to be posted in public.

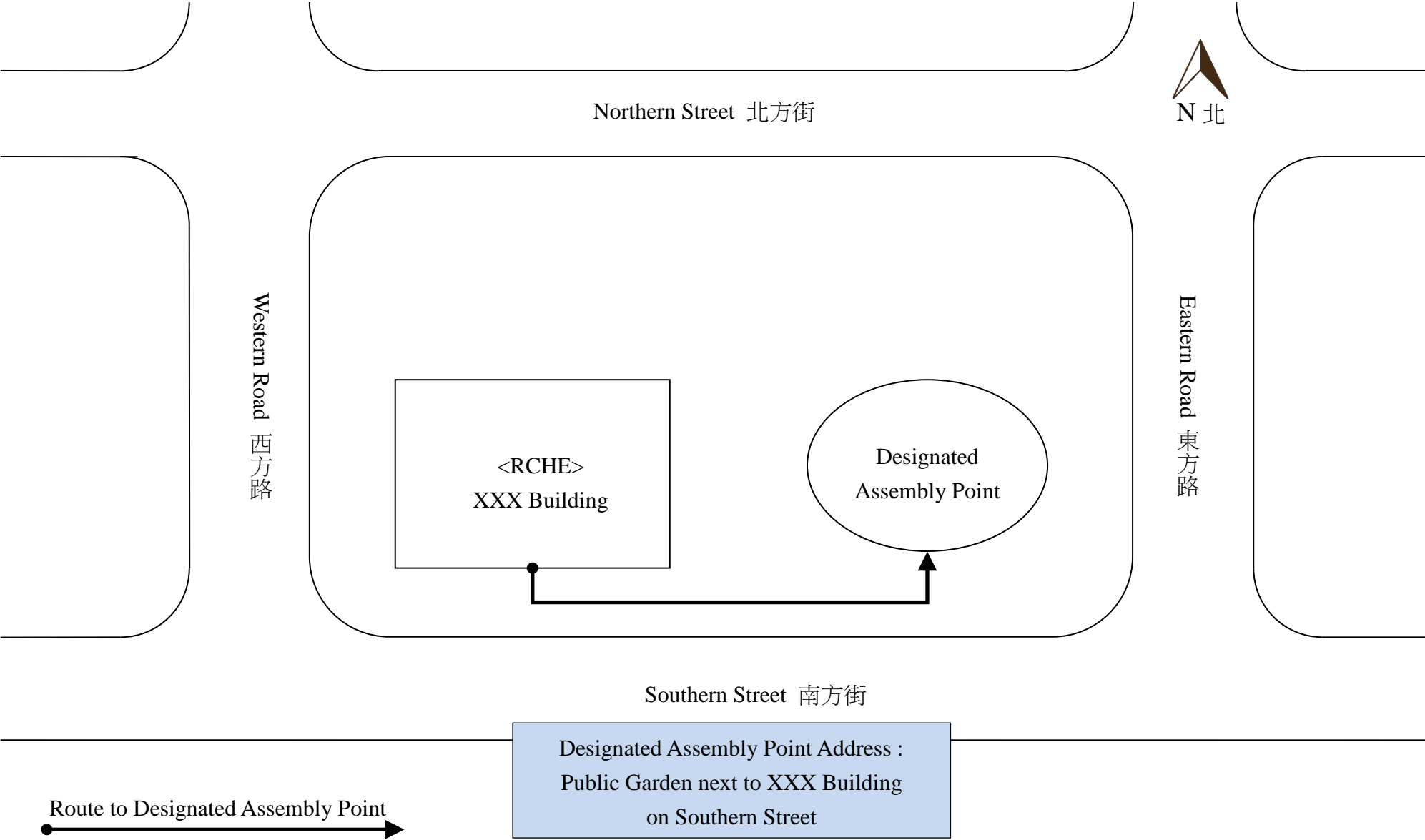
<RCHE Name> Evacuation Route Plan

Sample Diagram (1)



**<RCHE Name> Emergency Evacuation ‘Designated Assembly Point’ Location**

Sample Diagram (2)





## Residential Care Homes (Elderly Persons) Ordinance (Chapter 459, Laws of Hong Kong)

### \*Certificate of Compliance/Certificate of Completion for Gas Installation

Name of RCHE: \_\_\_\_\_ LORCHE Number: \_\_\_\_\_

Address: \_\_\_\_\_

(A) This is to certify that –

- \*(i) All gas installations (including gas appliances) for the above premises have been \*installed/modified in accordance with the following regulations and codes for safe operation –
- \*(ii) All existing gas installations (including gas appliances) installed in the above premises have been \*inspected/maintained/repared in accordance with the following regulations and codes for safe operation –

*(a) Gas Safety (Gas Supply) Regulations (Cap. 51 sub. leg. B)
*(b) Gas Safety (Installation and Use) Regulations (Cap. 51 sub. leg. C)
*(c) Installation Requirements for Domestic Gas Water Heaters (Rated Heat Input Up To 70 kW) (Code of Practice GU03)
*(d) For Town Gas Supply Requirements for Town Gas Installations for Catering Purposes in Restaurants and Food Preparation Establishments (Code of Practice GU21)
*(e) For LPG [*Centralized Piped/Cylinder Chamber Supply] LPG Installations for Catering Purposes in Commercial Premises (Code of Practice GU06)
*(f) Installation of Mechanical Exhaust System for Gas Appliances (Rated Heat Input Up to 70 kW) (Code of Practice GU12)
*(g) Commercial Gas Dryer Fuelled By Town Gas/Liquefied Petroleum Gas (Code of Practice GU13 - Module One/Two)
*(h) Others

(B) The installation was

\*installed/modified/inspected/maintained/repared on: \_\_\_\_\_ (dd/mm/yyyy)

Registered Gas Installer (RGI) Name: \_\_\_\_\_ RGI No.: \_\_\_\_\_

Classes Registered: \_\_\_\_\_ \* 5/6/7

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

On behalf of: \_\_\_\_\_

(Name of Company)

Company Stamp & \_\_\_\_\_ Registered Gas  
Signature: \_\_\_\_\_ Contractor (RGC) No.: \_\_\_\_\_

Telephone: \_\_\_\_\_ Date: \_\_\_\_\_

Note: Please attach a copy of the related (i) Registered Gas Installer Card and (ii) Registered Gas Contractor Certificate to this Certificate for submission to the Licensing Office of Residential Care Homes for the Elderly of the Social Welfare Department.

*\*Delete whichever is inapplicable*





## **Guidelines on Fees and Charges in Residential Care Homes for the Elderly**

Operators and home managers of residential care homes for the elderly (RCHEs) shall strictly adhere to paragraphs 8.3 and 8.4 of Chapter 8 in the Code of Practice for Residential Care Homes (Elderly Persons) and the following guidelines on handling fees and charges –

- (1) RCHEs shall explicitly specify the amount (i.e. the amount per month/per time/per item in HK dollar) of home fees and other charge items (including services or goods) and list the charges to set out clearly all the chargeable items and the charging criteria with the actual amount/unit cost [RCHEs are strictly prohibited from adopting a pricing method without specifying the actual amounts, such as “charging the total Comprehensive Social Security Assistance (CSSA) (including Residential Care Supplement) payment as the home fee”, “charging a fee equivalent to the CSSA amount”, “charging a fee equivalent to the price under the Enhanced Bought Place Scheme (EBPS)/Pilot Scheme on Residential Care Service Voucher for the Elderly (the Voucher)”, etc.]. RCHEs should also display a clear list of charges at prominent places in the RCHEs to facilitate access of residents, family members and other people.
- (2) RCHEs shall give the schedule of fees and charges to the residents and/or their guardians/guarantors/family members/relatives prior to admission and clearly explain to them details of the charges.
- (3) RCHEs shall state the following items clearly in the admission agreement –
  - (a) fee-charging regulations of the RCHE;
  - (b) home fees payable by the resident (i.e. the amount per month in HK dollar) and the specific amounts (i.e. the amount per month/per visit/per service/per item in HK dollar) for items of payable fees for different services/goods (e.g. transportation fees for attending medical appointment, escort fees for attending medical treatment, dressing charges, diaper fees, nutritional milk product charges, air-conditioning fees, etc.) and the detailed information of such charges;
  - (c) arrangement of charging a deposit;
  - (d) deadline for payments and arrangement for handling overdue payments;
  - (e) fee-charging arrangement for residents with long-term hospitalisation;
  - (f) arrangement for collection/refund of payment for discharge (e.g. leaving the RCHE, death, etc.), including the home fee/deposit/other paid fees, non-refundable fees and the processes and procedures for refund of payment; and
  - (g) arrangement for fee adjustment, etc.
- (4) During the procedures of admission, RCHEs shall explain clearly all the terms in the admission agreement, in particular those in relation to collection/refund of payment, to the residents and/or their guardians/guarantors/family members/relatives.

- (5) The admission agreements shall be signed by RCHEs and the residents and/or guardians/guarantors/family members/relatives for confirmation. The residents/guardians/guarantors/family members/relatives who sign(s) the admission agreements shall have sufficient cognitive ability to state that they understand and accept the contents and conditions of the agreement. Any revision (including the formulation of new payable items and fee adjustment) shall be effective only after being signed and confirmed by the RCHEs and the residents and/or guardians/guarantors/family members/relatives. The follow-up arrangement in the case of the residents/guardians/guarantors/family members/relatives disagreeing to the RCHEs' proposed fee adjustment should also be stated in the admission agreements.
- (6) RCHEs shall provide the residents and/or guardians/guarantors/family members/relatives with a copy of the signed admission agreements for their retention.
- (7) Upon receipt of payment, RCHEs shall immediately issue an official receipt bearing the name and/or business stamp of the RCHEs to the residents/guardians/guarantors/family members/relatives that indicates clearly the payer, date of payment, payee, items of payment, payment period and amount paid. RCHEs should properly keep records of different payments made by the residents, amounts paid by the RCHE on the residents' behalf and receipts, etc.
- (8) RCHEs may encourage residents to pay home fee by autopay for clear transactions and maintenance of records.
- (9) Residents receiving CSSA payment or their appointees are obliged to keep proper management of the CSSA payment received for paying home fees and other charges. In case of non-payment of home fees and other charges by the residents receiving CSSA payment or their appointees, RCHEs may contact the respective staff of the social security field units of the Social Welfare Department, which the latter will recover and deduct the overpayment or proceed with other appropriate arrangements.
- (10) RCHEs should inform the affected residents and/or their guardians/guarantors/family members/relatives in writing of any proposed increase in fees or charges for any service or goods (including monetary adjustment due to inflation or change of residents' health condition) at least 30 days prior to the effective date and shall be effective only after being signed and confirmed by the RCHEs and the residents and/or guardians/guarantors/family members/relatives.
- (11) RCHEs are forbidden to draw on the long-term supplement and/or the additional standard rate payments (if applicable) released to CSSA recipients for supplementing their home fees and/or service charges.

