

# Regulation 19: Fees

## Care Quality Commission (Registration) Regulations 2009: Regulation 19

The intention of this regulation is to make sure that providers give timely and accurate information about the cost of their care and treatment to people who use services.

To meet this regulation, providers must make written information available about any fees, contracts and terms and conditions, where people are paying either in full or in part for the cost of their care, treatment and support.

CQC can prosecute for a breach of this regulation or a breach of part of the regulation. This means that CQC can move directly to prosecution without first serving a warning notice. Additionally, CQC may also take other regulatory action. See the [offences section](#) for more detail.

CQC must refuse registration if providers cannot satisfy us that they can and will continue to comply with this regulation.

### The regulation in full

1. Where a service user will be responsible for paying the costs of their care or treatment (either in full or partially), the registered person must provide a statement to the service user, or to a person acting on the service user's behalf—
  - a. specifying the terms and conditions in respect of the services to be provided to the service user, including as to the amount and method of payment of fees; and
  - b. including, where applicable, the form of contract for the provision of services by the service provider.
2. The statement referred to in paragraph (1) must be—
  - a. in writing; and
  - b. as far as reasonably practicable, provided prior to the commencement of the services to which the statement relates.

## Guidance

This sets out the guidance providers must have regard to against the relevant component of the regulation.

**19(1)** Where a service user will be responsible for paying the costs of their care or treatment (either in full or partially), the registered person must provide a statement to the service user, or to a person acting on the service user's behalf—

**19(1)(a)** specifying the terms and conditions in respect of the services to be provided to the service user, including as to the amount and method of payment of fees; and

Guidance on 19(1)(a)

- Providers must give people information about the terms and conditions of their care, treatment or support, including the expected costs and the requirement to pay for their care, treatment and support. This applies to people who pay the provider in full or partially.
- Providers must notify people of any changes to their terms and conditions, including increases in fees and give them sufficient time to consider whether they wish to continue with the service.
- People must be told how they can make payments.
- People should be given reasonable notice of when payments are due so they have the opportunity to arrange payment without incurring penalties or late payment fees.

**19(1)(b)** including, where applicable, the form of contract for the provision of services by the service provider.

### Guidance on 19(1)(b)

- Providers must make sure that they give a copy of any contract detailing the service to be provided to the person using the service and/or the person lawfully acting on their behalf.

**19(2)** The statement referred to in paragraph (1) must be—

**19(2)(a)** in writing; and

**19(2)(b)** as far as reasonably practicable, provided prior to the commencement of the services to which the statement relates.

## Guidance on 19(2)(a) and 19(2)(b)

- People must be given a written copy of the terms and conditions that they must agree to before their care, treatment or support begins.
- Providers must give people using the service information about the costs, terms, and conditions of the service, so that they can make decisions about their care, treatment or support.
- Providers must give people a written estimate of the costs of the care, treatment or support if a fixed price cannot be given. This should include details of any likely additional costs.