## **Guidelines on Handling Resident's Possessions in Residential Care Homes for the Elderly**

Operators and home managers of residential care homes for the elderly (RCHEs) shall strictly adhere to paragraphs 8.3 and 8.4 of Chapter 8 in the Code of Practice for Residential Care Homes (Elderly Persons) and the following guidelines on handling residents' possessions –

- (1) Under section 16 of the Residential Care Homes (Elderly Persons) Regulation, RCHEs shall maintain a record of every resident, including possessions or property stored or held on behalf of each resident, such as identity document(s), travel document(s), bank passbook(s), automated teller machine (ATM) card(s), name stamp(s), pocket money, medical follow-up card(s), Certificate(s) for Waiver of Medical Charges, Senior Citizen Card(s), etc. Written consent and authorisation from the residents and/or their guardians/guarantors/ family members/relatives shall be obtained on admission or when necessary. RCHEs shall establish and maintain a comprehensive and regularly updated record system and keeping the records properly in the RCHEs for the inspection of the Licensing Office of Residential Care Homes for Elderly (LORCHE) at any time.
- (2) An RCHE should clearly count and keep proper record of the possessions under its custody during admission.
- (3) Unless the RCHE has obtained written consent and authorisation from the resident and his/her guardians/guarantors/family members/relatives, the operator and staff of the RCHE should not take the initiative to handle the personal financial matters of residents such as paying the home fees. It is even prohibited to use or withdraw money from the bank accounts of residents for paying the home fees and other charges. The RCHE shall also establish and execute a proper monitoring mechanism in order to avoid dispute and misuse of money in residents' bank accounts (please refer to (4) below for the monitoring mechanism).
- (4) In order to avoid dispute and misuse of money in residents' bank accounts, an RCHE shall establish and execute the following monitoring mechanism:
  - (a) If the resident is of a good mental state, clear about his/her own financial conditions and capable of managing personal financial matters, subject to his/her willingness, the resident may appoint the RCHE to withdraw bank savings to pay the home fees and other charges on his/her behalf, while the RCHE shall keep a clear record of the authorisation. The letter of authorisation shall be jointly signed by the resident, staff concerned of the RCHE and the witness (who should be the resident's guarantors/family members/relatives, if any). The RCHE should formulate guidelines and operational procedures as appropriate, including keeping a complete and up-to-date record by a designated management/supervisory staff member. The RCHE must also establish and strictly execute a proper monitoring mechanism; the accounts, bills, receipts, etc. are to be checked by

the home operator regularly. These records and accounts shall be made available for inspection at any time by the residents, family members, inspectors of LORCHE, the caseworker and staff concerned of the Social Welfare Department.

- (b) If the guardians/guarantors/family members/relatives, who are responsible for handling the personal financial matters of the residents, are not able to pay the home fees in person for any reasons (the resident shall be of a good mental state), they may sign a letter of authorisation to appoint any person who is trusted or the RCHE to handle the matters on their behalf. If the RCHE is entrusted, the RCHE is obliged to execute the appointment procedure and monitoring mechanism as mentioned in (a) above. The letter of authorisation shall be jointly signed by the resident, the resident's guardians/guarantors/ family members/relatives, the staff concerned of the RCHE and a witness.
  - (c) If the resident is certified by a registered medical practitioner as incapable of managing personal financial matters, the operator and staff of the RCHE are strictly prohibited to withdraw any bank savings to pay the home fees and other charges on behalf of the resident. The RCHE should request the resident's guardians/guarantors/family members/relatives or the caseworker to arrange for an appointee to handle matters relating to the home fees and other charges.
- (5) RCHEs should refer to chapter on "Basic Knowledge on Elder Abuse" in the Procedural Guidelines for Handling Elder Abuse Cases (the latest revised version) issued by the SWD to protect residents from financial abuse. RCHEs should also refer to paragraph 8.9 "Prevention of Elder Abuse" of Chapter 8 in the Code of Practice for the Residential Care Homes (Elderly Persons) to protect residents from abuse.

## Special Incident Report

(this shall be submitted within 3 calendar days, including public holiday(s), after the incident)

Note: please tick as appropriate and submit the supplementary sheet/a customised report with relevant information together with this form.

**To: Licensing Office of Residential Care Homes for the Elderly (LORCHE)  
of the Social Welfare Department (Note 1)**

**(Fax no.: 3106 3058/2574 4176 and email: lorcheenq@swd.gov.hk)**

**(Enquiry no.: 2834 7414/3184 0729)**

[Attn: \_\_\_\_\_ (Name of inspector)]

Name of RCHE \_\_\_\_\_

Name of home manager \_\_\_\_\_

Contact no. \_\_\_\_\_

Date of incident \_\_\_\_\_

### Type of Special Incident

**(1) Unusual death/repeated injuries of a resident; or other incident resulting in death/serious injury of a resident**

☐ incident happened in the RCHE and the resident concerned was sent to hospital for treatment/ died after being taken to hospital

please specify: \_\_\_\_\_

☐ the resident committed/attempted suicide in the RCHE and was sent to hospital for treatment/ died after being taken to hospital

☐ other unusual death/injury, please specify: \_\_\_\_\_

☐ receiving a summons issued by the Coroner's Court to attend the inquest to give evidence (please attach a copy of the summons and provide details on the supplementary sheet)

(a) ☐ has not/ ☐ has reported the case to the police

reporting date and reference no.: \_\_\_\_\_

(b) police inspection date and time (if applicable): \_\_\_\_\_

**(2) Missing of a resident requiring police assistance**

☐ the resident left the RCHE unnoticed

☐ the resident was found missing during activities outside the RCHE

☐ during home leave   ☐ going out on his/her own   ☐ during activities organised by the RCHE

date of reporting to the police and reference no.: \_\_\_\_\_

(a) ☐ resident was found on \_\_\_\_\_ (dd/mm/yyyy)

☐ resident is not yet found and has been missing for \_\_\_\_\_ days since the missing day

(b) please specify the medical history of resident: \_\_\_\_\_

**(3) Established/suspected abuse or infringement of a resident**

☐ physical abuse   ☐ psychological abuse (Note 2)   ☐ neglect

☐ financial abuse   ☐ abandonment

☐ sexual abuse/indecent assault

☐ others (please specify: \_\_\_\_\_ )

<p>(a) <input type="checkbox"/> established case                      <input type="checkbox"/> suspected case</p> <p>(b) identity of abuser/suspected abuser/perpetrator  <input type="checkbox"/> staff    <input type="checkbox"/> resident    <input type="checkbox"/> visitor  <input type="checkbox"/> others (please specify: _____ )</p> <p>(c) <input type="checkbox"/> has/<input type="checkbox"/> has not referred to social worker  please specify the referral date and respective service unit if referral is made:  _____</p> <p>(d) <input type="checkbox"/> has/<input type="checkbox"/> has not reported the case to police  reporting date and reference no.: _____</p>
<p><b>(4) Dispute in the RCHE requiring police assistance</b></p> <p><input type="checkbox"/> between residents    <input type="checkbox"/> between resident(s) and staff    <input type="checkbox"/> between resident(s) and visitor(s)  <input type="checkbox"/> between staff    <input type="checkbox"/> between staff and visitor(s)    <input type="checkbox"/> between visitors  <input type="checkbox"/> others (please specify: _____ )  date of reporting to police and reference no.: _____</p>
<p><b>(5) Serious medical/drug incident (Medication Risk Management Report shall be submitted at the same time)</b></p> <p><input type="checkbox"/> resident(s) is/are admitted to hospital for examination or treatment after taking wrong drug(s)  <input type="checkbox"/> resident(s) is/are admitted to hospital for examination or treatment after missing a dose or an overdose  <input type="checkbox"/> resident(s) is/are admitted to hospital for examination or treatment after taking proprietary/non-prescription drug(s)  <input type="checkbox"/> others (please specify: _____ )</p>
<p><b>(6) Other special incidents affecting the operation of the RCHE/residents</b></p> <p><input type="checkbox"/> suspension of power    <input type="checkbox"/> building defects or structural problems    <input type="checkbox"/> fire  <input type="checkbox"/> suspension of water supply    outbreak  <input type="checkbox"/> flood/landslip/unknown gas leakage/other natural disasters  <input type="checkbox"/> others (e.g. serious incidents involving staff), please specify: _____</p>
<p><b>(7) Others (e.g. serious data breach or incidents that may draw media attention )</b></p> <p><input type="checkbox"/> please specify: _____</p>

**Information of the Resident and his/her Family Members/the Staff Concerned**

Name of resident _____	Age/Sex _____	Room and/or bed no. _____
<input type="checkbox"/> the guardians/guarantors/family members/relatives/staff concerned/referring worker/other residents or persons involved contacted (Note 3) (One or more could be reported)		
name(s) and relationship(s) _____		
date and time _____		
respective staff and post _____		
<input type="checkbox"/> No guardians/guarantors/family members/relatives/staff concerned/referring worker/other residents or persons involved contacted		
reason(s) _____		

Signature of informant \_\_\_\_\_

Post \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

**Note 1**

Please inform the following service units of the Social Welfare Department (SWD) at the same time if the RCHE is subvented by the SWD.

- (1) Subventions Section (fax no.: 2575 5632 and email: [suenq@swd.gov.hk](mailto:suenq@swd.gov.hk))
- (2) Elderly Branch (fax no.: 2832 2936 and email: [ebenq@swd.gov.hk](mailto:ebenq@swd.gov.hk))

**Note 2**

Psychological abuse is the pattern of behaviour and/or attitudes towards victims of abuse that endangers or impairs their psychological health, including acts of insult, scolding, isolation, causing fear to them for a long duration, intrusion into their privacy and unnecessary restriction of their freedom of access and movement.

**Note 3**

The residents/family members/staff concerned or other parties involved should be informed of the “special incident” on the premise that personal privacy is addressed.

**Special Incident Report (Supplementary Sheet)**

(this supplementary sheet/a customised report with relevant information shall be submitted with the Special Incident Report)

Name of RCHE _____	
Date of incident _____	Time of incident _____
Name of resident concerned _____	HKIC no. _____
Medical history of the resident concerned (if applicable) _____	_____
_____	_____

**Details/Occurrence of the Special Incident**

_____
_____
_____
_____
_____
_____
_____

**Follow-up Actions Taken by the RCHE [including but not limited to making relevant treatment arrangements, conducting multi-disciplinary case conferences, formulating care plans for the resident(s) concerned, adopting measures to protect other residents, responding to concerns/ enquiries of outside parties (e.g. concern groups, District Councils, Legislative Council, etc.)] and/or Suggestions or Measures to Prevent the Recurrence of Similar Incidents**

_____
_____
_____
_____
_____
_____

Signature of informant _____	Post _____
Name _____	Date _____



## Residential Care Homes (Elderly Persons) Regulation

### Application Form for Establishing “Specific Hours” within the Specified Period<sup>1</sup>

[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 the Elderly (LORCHE)**  
**(Fax number: 2574 4176 or 3106 3058;**  
**Enquiry Telephone number: 3184 0729 or 2834 7414)**

[Attention: \_\_\_\_\_ (Name of inspector)]

#### Part I Details of Application

☐ Application for approval of “specific hours” for a proposed RCHE

☐ Application for changing the approved “specific hours” of an existing RCHE

Tentative date of effect: \_\_\_\_\_ (Day) \_\_\_\_\_ (Month) \_\_\_\_\_ (Year)

#### Part II Particulars of the RCHE

Name of the RCHE (English)

Name of the RCHE (Chinese)

Address of the RCHE (English)

Address of the RCHE (Chinese)

Telephone number:

Fax number:

Email address:

Type of RCHE

☐ Care and attention home (Please fill in Form 1)

☐ Aged home (Please fill in Form 2)

☐ Self-care hostel (Please fill in Form 3)

Maximum capacity of the proposed/existing RCHE:

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


# Care and Attention Home

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

Name of the RCHE: \_\_\_\_\_

LORCHE No.: \_\_\_\_\_

Please put a “✓” in the appropriate box(es) in the columns on the right	<input type="checkbox"/> This RCHE uses only 1 set of “specific hours”: Applicable from Monday to Sunday and other public holidays <sup>2</sup>	<input type="checkbox"/> First set of “specific hours” for this RCHE: Applicable only on weekdays (Monday to Friday) (excluding public holidays) (Shall be submitted together with the second set of “specific hours”. The RCHE may make copies of this form.)	<input type="checkbox"/> Second set of “specific hours” for this RCHE: Applicable only on Saturdays, Sundays and other public holidays (Shall be submitted together with the first set of “specific hours”. The RCHE should consult with the responsible inspector if it intends to establish more than 2 sets of “specific hours”).

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 RCHE, 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 <b>detailed times</b> for the RCHE’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	11 hours
		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).	
Other staffing requirements	The RCHE 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 care and attention home.		

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

# Aged Home


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

with effect from \_\_\_\_\_ (Day/Month/Year)

Name of the RCHE: \_\_\_\_\_

LORCHE No.: \_\_\_\_\_

Please put a “✓” in the appropriate box(es) in the columns on the right	<input type="checkbox"/> This RCHE uses only 1 set of “specific hours”: Applicable from Monday to Sunday and other public holidays <sup>2</sup>	<input type="checkbox"/> First set of “specific hours” for this RCHE: Applicable only on weekdays (Monday to Friday)(excluding public holidays) (Shall be submitted together with the second set of “specific hours”. The RCHE may make copies of this form.)	<input type="checkbox"/> Second set of “specific hours” for this RCHE: Applicable only on Saturdays, Sundays and other public holidays (Shall be submitted together with the first set of “specific hours”. The RCHE should consult with the responsible inspector if it intends to establish more than 2 sets of “specific hours”).

Staff type	Ancillary Worker or Care Worker	Nurse or Health Worker
Minimum staffing requirement during “specific hours”	1:3 0	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 RCHE, 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: _____
Specific period	Please specify in the following field the detailed times for the RCHE’s proposed “specific hours” within the specified period (6 a.m. to 10 p.m.). For details, please refer to Sample (D) (Chinese	
6 a.m.  10 p.m.		
Total	hours	hours
Minimum on-duty hours	11 hours	6 hours (on-site and on duty)
Other staffing requirements	The RCHE 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 aged home.	

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

# Self-care Hostel


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

with effect from \_\_\_\_\_ (Day/Month/Year)

Name of the RCHE: \_\_\_\_\_

LORCHE No.: \_\_\_\_\_

Please put a “✓” in the appropriate box(es) in the columns on the right.	<input type="checkbox"/> This RCHE uses only 1 set of “specific hours”: Applicable from Monday to Sunday and other public holidays <sup>2</sup>	<input type="checkbox"/> First set of “specific hours” for this RCHE: Applicable only on weekdays (Monday to Friday)(excluding public holidays) (Shall be submitted together with the second set of “specific hours”. The RCHE may make copies of this form.)	<input type="checkbox"/> Second set of “specific hours” for this RCHE: Applicable only on Saturdays, Sundays and other public holidays (Shall be submitted together with the first set of “specific hours”. The RCHE should consult with the responsible inspector if it intends to establish more than 2 sets of “specific hours”).

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 RCHE, 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: _____
Specific period	Please specify in the following field the <b>detailed times</b> for the RCHE’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 RCHE 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 self-care hostel between 7 a.m. to 6 p.m.

<sup>2</sup> 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 RCHE operator/operating company's authorised representative/applicant for the operation of a new RCHE, 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 RCHE 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 (Elderly Persons) Regulation.

Signature of the  
Applicant/

Date: \_\_\_\_\_ Authorised Representative: \_\_\_\_\_

(Name : \_\_\_\_\_ )

RCHE Chop  
(applicable to sole proprietors or  
partnerships): \_\_\_\_\_

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

**WARNING**

Under Section 21(6)(a) of the Residential Care Homes (Elderly Persons) 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 elderly (RCHEs) to better utilise their manpower resources and enhance service quality, the Residential Care Homes (Elderly Persons) Regulation (the RCHE Regulation) requires RCHEs 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”<sup>1</sup> within the specified period<sup>2</sup> 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, RCHEs 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 the Elderly (LORCHE) will also conduct inspections and monitoring based on these “specific hours”.

RCHEs may apply to the Social Welfare Department (SWD) for approval of their proposed “specific hours” staffing arrangements<sup>3</sup> 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 RCHE operator<sup>4</sup> 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 RCHE 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 RCHE 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 RCHE operator may establish 1 or 2 sets of “specific hours” [i.e. one for weekdays (Monday to Friday), and another for Saturdays and public holidays<sup>5</sup>] based on the daily routines of the residents. If the RCHE operator intends to establish more than 2 sets of “specific hours”, please consult with the responsible inspector first.

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

<sup>2</sup> 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.

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

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

<sup>5</sup> 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. RCHE 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 RCHE 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 LORCHE for approval**. The RCHE operator shall complete the **original** Application Form for Establishing “Specific Hours” within the Specified Period, and submit it to LORCHE (address: 6/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.)<sup>6</sup>;
  - 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 any)(applicable to existing body corporates); and
  - viii) other related documents (where necessary), etc.

The RCHE operator may be required to provide supplementary information as requested by LORCHE 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 RCHE 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 RCHE	Submit the application together with the application form for a licence for an RCHE
2. Application for changing the approved “specific hours”	No later than 1 month before the effective date of the proposed change

<sup>6</sup> 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 (Elderly Persons) June 2024 (Revised Edition).





## **Other Relevant Legislative Requirements Concerning Employment of Staff**

Concerning the arrangement on employment of staff, residential care homes for the elderly (RCHEs) shall comply with other relevant legislative requirements as follows –

(1) Salary

Employee salaries shall comply with the requirements of the Minimum Wage Ordinance (Cap. 608) and be commensurate with the qualifications, job responsibilities and performance. The salary scale should be reviewed regularly and if necessary, considered for adjustment having regard to the prevailing economic situation.

(2) Sick Leave

Under section 37 of the Employment Ordinance (Cap. 57), every employer shall keep a record of all paid sickness days taken by each employee. Proper maintenance of sick leave records of employees is one of the important indicators of good occupational health and safety practice. It also allows early identification of an outbreak of infectious disease. A medical practitioner's certificate should be produced for any sick leave exceeding 2 working days. Any employee meeting the criteria prescribed under Part VII (Sickness Allowance) of the Employment Ordinance is entitled to have sickness allowance.

(3) Maternity Leave/Paternity Leave

Pregnant employees/eligible male employees covered by the Employment Ordinance are entitled to have maternity leave and maternity leave pay under Part III (Maternity Protection)/paternity leave and paternity leave pay under Part IIIA (Paternity Leave) of the Ordinance. Under section 15B of the Employment Ordinance, every employer shall maintain a record of maternity leave taken by and maternity leave pay paid to his/her employees.

(4) Annual Leave

Eligible employees meeting the criteria prescribed under Part VIIIA (Annual Leave with Pay) of the Employment Ordinance are entitled to have annual leave with pay.

(5) Termination of Service

Subject to the Employment Ordinance and relevant contract terms that are consistent with the Ordinance, either party to a contract of employment may terminate the contract by giving to the other party notice, orally or in writing, of his/her intention to do so, and by giving the other party due notice or payment in lieu of notice. Part II of the Ordinance sets out the relevant provisions on termination of contract of employment.

(6) Employees' Compensation Insurance

Under the Employees' Compensation Ordinance (Cap. 282), as employers, operators of RCHes shall take out policies of employees' compensation insurance to cover the employers' legal liabilities, including under the common law. Otherwise, no employees (including full-time and part-time employees) shall be employed to engage in any work.

(7) Mandatory Provident Fund

The Mandatory Provident Fund (MPF) is a retirement protection system established under the Mandatory Provident Fund Schemes Ordinance (Cap. 485). As employers, operators of RCHes shall comply with the requirements under the Ordinance. All employees attaining the age of 18 but below 65 shall participate in registered MPF schemes or other approved retirement schemes and comply with the requirements as stipulated in the Ordinance.

(8) Importation of Labour

Local workers shall be given priority in filling job vacancies. Operators who are genuinely unable to recruit local workers to fill the job vacancies can be allowed to bring in imported workers. Operators and home managers shall strictly observe the Laws of Hong Kong, the requirements stipulated in the Special Scheme to Import Care Workers for Residential Care Homes or Enhanced Supplementary Labour Scheme (formerly known as Supplementary Labour Scheme) and the standard employment contract (the standard contract) if they are granted the approval to import workers via the above-mentioned schemes. Operators shall be liable for any contravention of the labour or immigration laws (including the Employment Ordinance, the Employees' Compensation Ordinance, the Immigration Ordinance and the Occupational Safety and Health Ordinance). In addition, operators shall be subjected to administrative sanction, i.e. withdrawal of quota/approval for labour importation, and ban on participation of the relevant labour importation schemes in the following 2 years for any contravention of the relevant laws, and the requirements of the standard contract and the above-mentioned labour importation schemes.

(9) Others

Personnel policies of RCHes shall comply with the conditions and requirements stipulated in the Employment Ordinance.

Personal Data

Operators should ensure that the personal data of residents and/or employees shall be used (including disclosure and transfer) in compliance with the Personal Data (Privacy) Ordinance (Cap. 486). For details, please refer to paragraph 8.10 of Chapter 8 in the Code of Practice for Residential Care Homes (Elderly Persons) and the website of Privacy Commissioner for Personal Data (<https://www.pcpd.org.hk>).

**Social Welfare Department**  
**Application for Registration as a Registered Home Manager/  
Registered Home Manager (Provisional)/Registered Health Worker**

Please put a “✓” in the appropriate box

<b>(I) Type of Application</b>
<p><b>1. Registered Home Manager/Registered Home Manager (Provisional)</b></p> <p><input type="checkbox"/> Registration as a registered home manager of Residential Care Homes for the Elderly (RCHEs) under section 3A(2) of the Residential Care Homes (Elderly Persons) Regulation</p> <p><input type="checkbox"/> Registration as a registered home manager (provisional) of RCHEs under section 3M(2) of the Residential Care Homes (Elderly Persons) Regulation</p> <p><input type="checkbox"/> Registration as a registered home manager of Residential Care Homes for the Persons with Disabilities (RCHDs) under section 3A(2) of the Residential Care Homes (Persons with Disabilities) Regulation</p> <p><input type="checkbox"/> Registration as a registered home manager (provisional) of RCHDs under section 3M(2) of the Residential Care Homes (Persons with Disabilities) Regulation</p> <p><b>2. Registered Health Worker</b></p> <p><input type="checkbox"/> Registration as a registered health worker of RCHEs under section 6(2) of the Residential Care Homes (Elderly Persons) Regulation</p> <p><input type="checkbox"/> Registration as a registered health worker of RCHDs under section 6(2) of the Residential Care Homes (Persons with Disabilities) Regulation</p>

## (II) Personal Particulars

1. Name: \_\_\_\_\_ (English) (in BLOCK LETTERS)  
\_\_\_\_\_ (Chinese)
2. Gender:     ☐ Male     ☐ Female
3. Hong Kong Identity Card number: \_\_\_\_\_
4. Date of birth: \_\_\_\_\_ (dd/mm/yyyy)
5. Residential address: \_\_\_\_\_  
\_\_\_\_\_
6. Correspondence address  
[Note: The correspondence address will be kept in the Register of Home Managers and/or Register of Health Workers once the applicant has been registered as a registered home manager/registered home manager (provisional) and / or registered health worker]  
  
☐ Same as the above residential address  
☐ Different from the above residential address.    The correspondence address is:  
\_\_\_\_\_  
\_\_\_\_\_
7. Telephone number (Residential): \_\_\_\_\_  
Telephone number (Mobile): \_\_\_\_\_
8. Email address: \_\_\_\_\_

<b>(III) Academic Qualification(s)</b> (In chronological order, only academic qualifications of secondary school and above are required. Please attach the copy of certificates of the academic qualifications.)			
Name of the Institute	Year of Completion	Highest Class / Form Completed	Certificate / Diploma / Degree Conferred

<b>(IV) Professional Qualification(s) Relating to Healthcare<sup>1</sup> or Social Work (only applicable for applying as a registered home manager/registered home manager (provisional))</b> (In chronological order and please attach copy of supporting documents)			
Professional Qualification(s)	Awarding Authority	Awarding Date (mm/yyyy)	Expiry Date (mm/yyyy)

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<sup>1</sup> Professional qualifications relating to healthcare refer to nurse, medical practitioner, Chinese medicine practitioner, occupational therapist, physiotherapist, and pharmacist.

<b>(V) Training Course(s) on Care for the Elderly / Persons with Disabilities or Management of RCHEs/RCHDs</b> (In chronological order and please attach copy of certificates)				
Name of the Course	Name of the Training Institute	Starting Date of the Course (mm/yyyy)	Completion Date of the Course (mm/yyyy)	Certificate Conferred

<b>(VI) Working Experience(s) in RCHEs or RCHDs</b> (In chronological order and please attach copy of supporting documents)			
Name of the Home	Post Held	Date of Commencement (mm/yyyy)	Date of Leaving (mm/yyyy)

**(VII) Declaration (prosecution or conviction/ professional or academic qualification being revoked)**

Prosecution or Conviction

(1) I hereby declare that –

Am I currently being prosecuted for or have been convicted of an offence involving fraud or dishonesty, or of a sexual nature, in any place?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Am I currently being prosecuted for or have been convicted of an indictable offence in Hong Kong <sup>2</sup> ?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Am I currently being prosecuted for an offence punishable with imprisonment or have been sentenced to imprisonment, whether or not the sentence is suspended, in a place outside Hong Kong?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Am I currently being prosecuted for or have been convicted of an offence against the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Elderly Persons) Regulation/Residential Care Homes (Persons with Disabilities) Ordinance/Residential Care Homes (Persons with Disabilities) Regulation?	<input type="checkbox"/> No <input type="checkbox"/> Yes

(If any of the above is answered with a ‘yes’, please provide details in part (2) and/or part (3).)

(2) Details of Prosecution (please attach copy of the supporting documents, if any)

Date of hearing	/ / (dd/mm/yyyy)
Offence involved	
Place of prosecuting authority	<input type="checkbox"/> in Hong Kong <input type="checkbox"/> in a place outside Hong Kong (please specify: )
Prosecuting authority	

(Please use additional sheet of paper if the space provided is not sufficient)

☐ ( ) sheet of paper attached

<sup>2</sup> In accordance with section 14A of the Criminal Procedure Ordinance (Cap. 221), the offence is an indictable offence if the words “upon indictment” or “on indictment” appear in the related provision.

(3) Details of Conviction (please attach copy of the supporting documents, if any)

Date of conviction	/ / (dd/mm/yyyy)
Offence committed	
Place of the court	<input type="checkbox"/> in Hong Kong <input type="checkbox"/> in a place outside Hong Kong (please specify: )
Court that tried the offence	
Penalty imposed	

(Please use additional sheet of paper if the space provided is not sufficient.)

☐ ( ) sheet of paper attached

Important Notes –

1. An applicant shall declare the above criminal prosecution and/or conviction, except fixed penalties (where payment has been settled and liabilities are not disputed in court).
2. In accordance with section 4 of the Rehabilitation of Offenders Ordinance (Cap. 297), the rehabilitation provisions (i.e. section 2(1) and 1A) do not apply to this application.

Professional or academic qualification being revoked (only applicable to registered home manager/registered home manager (provisional))

(4) I hereby declare that –

- ☐ I **DO NOT** have any professional or academic qualification(s) being revoked (whether or not relating to healthcare or social work)
- ☐ I **DO** have professional or academic qualification(s) being revoked (whether or not relating to healthcare or social work). (If the above is answered with a ‘yes’, please provide relevant details in part (5) below.)



(5) Details of revocation of the professional or academic qualification (please attach copy of the supporting documents, if any)

Professional or academic qualification revoked	<input type="checkbox"/> Professional qualification <input type="checkbox"/> Academic qualification
Relevant professional or academic qualification	
Date of revocation	/ / (dd/mm/yyyy)
Organisation that revoked the professional or academic qualification	
Reason for the revocation	

(Please use additional sheet of paper if the space above is not sufficient.)

☐ ( ) sheet of paper attached

Signature of the Applicant: \_\_\_\_\_ Date: \_\_\_\_\_(dd/mm/yyyy)

### **(VIII) Important Notes**

- (1) Please study the Guidance Notes on Application for Registration as a Registered Home Manager/Registered Home Manager (Provisional) / Registered Health Worker uploaded on the Social Welfare Department (SWD) website ([www.swd.gov.hk](http://www.swd.gov.hk)) before completing this application form.
- (2) In accordance with section 3X and 5 of the Residential Care Homes (Elderly Persons) Regulation (Cap. 459 sub. leg. A) and Residential Care Homes (Persons with Disabilities) Regulation (Cap. 613 sub. leg. A), the Director of Social Welfare (DSW) must keep a Register of Home Managers and a Register of Health Workers containing the names and correspondence addresses of the registered home managers/registered home managers (provisional)/registered health workers registered under these Regulations and other particulars that he considers appropriate. The register(s) shall be available for inspection by the public free of charge. If any person uses the personal data of the registered home managers/registered home managers (provisional)/registered health workers collected from the register(s) for direct marketing purposes without their consent, this may contravene Principle 3 of Data Protection Principles in Schedule 1 under the Personal Data (Privacy) Ordinance. The registered home managers/registered home managers (provisional)/registered health workers concerned may lodge complaints to the Office of the Privacy Commissioner for Personal Data.
- (3) If the applicant has completed the Training Course for Home Managers or Training Course for Health Worker approved by the DSW, he/she can submit the completed application form to the following address through the relevant training institutes, and please state on the envelope “Application for Registered Home Manager/Registered Home Manager (Provisional)” or “Application for Registered Health Worker” –

Development Section  
Licensing and Regulation Branch  
Social Welfare Department  
5/F, THE HUB, 23 Yip Kan Street,  
Wong Chuk Hang, Hong Kong

- (4) Please refer to the “List of Required Documents” and attach the relevant documents when submitting this application form.
- (5) Please make sure the mail item(s) is/are with sufficient postage. Underpaid mail item(s) are subject to the handling of Hongkong Post.
- (6) Completed application form and copy of supporting documents, once submitted, are not returnable.
- (7) If the applicant fails to provide the required information or the information provided is insufficient, the application will not be processed.

(8) If there is not enough space to fill in the application form, please use additional sheet and state clearly in the relevant part(s) on the application form. The applicant should clearly write the name and sign on the additional sheet(s) and affix to the application form.

(9) For enquiries, please call during office hours –

Application	Enquiry hotline
Registered Home Manager/ Registered Home Manager (Provisional)	3104 0776
Registered Health Worker	3104 0714 3104 0702

### **(IX) Declaration and Undertaking**

(1) I understand the DSW can make any amendment to the register(s) as he may consider necessary for securing its accuracy in respect of the correspondence address or any other particulars relating to a person whose name appears therein. If I have any amendment on the information in the register(s), I will inform the SWD as early as possible.

(2) I declare that to the best of my knowledge and belief, the information provided in this application form and the documents submitted are true. I understand that if I knowingly give any false information or make false statements, it will render the application invalid, and may constitute a criminal offence.

(3) I agree that the SWD can make necessary enquiries on matters regarding my application for a registered home manager/registered home manager (provisional)/registered health worker for verifying the above information. I give my consent to all Government departments and other organisations to disclose any relevant record and information upon receiving the SWD's enquiries (e.g. requesting details of my conviction records from the Hong Kong Police Force and/or court record from relevant court (if any), asking the relevant authorities or training institutes for my identity proof, academic qualifications, course attendance and assessment record, working experience, etc.).

(4) ☐ I **agree** to the use of my personal data for the intended publicity and promotional activities in relation to the registration and training of registered home managers/registered home managers (provisional)/registered health workers.

☐ I **disagree** to the use of my personal data for the intended publicity and promotional activities in relation to the registration and training of registered home managers/registered home managers (provisional)/registered health workers.

(Note: The SWD intends to use your name and contact information (for example address and telephone number) to publicise and promote activities / service or training courses related to registered home managers/registered home managers (provisional)/registered health workers. The SWD has to obtain your consent before using your personal data for the above purpose. You can anytime request the SWD to cease using your personal data for the above purpose and the SWD will cease using your personal data upon receiving your request. Please indicate if you agree with the use of your personal data by the SWD for the above purpose by a “✓” in appropriate box above.)

- (5) I have read the Personal Information Collection Statement and the Guidance Notes, and understood the content.
- (6) I have read all the above information and declaration in details. I fully understand and agree the relevant content.

Signature of the Applicant: \_\_\_\_\_ Date: \_\_\_\_\_ (dd/mm/yyyy)

## **Personal Information Collection Statement**

**Please read this notice before you provide any personal data<sup>3</sup> to the SWD.**

### Purposes of Collection

1. The personal data supplied by you will be used by the SWD to process your application for registration as a registered home manager/registered home manager (provisional)/registered health worker in residential care homes for the elderly or persons with disabilities, including (but not limited to) monitoring and reviewing the registration procedures, handling complaints related to the services provided to you, conducting research and surveys, preparing statistics, discharging statutory duties, etc. The provision of personal data to the SWD is voluntary. However, if you fail to provide the personal data requested of you, we may not be able to process your application.

### Classes of Transferees

2. The personal data you provide will be made available to persons working in the SWD on a need-to-know basis. Apart from this, it may be disclosed to the parties or in the circumstances listed below for the purposes mentioned in paragraph 1 above –
  - (a) other parties such as government bureaux / departments / training institutes, if they are involved in –
    - (i) processing and/or assessing any application from you for the provision of service to you by the SWD;
    - (ii) monitoring and reviewing of the services provided by the SWD or preparing statistics;
  - (b) complaint handling authorities such as the Office of The Ombudsman, the Office of the Privacy Commissioner for Personal Data, the Social Workers Registration Board, the Legislative Council, etc. if they are handling complaints about the services provided to you by the SWD;
  - (c) where such disclosure is authorised or required by law; or
  - (d) where you have given your prescribed consent to such disclosure.

### Access to Personal Data

3. You have the right to request access to and correction of your personal data held by the SWD in accordance with the Personal Data (Privacy) Ordinance (Cap. 486). A fee is charged for supplying copies of personal data. Requests for access to and correction of personal data collected by the SWD should be addressed to –

Post Title	: Executive Officer I (Licensing and Regulation) 2
Office	: Development Section, Licensing and Regulation Branch, Social Welfare Department
Address	: 5/F, THE HUB, 23 Yip Kan Street, Wong Chuk Hang, Hong Kong
Email	: cprs_hmhw@swd.gov.hk

<sup>3</sup> Under Personal Data (Privacy) Ordinance (Cap. 486), personal data means any data –

- (a) relating directly or indirectly to a living individual;
- (b) from which it is practicable for the identity of the individual to be directly or indirectly ascertained; and
- (c) in a form in which access to or processing of the data is practicable.

## Application for Registration as a Registered Home Manager/ Registered Home Manager (Provisional)/Registered Health Worker List of Required Documents

1. Please attach copy of the following supporting documents when submitting the application form in relation to registered home manager/registered home manager (provisional)/registered health worker.
2. The list is for reference only.

<b>(1) Applicable to all application</b>
• Completed and signed application form
• Copy of Hong Kong Identity Card
• Copy of certificates of the academic qualifications
• Supporting documents in relation to change of name (if any)
• Copy of prosecution documents or court documents of the relevant conviction (if any)
<b>(2) Applicable to application of a registered home manager</b>
• Copy of Certificate in Training for Home Managers (Course A)/ (Course B) or supporting documents
• Copy of the proof of employment in RCHE/RCHD
• Copy of supporting documents in relation to professional qualification relating to healthcare or social work (if any)
• Copy of Health Worker Registration Card/ Health Worker Registration Certificate (if any)
• Proof of employment of pre-material-date home manager (if any)
• Copy of Registration of Registered Home Manager/Home Manager (Provisional) Certificate
• Copy of supporting documents in relation to revocation of the professional or academic qualification
<b>(3) Applicable to application of a registered home manager (provisional)</b>
• Copy of Certificate in Training for Home Managers (Course A)/(Course B) or supporting documents (if any)
• Copy of proof of employment in RCHE/RCHD (if any)
• Copy of supporting documents in relation to professional qualification relating to healthcare or social work (if any)
• Conditional appointment letter (if any)
• Copy of supporting documents in relation to revocation of the professional or academic qualification (if any)
<b>(4) Applicable to application of a registered health worker</b>
• Copy of Certificates in Health Worker Training Courses or supporting documents
• Copy of the proof of employment in RCHD (if any)
• Copy of RCHE Health Worker Registration Card (if any)

## Social Welfare Department

### Application for Renewal as a Registered Home Manager/ Registered Health Worker

Please put a “✓” in the appropriate box

#### (I) Type of Application

##### 1. Registered Home Manager

- ☐ Registration for renewal as a registered home manager of Residential Care Homes for the Elderly (RCHEs) under section 3E of the Residential Care Homes (Elderly Persons) Regulation

Registered Home Manager of RCHEs	Registration number:	_____
	Registration date:	_____ (dd/mm/yyyy)
	Expiry date:	_____ (dd/mm/yyyy)

- ☐ Registration for renewal as a registered home manager of Residential Care Homes for the Persons with Disabilities (RCHDs) under section 3E of the Residential Care Homes (Persons with Disabilities) Regulation

Registered Home Manager of RCHDs	Registration number:	_____
	Registration date:	_____ (dd/mm/yyyy)
	Expiry date:	_____ (dd/mm/yyyy)

##### 2. Registered Health Worker

- ☐ Registration for renewal as a registered health worker of RCHEs under section 7A of the Residential Care Homes (Elderly Persons) Regulation

Registered Health Worker of RCHEs	Registration number:	_____
	Registration date:	_____ (dd/mm/yyyy)
	<input type="checkbox"/> Expiry date:	_____ (dd/mm/yyyy)
	<input type="checkbox"/> Existing Health Worker Registration Card does not indicate expiry date	

- ☐ Registration for renewal as a registered health worker of RCHDs under section 7A of the Residential Care Homes (Persons with Disabilities) Regulation

Registered Health Worker of RCHDs	Registration number:	_____
	Registration date:	_____ (dd/mm/yyyy)
	<input type="checkbox"/> Expiry date:	_____ (dd/mm/yyyy)
	<input type="checkbox"/> Existing Health Worker Registration Card does not indicate the expiry date	

## **(II) Personal Particulars**

1. Name: \_\_\_\_\_ (English) (in BLOCK LETTERS)  
\_\_\_\_\_ (Chinese)

2. Gender: ☐ Male ☐ Female

3. Hong Kong Identity Card number: \_\_\_\_\_ ( )

4. Date of birth: \_\_\_\_\_ (dd/mm/yyyy)

5. Residential address: \_\_\_\_\_  
\_\_\_\_\_

6. Correspondence address:

(Note: The correspondence address will be kept in the Register of Home Managers and/or Register of Health Workers once the applicant has been registered for renewal as a registered home manager/registered health worker)

☐ same as the above residential address

☐ different from the above residential address. The correspondence address is:

\_\_\_\_\_  
\_\_\_\_\_

7. Telephone number (Residential): \_\_\_\_\_  
Telephone number (Mobile): \_\_\_\_\_

8. Email address: \_\_\_\_\_



### (III) Declaration (prosecution or conviction/professional or academic qualification being revoked)

#### Prosecution or Conviction

(1) I hereby declare that –

Am I currently being prosecuted for or have been convicted of an offence involving fraud or dishonesty, or of a sexual nature, in any place?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Am I currently being prosecuted for or have been convicted of an indictable offence in Hong Kong <sup>1</sup> ?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Am I currently being prosecuted for an offence punishable with imprisonment or have been sentenced to imprisonment, whether or not the sentence is suspended, in a place outside Hong Kong?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Am I currently being prosecuted for or have been convicted of an offence against the Residential Care Homes (Elderly Persons) Ordinance/Residential Care Homes (Elderly Persons) Regulation/Residential Care Homes (Persons with Disabilities) Ordinance/Residential Care Homes (Persons with Disabilities) Regulation?	<input type="checkbox"/> No <input type="checkbox"/> Yes

(If any of the above is answered with a ‘yes’, please provide details in part (2) and/or part (3). )

(2) Details of Prosecution (please attach copy of the supporting documents, if any)

Date of hearing	/ / (dd/mm/yyyy)
Offence involved	
Place of prosecuting authority	<input type="checkbox"/> in Hong Kong <input type="checkbox"/> in a place outside Hong Kong (please specify: )
Prosecuting authority	

(Please use additional sheet of paper if the space above is not sufficient)

☐ ( ) sheet of paper attached

<sup>1</sup> In accordance with section 14A of the Criminal Procedure Ordinance (Cap. 221), the offence is an indictable offence if the words “upon indictment” or “on indictment” appear in the related provision.

(3) Details of Conviction (please attach copy of the supporting documents, if any)

Date of conviction	/ / (dd/mm/yyyy)
Offence committed	
Place of the court	<input type="checkbox"/> in Hong Kong <input type="checkbox"/> in a place outside Hong Kong (please specify: )
Court that tried the offence	
Penalty imposed	

(Please use additional sheet of paper if the space above is not sufficient)

☐ ( ) sheet of paper attached

Professional or academic qualification being revoked (only applicable to registered home manager)

(4) I hereby declare that –

☐ I **DO NOT** have any professional or academic qualification(s) being revoked (whether or not relating to healthcare or social work)

☐ I **DO** have professional or academic qualification(s) being revoked (whether or not relating to healthcare or social work).

(If the above is answered with a “yes”, please provide relevant details in part (5) below.)

(5) Details of revocation of the professional or academic qualification (please attach copy of the supporting documents, if any)

Professional or academic qualification revoked	<input type="checkbox"/> Professional qualification <input type="checkbox"/> Academic qualification
Relevant professional or academic qualification	
Date of revocation	/ / (dd/mm/yyyy)
Organisation that revoked the professional or academic qualification	
Reason for the revocation	

(Please use additional sheet of paper if the space above is not sufficient)

☐ (    ) sheet of paper attached

Important Notes –

1. An applicant shall declare the above criminal prosecution and/or conviction, except fixed penalties (where payment has been settled and liabilities are not disputed in court).
2. In accordance with section 4 of the Rehabilitation of Offenders Ordinance (Cap. 297), the rehabilitation provisions (i.e. section 2(1) and 1A) do not apply to this application.
3. An applicant who had made a reporting of his/her prosecution, conviction, or revocation of professional or academic qualification, to the Director of Social Welfare (DSW) since his/her application for registration/ last application for renewal registration (whichever is later), does not need to report again. If there is a conviction against the reported prosecution record, the conviction must be reported.

Signature of the Applicant: \_\_\_\_\_ Date: \_\_\_\_\_ (dd/mm/yyyy)

#### **(IV) Important Notes**

- (1) In accordance with section 3E and 7A of the Residential Care Homes (Elderly Persons) Regulation (Cap. 459 sub. leg. A) and Residential Care Homes (Persons with Disabilities) Regulation (Cap. 613 sub. leg. A), a registered home manager and a registered health worker may apply for the renewal of the registration. The application must be made to the DSW at least 3 months before, but not earlier than 6 months before, the expiry of the registration and meets the requirements for registration. (Please refer to paragraph 10.5 of Chapter 10 (Home Manager) and paragraph 11.5 of Chapter 11 (Health Worker) in the Code of Practice for Residential Care Homes (Elderly Persons) and the Code of Practice for Residential Care Homes (Persons with Disabilities). Applicant must also pay the renewal fee of a registration.
- (2) In accordance with section 3X and 5 of the Residential Care Homes (Elderly Persons) Regulation (Cap. 459 sub. leg. A) and Residential Care Homes (Persons with Disabilities) Regulation (Cap. 613 sub. leg. A), the DSW must keep a Register of Home Managers and a Register of Health Workers containing the names and correspondence addresses of the registered home managers/registered home managers (provisional)/registered health workers under these Regulations and other particulars that he considers appropriate. The register(s) shall be available for inspection by the public free of charge. If any person uses the personal data of the registered home managers/registered home managers (provisional)/registered health workers collected from the register(s) for direct marketing purposes without their consent, this may contravene Principle 3 of Data Protection Principles in Schedule 1 under the Personal Data (Privacy) Ordinance. The registered home managers/registered home managers (provisional)/registered health workers concerned may lodge complaints to the Office of the Privacy Commissioner for Personal Data.
- (3) The applicant can submit the completed application form and relevant documents to the following address, and please state on the envelope “Application for Renewal as a Registered Home Manager” or “Application for Renewal as a Registered Health Worker”–

Development Section  
Licensing and Regulation Branch  
Social Welfare Department  
5/F, THE HUB, 23 Yip Kan Street,  
Wong Chuk Hang, Hong Kong

- (4) Please attach a copy of Hong Kong Identity Card when submitting the application form.
- (5) Please make sure the mail item(s) is/are with sufficient postage. Underpaid mail item(s) are subject to the handling of Hongkong Post.
- (6) Completed application form and copy of supporting documents, once submitted, are not returnable.
- (7) If the applicant fails to provide the required information or the information provided is insufficient, the application will not be processed.
- (8) If there is not enough space to fill in the application form, please use additional sheet of paper and state clearly in the relevant part(s) on the application form. The applicant should clearly write the name and sign on the additional sheet(s) and affix to the application form.
- (9) For enquiries, please call during office hours –

Renewal Application	Enquiry hotline
Registered Home Manager	3104 0776
Registered Health Worker	3104 0714 /3104 0702

## **(V) Declaration and Undertaking**

- (1) I understand the DSW can make any amendment to the register(s) as he may consider necessary for the purposes of securing its accuracy in respect of the correspondence address or any other particulars relating to a person whose name appears therein. If I have any amendment on the information in the register(s), I will inform the Social Welfare Department (SWD) as early as possible.
- (2) I declare that to the best of my knowledge and belief, the information provided in this application form and the documents submitted are true. I understand that if I knowingly give any false information or make false statements, it will render the application invalid, and may constitute a criminal offence.
- (3) I agree that the SWD can make necessary enquiries on matters regarding my application for renewal as a registered home manager/registered health worker for verifying the above information. I give my consent to all Government departments and other organisations to disclose any relevant record and information upon receiving the SWD's enquiries (e.g. requesting details of my conviction records from the Hong Kong Police Force and/or court record from relevant court (if any)).
- (4) I have read the Personal Information Collection Statement and the relevant important notes on renewal application, and understood the content.
- (5) I have read all the above information and declaration in details. I fully understand and agree the relevant content.

Signature of the Applicant: \_\_\_\_\_ Date: \_\_\_\_\_ (dd/mm/yyyy)

## (VI) Personal Information Collection Statement

**Please read this notice before you provide any personal data<sup>2</sup> to the SWD.**

### Purposes of Collection

- (1) The personal data supplied by you will be used by the SWD to process your application for renewal as a registered home manager/registered health worker in residential care homes for the elderly and/or persons with disabilities, including (but not limited to) monitoring and reviewing the registration procedures, handling complaints related to the services provided to you, conducting research and surveys, preparing statistics, discharging statutory duties, etc. The provision of personal data to the SWD is voluntary. However, if you fail to provide the personal data requested of you, we may not be able to process your application.

### Classes of Transferees

- (2) The personal data you provide will be made available to persons working in the SWD on a need-to-know basis. Apart from this, it may be disclosed to the parties or in the circumstances listed below for the purposes mentioned in paragraph 1 above –
- (a) other parties such as government bureaux/departments/training institutes, if they are involved in –
    - (i) processing and/or assessing any application from you for the provision of service to you by the SWD;
    - (ii) monitoring and reviewing of the services provided by the SWD or preparing statistics;
  - (b) complaint handling authorities such as the Office of The Ombudsman, the Office of the Privacy Commissioner for Personal Data, the Social Workers Registration Board, the Legislative Council, etc. if they are handling complaints about the services provided to you by the SWD;
  - (c) where such disclosure is authorised or required by law; or
  - (d) where you have given your prescribed consent to such disclosure.

### Access to Personal Data

- (3) You have the right to request access to and correction of your personal data held by the SWD in accordance with the Personal Data (Privacy) Ordinance (Cap. 486). A fee is charged for supplying copies of personal data. Requests for access to and correction of personal data collected by the SWD should be addressed to –

Post Title : Executive Officer I (Licensing and Regulation) 2  
Office : Development Section, Licensing and Regulation Branch,  
Social Welfare Department  
Address : 5/F, THE HUB, 23 Yip Kan Street, Wong Chuk Hang, Hong Kong  
Email : cprs\_hmhw@swd.gov.hk

<sup>2</sup> Under Personal Data (Privacy) Ordinance (Cap. 486), personal data means any data –

- (a) relating directly or indirectly to a living individual;
- (b) from which it is practicable for the identity of the individual to be directly or indirectly ascertained; and
- (c) in a form in which access to or processing of the data is practicable.





Fax : 3620 3134 [Registered Home Manager/Registered Home Manager (provisional)]  
3793 4184 (Registered Health Worker)

Email : [cprs\\_hmhw@swd.gov.hk](mailto:cprs_hmhw@swd.gov.hk)

Please put a ( ✓ ) in the appropriate box and delete where inappropriate ( \* )

Name (shall be the same as shown on the Hong Kong Identity Card, and please complete in BLOCK LETTERS)	
_____	( _____ )
English	Chinese
Hong Kong Identity Card number :	_____
Type of Application	<input type="checkbox"/> *Registered home manager/registered home manager (provisional) of Residential Care Homes for the Elderly (RCHEs) (Registration number : _____ )
	<input type="checkbox"/> *Registered home manager/registered home manager (provisional) of Residential Care Homes for the Persons with Disabilities (RCHDs) (Registration number : _____ )
	<input type="checkbox"/> Registered health worker of RCHEs (Registration number : _____ )
	<input type="checkbox"/> Registered health worker of RCHDs (Registration number : _____ )
	<input type="checkbox"/> _____ (Registration number : _____ )
	<input type="checkbox"/> _____ (Registration number : _____ )
	<input type="checkbox"/> _____ (Registration number : _____ )
Telephone number (Mobile) :	_____
Email address :	_____

## (II) Reporting Items (prosecution or conviction/professional or academic qualification being revoked)

1. Registered home managers/registered home managers (provisional) shall report the record of their prosecution, conviction or revocation of professional or academic qualifications, which has not been previously reported since the time of their application for registration, to the Director of Social Welfare (DSW).
2. Registered health workers shall report the record of their prosecution and /or conviction, which has not been previously reported on or after 16 June 2024, to the DSW.

(1) I hereby inform the DSW that:

<input type="checkbox"/>	I am currently being prosecuted for an indictable offence <sup>1</sup> in Hong Kong.	[Please fill in part (2)]
<input type="checkbox"/>	I am currently being prosecuted for an offence punishable with imprisonment (however described) in a place outside Hong Kong.	
<input type="checkbox"/>	I am convicted of an indictable offence in Hong Kong.	[Please fill in part (3)]
<input type="checkbox"/>	I am sentenced to imprisonment (however described) in a place outside Hong Kong, whether or not the sentence is suspended.	
<input type="checkbox"/>	My professional or academic qualification being revoked (whether or not relating to healthcare or social work) [Only applicable to registered home manager/home manager (provisional)].	[Please fill in part (4)]

(2) Details of Prosecution (please attach photocopies of the supporting documents, if any)

Date of hearing	/ / (dd/mm/yyyy)	
Offence involved		
Place of prosecuting authority	<input type="checkbox"/> in Hong Kong	<input type="checkbox"/> in a place outside Hong Kong (please specify: )
Prosecuting authority		

(Please use a separate sheet of paper if the space above is not sufficient)

☐ ( ) sheet of paper attached

<sup>1</sup> In accordance with section 14A of the Criminal Procedure Ordinance (Cap. 221), the offence is an indictable offence if the words “upon indictment” or “on indictment” appear in the related provision.

(3) Details of Conviction (please attach photocopies of the supporting documents, if any)

Date of conviction	/ / (dd/mm/yyyy)
Offence committed	
Place of the court	<input type="checkbox"/> in Hong Kong <input type="checkbox"/> in a place outside Hong Kong (please specify: )
Court that tried the offence	
Penalty imposed	

(Please use a separate sheet of paper if the space above is not sufficient)

☐ ( ) sheet of paper attached

(4) Details of revocation of the professional or academic qualification [Only applicable to home manager/home manager (provisional)] (please attach photocopies of the supporting documents, if any)

Professional or academic qualification revoked	<input type="checkbox"/> Professional qualification <input type="checkbox"/> Academic qualification
Relevant professional or academic qualification	
Date of revocation	/ / (dd/mm/yyyy)
Organisation that revoked the professional or academic qualification	
Reason for the revocation	

(Please use a separate sheet of paper if the space above is not sufficient)

☐ ( ) sheet of paper attached

Signature:

Date:

(dd/mm/yyyy)

## Personal Information Collection Statement

**Please read this notice before you provide any personal data<sup>2</sup> to the SWD.**

### Purposes of Collection

1. The personal data supplied by you will be used by the SWD to process the matters in relation to your application for registration as a registered home manager/registered home manager (provisional)/registered health worker in residential care homes for the elderly or persons with disabilities, including (but not limited to) monitoring and reviewing the registration procedures, handling complaints related to the services provided to you, conducting research and surveys, preparing statistics, discharging statutory duties, etc. The provision of personal data to the SWD is voluntary. However, if you fail to provide the personal data requested of you, we may not be able to process your application.

### Classes of Transferees

2. The personal data you provide will be made available to persons working in the SWD on a need-to-know basis. Apart from this, they may be disclosed to the parties or in the circumstances listed below for the purposes mentioned in paragraph 1 above –
  - (a) other parties such as government bureaux / departments / training institutes, if they are involved in –
    - (i) processing and/or assessing any application from you for the provision of service to you by the SWD;
    - (ii) monitoring and reviewing of the services provided by the SWD or preparing statistics;
  - (b) complaint handling authorities such as the Office of The Ombudsman, the Office of the Privacy Commissioner for Personal Data, the Social Workers Registration Board, the Legislative Council, etc. if they are handling complaints about the services provided to you by the SWD;
  - (c) where such disclosure is authorised or required by law; or
  - (d) where you have given your prescribed consent to such disclosure.

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3. You have the right to request access to and correction of your personal data held by the SWD in accordance with the Personal Data (Privacy) Ordinance (Cap. 486). A fee is charged for supplying copies of personal data. Requests for access to and correction of personal data collected by the SWD should be addressed to –

Post Title : Executive Officer I (Licensing and Regulation) 2  
Office : Development Section, Licensing and Regulation Branch,  
Social Welfare Department  
Address : 5/F, THE HUB, 23 Yip Kan Street, Wong Chuk Hang, Hong  
Kong  
Email : cprs\_hmhw@swd.gov.hk

<sup>2</sup> Under Personal Data (Privacy) Ordinance (Cap. 486), personal data means any data –

- (a) relating directly or indirectly to a living individual;
- (b) from which it is practicable for the identity of the individual to be directly or indirectly ascertained; and
- (c) in a form in which access to or processing of the data is practicable.

## Medical Examination Form for Residents in Residential Care Homes for the Elderly 安老院住客體格檢驗報告書

### Part I                      Particulars of Resident 第一部分                  住客資料

<b>Name</b> 姓名 _____	<b>Sex</b> 性別 _____	<b>Age</b> 年齡 _____
<b>HKIC No.</b> 香港身份證號碼 _____	<b>Hospital/Clinic Ref. No.</b> 醫院／診所檔號 _____	

### Part II                      Medical History 第二部分                  病歷

(1)	Any history of major illnesses/operations? 曾否患嚴重疾病／接受大型手術？ If yes, please specify the diagnosis: 如有，請註明診斷結果： _____	Yes 有	<input type="checkbox"/>	No 無	<input type="checkbox"/>
(2)	Any allergy to food or drugs? 有否食物或藥物過敏？ If yes, please specify: 如有，請註明： _____	Yes 有	<input type="checkbox"/>	No 無	<input type="checkbox"/>
(3)(a)	Any signs of infectious disease? 有否傳染病徵狀？ If yes, please specify: 如有，請註明： _____	Yes 有	<input type="checkbox"/>	No 無	<input type="checkbox"/>
(3)(b)	Any further investigation or treatment required? 是否需要接受跟進檢查或治療？ If yes, please specify and also state the hospital/clinic attended and reference number. 如有，請註明並填寫覆診的醫院／診所和檔號。 _____	Yes 有	<input type="checkbox"/>	No 無	<input type="checkbox"/>
(4)	Any swallowing difficulties/easy choking? 有否吞嚥困難／容易哽塞？ If yes, please specify: 如有，請註明： _____	Yes 有	<input type="checkbox"/>	No 無	<input type="checkbox"/>
(5)	Any need of special diet? 有否特別膳食需要？ If yes, please specify: 如有，請註明： _____	Yes 有	<input type="checkbox"/>	No 無	<input type="checkbox"/>
(6)	Past psychiatric history, if any, including the diagnosis and whether regular follow-up treatment is required. 如過往有精神病紀錄，請詳述病歷及是否需要定期跟進治療。 _____				
(7)	Details of present medication, if any, including the name and dosage. 如目前須服用藥物，請詳述藥名及服用量。 _____ _____				

**Part III Physical Examination****第三部分 身體檢查**

<b>Blood Pressure 血壓</b> mmHg	<b>Pulse 脈搏</b> /min	<b>Body Weight 體重</b> kg
<b>Please specify:</b> <b>請註明：</b>		
<b>Cardiovascular System</b> 循環系統 <hr/>		
<b>Respiratory System</b> 呼吸系統 <hr/>		
<b>Central Nervous System</b> 中樞神經系統 <hr/>		
<b>Musculo-skeletal</b> 肌骨 <hr/>		
<b>Abdomen/Urogenital System</b> 腹／泌尿及生殖系統 <hr/>		
<b>Lymphatic System</b> 淋巴系統 <hr/>		
<b>Thyroid</b> 甲狀腺 <hr/>		
<b>Skin Condition, e.g. pressure injuries</b> <b>(pressure sores)</b> 皮膚狀況，如：壓力性損傷（壓瘡） <hr/>		
<b>Foot</b> 足部 <hr/>		
<b>Eye/Ear, Nose and Throat</b> 眼／耳鼻喉 <hr/>		
<b>Oral/Dental Condition</b> 口腔／牙齒狀況 <hr/>		
<b>Others</b> 其他 <hr/>		

Part IV 第四部分	Functional Assessment 身體機能評估			
<b>Vision</b> 視力 (with/without* visual corrective devices 有／沒有*配 戴 視力矯正器)	<input type="checkbox"/> normal 正常	<input type="checkbox"/> unable to read newspaper print 不能閱讀報紙字體	<input type="checkbox"/> unable to watch TV 不能觀看到電視	<input type="checkbox"/> see lights only 只能見光影
<b>Hearing</b> 聽覺 (with/without * hearing aids 有／沒有*配 戴 助聽器)	<input type="checkbox"/> normal 正常	<input type="checkbox"/> difficult to communicate with normal voice 普通聲量下難以溝 通	<input type="checkbox"/> difficult to communicate with loud voice 大聲說話的情況下 也難以溝通	<input type="checkbox"/> cannot communicate with loud voice 大聲說話的情況 下也不能溝通
<b>Speech</b> 語言能力	<input type="checkbox"/> able to express 能正常表達	<input type="checkbox"/> need time to express 需慢慢表達	<input type="checkbox"/> need clues to express 需靠提示表達	<input type="checkbox"/> unable to express 不能以語言表達
<b>Mental state</b> 精神狀況	<input type="checkbox"/> normal/alert/ stable 正常／敏銳 ／穩定	<input type="checkbox"/> mildly disturbed 輕度受困擾	<input type="checkbox"/> moderately disturbed 中度受困擾	<input type="checkbox"/> seriously disturbed 嚴重受困擾
		<input type="checkbox"/> early stage of dementia 早期認知障礙症	<input type="checkbox"/> middle stage of dementia 中期認知障礙症	<input type="checkbox"/> late stage of dementia 後期認知障礙症
<b>Mobility</b> 活動能力	<input type="checkbox"/> independent 行動自如	<input type="checkbox"/> self-ambulatory with walking aid or wheelchair 可自行用助行器或 輪椅移動	<input type="checkbox"/> always need assistance from other people 經常需要別人幫助	<input type="checkbox"/> bedridden 長期卧床
<b>Continence</b> 禁制能力	<input type="checkbox"/> normal 正常	<input type="checkbox"/> occasional faecal or urinary incontinence 大／小便偶爾失禁	<input type="checkbox"/> frequent faecal or urinary incontinence 大／小便經常失禁	<input type="checkbox"/> double incontinence 大小便完全失禁
<b>A.D.L.</b> 自我照顧 能力	<input type="checkbox"/> <b>Independent 完全獨立／不需協助</b> (No supervision or assistance needed in all daily living activities, including bathing, dressing, toileting, transfer, urinary and faecal continence and feeding) (於洗澡、穿衣、如廁、位置轉移、大小便禁制及進食方面均無需指導或協助)			
	<input type="checkbox"/> <b>Occasional assistance 偶爾需要協助</b> (Need assistance in bathing and supervision or assistance in other daily living activities) (於洗澡時需要協助及於其他日常生活活動方面需要指導或協助)			
	<input type="checkbox"/> <b>Frequent assistance 經常需要協助</b> (Need supervision or assistance in bathing and no more than 4 other daily living activities) (於洗澡及其他不超過四項日常生活活動方面需要指導或協助)			
	<input type="checkbox"/> <b>Totally dependent 完全需要協助</b> (Need assistance in all daily living activities) (於日常生活活動方面均需要完全的協助)			

**Part V Recommendation****第五部分 建議**

The applicant is fit for admission to the following type of residential care homes for the elderly –

申請人適合入住以下類別的安老院：

- ☐ 1. **Self-care Hostel 低度照顧安老院**  
(an establishment providing residential care, supervision and guidance for persons who have attained the age of 60 years and who are capable of observing personal hygiene and performing household duties related to cleaning, cooking, laundering, shopping and other domestic tasks)  
(即提供住宿照顧、監管及指導予年滿 60 歲人士的機構，而該等人士有能力保持個人衛生，亦有能力處理關於清潔、烹飪、洗衣、購物的家居工作及其他家務)
- ☐ 2. **Aged Home 中度照顧安老院**  
(an establishment providing residential care, supervision and guidance for persons who have attained the age of 60 years and who are capable of observing personal hygiene but have a degree of difficulty in performing household duties related to cleaning, cooking, laundering, shopping and other domestic tasks)  
(即提供住宿照顧、監管及指導予年滿 60 歲人士的機構，而該等人士有能力保持個人衛生，但在處理關於清潔、烹飪、洗衣、購物的家居工作及其他家務方面，有一定程度的困難)
- ☐ 3. **Care and Attention Home 高度照顧安老院**  
(an establishment providing residential care, supervision and guidance for persons who have attained the age of 60 years and who are generally weak in health and are suffering from a functional disability to the extent that they require personal care and attention in the course of daily living activities but do not require a high degree of professional medical or nursing care)  
(即提供住宿照顧、監管及指導予年滿 60 歲人士的機構，而該等人士一般健康欠佳，而且身體機能喪失或衰退，以致在日常起居方面需要專人照顧料理，但不需要高度的專業醫療或護理)
- ☐ 4. **Nursing Home 護養院**  
(an establishment providing residential care, supervision and guidance for persons who have attained the age of 60 years, and who are suffering from a functional disability to the extent that they require personal care and attention in the course of daily living activities, and a high degree of professional nursing care, but do not require continuous medical supervision)  
(即提供住宿照顧、監管及指導予年滿60歲人士的機構，而該等人士身體機能喪失，程度達到在日常起居方面，需要專人照顧料理及高度的專業護理，但不需要持續醫療監管)



Part VI 第六部分	Other Comment 其他批註
<div><div></div><div></div><div></div><div></div><div></div></div>	
Registered Medical Practitioner's Signature 註冊醫生簽署	Name of Hospital/Clinic 醫院／診所名稱
Registered Medical Practitioner's Name 註冊醫生姓名	Stamp of Hospital/Clinic/ Registered Medical Practitioner 醫院／診所／註冊醫生印鑑
Date 日期	



(Name of RCHE)  
**Confirmation of Request for Giving Proprietary/  
 Non-prescription Drugs**

<b>Resident's name</b>	<b>Sex/Age</b>	<b>HKIC no.</b>	<b>Room and/or bed no.</b>
------------------------	----------------	-----------------	----------------------------

Please study part (V) before completing this confirmation and \*delete as appropriate.

**(I) Information of the Requested Proprietary/Non-prescription Drugs**

<b>Drug name</b>	<b>Source</b>	<b>Purpose of Medication</b>	<b>Direction of Administration</b>

**(II) Resident's Confirmation (leave blank if the resident has cognitive impairment)**

I have requested this residential care home for the elderly (RCHE) to give the above drugs to me. Any adverse effects that may cause will be at my own risk.

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**(III) Confirmation by the \*Guardian/Guarantor/Family Member/Relative**

I, \_\_\_\_\_ (name), am the \*guardian/guarantor/family member/relative of \_\_\_\_\_ (resident's name). I have requested this RCHE to give the above drugs to the said resident. Any adverse effects that may cause will be at my own risk.

**Relationship with resident** \_\_\_\_\_ **Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**(IV) Confirmation by RCHE**

In response to the request made by the said resident and/or his/her \*guardian/guarantor/family member/relative to this RCHE for giving the above proprietary/non-prescription drugs to the resident, our health care staff have reminded the said resident and/or his/her \*guardian/guarantor/family member/relative of the potential adverse effects of the drugs, and have also consulted \_\_\_\_\_ (name of registered medical practitioner/registered Chinese medicine practitioner/listed Chinese medicine practitioner) of \_\_\_\_\_ (name of hospital/clinic) who has no objection to the administration of the drugs for the said resident.

**Name of home manager** \_\_\_\_\_ **Signature** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Name of nurse/health worker** \_\_\_\_\_ **Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**(V) Remarks**

1. An RCHE shall record the drugs listed in part (I) at the Individual Drug Record (IDR) of the said resident and keep the "Directions for the Use of Drugs" for healthcare professionals' reference.
2. The resident should immediately stop taking the drugs and consult registered medical practitioners/registered Chinese medicine practitioner/listed Chinese medicine practitioner if there is any adverse effect.
3. This confirmation shall be updated if there is any change in the drugs listed in part (I).



(Name of RCHE)

**Consent Form for Self-storage and  
Self-administration of Drugs**

<b>Resident's name</b>	<b>Sex/age</b>	<b>HKIC no.</b>	<b>Room and/or bed no.</b>
------------------------	----------------	-----------------	----------------------------

**(I) Information of Drugs for Self-storage and Self-administration**

<b>Name of Drug</b>	<b>Source</b>	<b>Purpose of Medication</b>	<b>Direction of Administration</b>

**(II) Confirmation by Resident and \*Guardian/Guarantor/Family Member/Relative**  
(\*please delete as appropriate)

I, _____ (resident's name), hereby request to store and administer the above drugs by myself. I am well aware of the prescriptions and will administer the drugs on schedule and at advised dosage. I will also store the drugs in a secure and locked cabinet/box to prevent other residents from taking them mistakenly.		
<b>Resident's signature</b>	<b>Name of witnessing *guardian/guarantor/family member/relative</b>	<b>Relationship with resident</b>
<b>Date</b>	<b>Signature of witnessing *guardian/guarantor/family member/relative</b>	<b>Date</b>

**(III) Assessment by RCHE** (please tick as appropriate)

<b>Assessment</b>	<b>Yes</b>	<b>No</b>	<b>Remarks</b>
The resident fully understands the prescriptions	<input type="checkbox"/>	<input type="checkbox"/>	
The resident can comply with the prescriptions in administering the drugs on schedule and at advised dosage	<input type="checkbox"/>	<input type="checkbox"/>	
The resident is capable of storing the drugs in a secure and locked cabinet/box	<input type="checkbox"/>	<input type="checkbox"/>	
Nearby residents will not take the drugs mistakenly	<input type="checkbox"/>	<input type="checkbox"/>	
The drugs listed in part (I) are suitable for self-storage and self-administration	<input type="checkbox"/>	<input type="checkbox"/>	

Upon an assessment, this RCHE ☐ **agree** / ☐ **disagree** to handing over the drugs listed in part (I) to the resident for self-storage and self-administration.

\*Name of nurse/health worker \_\_\_\_\_

Name of home manager \_\_\_\_\_

\*Signature of nurse/health worker \_\_\_\_\_

Signature of home manager \_\_\_\_\_

Assessment date \_\_\_\_\_

Date \_\_\_\_\_

**(IV) Remarks**

- (1) The RCHE should re-assess and update/invalidate this consent form not less than once every half a year or under any following circumstances –
- (a) changes in the conditions of nearby residents who may take the self-administered drugs mistakenly;
  - (b) the resident or his/her guardian guarantor/family member/relative has requested that the drugs will no longer be stored or administered by the resident;
  - (c) the resident's cognitive or drug-handling ability has deteriorated; or
  - (d) changes in the types of the drugs in part (I).
- (2) The RCHE is required to complete the drug delivery record, which should be signed by the resident and his/her guardian/guarantor/family member/relative for confirmation.



(Name of RCHE)

**Assessment and Consent Form for Applying Restraint**

(re-assessment shall be made at least once every 6 months or when there is any change in the resident's condition)

Name of Resident \_\_\_\_\_ Sex/Age \_\_\_\_\_ HKIC No. \_\_\_\_\_

Room and/or Bed No. \_\_\_\_\_ Last Assessment Date \_\_\_\_\_

(Principle: Restraint refers to a means of limiting a resident's movement so as to minimise harm to himself/herself and/or other residents. An RCHE should adopt measures to avoid using restraints whenever possible. The use of restraint should only be considered when there are no other less restrictive means available (i.e. after other alternative attempts have proven ineffective) or in case of emergencies and when the safety, health or well-being of the resident and/or other residents is jeopardised. Consent from the persons concerned shall be obtained in advance for the use of restraints.)

**(I) Conditions of Resident/Risk Factors** (please tick as appropriate, may choose more than one item)☐ **Abnormal mental condition and/or abnormal behaviour**☐ emotion problem/confusion ☐ wandering ☐ self-injurious behaviour, please specify: \_\_\_\_\_☐ injuring/harassing others, please specify: \_\_\_\_\_☐ **Inability to maintain a proper seating posture**☐ weak in back and loin muscles ☐ paralysis ☐ joint degeneration ☐ others, please specify: \_\_\_\_\_☐ **Risk of fall**☐ unsteady gait ☐ fall during hospitalisation ☐ visual/hearing impairment☐ under influence of drugs ☐ other risks of fall, please specify: \_\_\_\_\_☐ **History of removing therapeutic medical supplies and/or personal items**☐ feeding tube ☐ oxygen tubing or mask ☐ urinary catheter ☐ stoma appliances☐ diaper or clothes ☐ others, please specify: \_\_\_\_\_☐ **Others, please specify:** \_\_\_\_\_**(II) Alternatives**

Other attempted alternatives (please tick as appropriate, may choose more than one item)	Assessment Date	Assessment Result		Remarks
		Effective	Ineffective	
<input type="checkbox"/> seeking medical advice to find out the possible cause(s) leading to the emotion problem or confusion and handling accordingly		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> discussing with registered medical practitioners/registered Chinese medicine practitioners/listed Chinese medicine practitioners for treatment or medication adjustment		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> seeking intervention from physiotherapists/occupational therapists/clinical psychologists/social workers		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> improving furniture: using more appropriate chairs, cushions or other accessories		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> improving environment: to facilitate the resident to feel secure, comfortable and be familiar with the environment		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> providing leisure and diversionary activities to the resident		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> spending more time to talk to the resident for building up harmonious and mutual trust relationship		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> observing and inspecting regularly by home staff		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> adjusting daily care procedures to meet the special need of the resident		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> requesting visits and assistance from the resident's family/friends		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> others, please specify: _____		<input type="checkbox"/>	<input type="checkbox"/>	

**(III) Recommendations on Restraint** (please tick as appropriate, may choose more than one item)

Physical restraints			
Type	Condition for applying restraints	Period of applying restraints	
<input type="checkbox"/> safety vests	<input type="checkbox"/> sitting on chair <input type="checkbox"/> lying in bed <input type="checkbox"/> sitting on chair & lying in bed	<input type="checkbox"/> daytime (from ____ to ____ ) <input type="checkbox"/> at night (from ____ to ____ )	<input type="checkbox"/> whole day <input type="checkbox"/> others ____
<input type="checkbox"/> safety belts	<input type="checkbox"/> sitting on chair <input type="checkbox"/> lying in bed <input type="checkbox"/> sitting on chair & lying in bed	<input type="checkbox"/> daytime (from ____ to ____ ) <input type="checkbox"/> at night (from ____ to ____ )	<input type="checkbox"/> whole day <input type="checkbox"/> others ____
<input type="checkbox"/> wrist restraints	<input type="checkbox"/> sitting on chair <input type="checkbox"/> lying in bed <input type="checkbox"/> sitting on chair & lying in bed	<input type="checkbox"/> daytime (from ____ to ____ ) <input type="checkbox"/> at night (from ____ to ____ )	<input type="checkbox"/> whole day <input type="checkbox"/> others ____
<input type="checkbox"/> gloves/mittens	<input type="checkbox"/> sitting on chair <input type="checkbox"/> lying in bed <input type="checkbox"/> sitting on chair & lying in bed	<input type="checkbox"/> daytime (from ____ to ____ ) <input type="checkbox"/> at night (from ____ to ____ )	<input type="checkbox"/> whole day <input type="checkbox"/> others ____
<input type="checkbox"/> non-slippery trousers/stripes	<input type="checkbox"/> sitting on chair <input type="checkbox"/> lying in bed <input type="checkbox"/> sitting on chair & lying in bed	<input type="checkbox"/> daytime (from ____ to ____ ) <input type="checkbox"/> at night (from ____ to ____ )	<input type="checkbox"/> whole day <input type="checkbox"/> others ____
<input type="checkbox"/> lap trays	<input type="checkbox"/> sitting on chair/wheelchair	<input type="checkbox"/> daytime (from ____ to ____ ) <input type="checkbox"/> at night (from ____ to ____ )	<input type="checkbox"/> whole day <input type="checkbox"/> others ____
<input type="checkbox"/> others _____	<input type="checkbox"/> sitting on chair <input type="checkbox"/> lying in bed <input type="checkbox"/> sitting on chair & lying in bed	<input type="checkbox"/> daytime (from ____ to ____ ) <input type="checkbox"/> at night (from ____ to ____ )	<input type="checkbox"/> whole day <input type="checkbox"/> others ____

Next assessment date \_\_\_\_\_

Name of nurse/health worker \_\_\_\_\_ Signature of nurse/health worker \_\_\_\_\_ Date \_\_\_\_\_

**(IV) Registered Medical Practitioner's Comment** (please tick as appropriate)☐ Agree to apply restraint on the above resident as suggested in part (III)☐ Disagree to apply restraint on the above resident

Remarks: \_\_\_\_\_

Name of medical practitioner \_\_\_\_\_ Signature of medical practitioner \_\_\_\_\_ Date \_\_\_\_\_

**(V) Resident's Intention** (please tick the appropriate box and delete \* as appropriate)

<p>I, _____ (resident's name), after being clearly explained by *staff of the RCHE/registered medical practitioner the reasons for using restraint, type and period for the restraint to be used, the short-term and long-term impacts that may be caused by the use of restraint [see part (VII) below] and other alternatives that have been exhausted and their effectiveness, hereby <input type="checkbox"/> agree/ <input type="checkbox"/> disagree to the use of restraint as suggested in part (III).</p> <p>Signature _____ Date _____</p>	<p><b>If the resident cannot understand the use of restraints, please complete this part only</b></p> <p>I, *guardian/guarantor/family member/relative/registered medical practitioner of _____ (resident's name), hereby witness that the resident cannot sign the consent due to failure to understand the use of restraints.</p> <p>Name of witness _____ Relationship _____</p> <p>Signature _____ Date _____</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**(VI) Guardian's/Guarantor's/Family Member's/Relative's intention**

(please tick the appropriate box and delete \* as appropriate)

☐ I, \_\_\_\_\_ \* guardian/guarantor/family member/relative of \_\_\_\_\_ (resident's name), after being clearly explained by \*staff of the RCHE/registered medical practitioner the reasons for using restraint, type and period for the restraint to be used, the short-term and long-term impacts that may be caused by the use of restraint [see part (VIII) Special Notes] and other alternatives that have been exhausted and their effectiveness, hereby ☐ agree/ ☐ disagree to the use of restraint as suggested in part (III)

Signature \_\_\_\_\_ Relationship with the resident \_\_\_\_\_ Date \_\_\_\_\_

☐ The resident does not have guardians/guarantors/family members/relatives.**(VII) Declaration of Home Manager**

I, \_\_\_\_\_ declare that all information given above is correct.

Signature \_\_\_\_\_ Date \_\_\_\_\_



**(VIII) Special Notes**

1. Condition of the resident should be reviewed at least once every 2 hours while under physical restraints.
2. The use of restraint will confine a resident to a seating or lying down position for a long period of time, thus reducing the resident's mobility and joint movement and resulting in muscle contracture.
3. A resident's bones may become brittle and liable to fracture due to the reduction of weight-bearing activities.
4. Swelling of the resident's lower limbs may occur due to reduced blood circulation.
5. Residents under restraint may have negative emotions, such as anger, shame, fear, helplessness, distress, etc.
6. Residents may become bad-tempered and anxious or even have depressive mood as a result of long term use of restraint.
7. Residents under restraint may become more frail and apathetic. They may fall and hurt themselves more easily.
8. Some residents resist restraint very much and may harm themselves or fall when they try to get rid of the physical restraints.
9. As residents' mobility is restricted, they have fewer chances to talk to or get along with others, thus affecting their social well-being.



**Scheduled Infectious Diseases**

Currently, there are 53 infectious diseases set out in Schedule 1 to the Prevention and Control of Disease Ordinance (Cap. 599). RCHEs should regularly check with the Centre for Health Protection of the Department of Health for the latest version.

- |                                                                                            |                                                                |
|--------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| 1. Acute poliomyelitis                                                                     | 28. Middle East Respiratory Syndrome                           |
| 2. Amoebic dysentery                                                                       | 29. Monkeypox                                                  |
| 3. Anthrax                                                                                 | 30. Mumps                                                      |
| 4. Bacillary dysentery                                                                     | 31. Novel influenza A infection                                |
| 5. Botulism                                                                                | 32. Paratyphoid fever                                          |
| 6. Chickenpox                                                                              | 33. Plague                                                     |
| 7. Chikungunya fever                                                                       | 34. Psittacosis                                                |
| 8. Cholera                                                                                 | 35. Q fever                                                    |
| 9. Community-associated<br>methicillin-resistant<br><i>Staphylococcus aureus</i> infection | 36. Rabies                                                     |
| 10. Coronavirus disease 2019<br>(COVID-19)                                                 | 37. Relapsing fever                                            |
| 11. Creutzfeldt-Jakob disease                                                              | 38. Rubella and congenital rubella<br>syndrome                 |
| 12. Dengue fever                                                                           | 39. Scarlet fever                                              |
| 13. Diphtheria                                                                             | 40. Severe Acute Respiratory<br>Syndrome                       |
| 14. Enterovirus 71 infection                                                               | 41. Shiga toxin-producing<br><i>Escherichia coli</i> infection |
| 15. Food poisoning                                                                         | 42. Smallpox                                                   |
| 16. <i>Haemophilus influenzae</i> type b<br>infection (invasive)                           | 43. <i>Streptococcus suis</i> infection                        |
| 17. Hantavirus infection                                                                   | 44. Tetanus                                                    |
| 18. Invasive pneumococcal disease                                                          | 45. Tuberculosis                                               |
| 19. Japanese encephalitis                                                                  | 46. Typhoid fever                                              |
| 20. Legionnaires' disease                                                                  | 47. Typhus and other rickettsial<br>diseases                   |
| 21. Leprosy                                                                                | 48. Viral haemorrhagic fever                                   |
| 22. Leptospirosis                                                                          | 49. Viral hepatitis                                            |
| 23. Listeriosis                                                                            | 50. West Nile Virus Infection                                  |
| 24. Malaria                                                                                | 51. Whooping cough                                             |
| 25. Measles                                                                                | 52. Yellow fever                                               |
| 26. Melioidosis                                                                            | 53. Zika Virus Infection                                       |
| 27. Meningococcal infection<br>(invasive)                                                  |                                                                |



**Suspected Infectious Disease Outbreak in RCHE****NOTIFICATION FORM****To: Central Notification Office (CENO), Centre for Health Protection (Fax: 2477 2770 )****(Email: diseases@dh.gov.hk )**

c.c.: LORCHE

(Fax: 2574 4176 or 3106 3058 )

CGAT (if applicable)

(Fax: \_\_\_\_\_ )

Name of institution:	(LORCHE No.: _____ )		
Address of institution:			
Contact person:		(Post: _____ )	Tel: _____
Total no. of residents:		Total no. of staff: _____	Fax: _____
No. of sick residents:		(No. admitted into hospital: _____ )	
No. of sick staff:		(No. admitted into hospital: _____ )	
Common symptoms: (May tick multiple)	<input type="checkbox"/> Fever	<input type="checkbox"/> Sore throat	
	<input type="checkbox"/> Cough	<input type="checkbox"/> Runny nose	
	<input type="checkbox"/> Diarrhoea	<input type="checkbox"/> Vomiting	
	<input type="checkbox"/> Skin rash	<input type="checkbox"/> Blisters on hand/foot	<input type="checkbox"/> Oral ulcers
	<input type="checkbox"/> Others (Please specify: _____ )		
Suspected disease:			
Reported by:			
Signature:			
Contact tel.: _____		Fax on: _____	
For enquiries, please call 2477 2772			

