



Care Standards Act 2000

2000 CHAPTER 14

PART III

LOCAL AUTHORITY SERVICES

Modifications etc. (not altering text)

- C1** Pt. 3: functions transferred (20.11.2003 for certain purposes and 1.4.2004 otherwise) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. {102(4)}, 199; [S.I. 2004/759](#), [art. 5\(2\)](#)

43 Introductory.

- (1) This section has effect for the purposes of this Part.
- (2) “Relevant functions”, in relation to a local authority, means relevant adoption functions and relevant fostering functions.
- (3) In relation to a local authority—
 - (a) “relevant adoption functions” means functions under the ^{M1}Adoption Act 1976 of making or participating in arrangements for the adoption of children; and
 - (b) “relevant fostering functions” means functions under section 23(2)(a) of the 1989 Act or regulations under any of paragraphs (a), (b) or (d) to (f) of paragraph 12 of Schedule 2 to that Act.

Commencement Information

- II** [S. 43](#) wholly in force at 30.4.2003; [s. 43](#) not in force at Royal Assent see [s. 122](#); [s. 43](#) in force for W. at 1.7.2001 by [S.I. 2001/2190](#), [art. 2](#), [Sch.](#) Table; [s. 43](#) in force for E. for certain purposes at 20.11.2001 by [S.I. 2001/3852](#), [arts. 1\(4\)](#), 3(2)(3)(a)(ii) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210); [s. 43\(1\)\(2\)\(3\)\(b\)](#) in force for E. for certain purposes at 1.4.2002 by [S.I. 2001/3852](#), [arts.](#)

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1(4), 3(2)(7)(g) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), [2002/1493](#), [2002/1790](#), [2002/2001](#), [2002/3210](#)); [s. 43\(1\)\(2\)\(3\)](#) (a) in force for E. for certain purposes at 24.2.2003 and for remaining purposes at 30.4.2003 by [S.I. 2003/365](#), [art. 3\(2\)\(5\)](#) (subject to [Sch.](#))

Marginal Citations

M1 [1976 c.36](#).

44 General powers of the Commission.

F1

Textual Amendments

F1 [S. 44](#) repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003](#) (c. 14), [ss. 196, 199](#), [Sch. 14 Pt.2](#); [S.I. 2004/759](#), [art. 13](#)

45 Inspection by registration authority of adoption and fostering services.

(1) **F2**

(2) **F2**

(3) **F2**

(4) [**F3**Subject to section 47(6)], the Secretary of State may by regulations require [**F4**the CSCI] to arrange for premises which are used by a local authority in its discharge of relevant functions to be inspected on such occasions or at such intervals as may be prescribed [**F5**; and an inspection under this section shall be regarded for all purposes as undertaken under section 80 of the [Health and Social Care \(Community Health and Standards\) Act 2003](#)].

(5) **F2**

Textual Amendments

F2 [S. 45\(1\)-\(3\)\(5\)](#) repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003](#) (c. 43), [ss. 196, 199](#), [Sch. 14 Pt. 2](#); [S.I. 2004/759](#), [art. 13](#)

F3 Words in [s. 45\(4\)](#) omitted (20.11.2003 for certain purposes, 1.4.2004 for E., otherwise prosp.) by virtue of [Health and Social Care \(Community Health and Standards\) Act 2003](#) (c. 43), [ss. 147, 199](#), [Sch. 9 para. 26\(a\)](#); [S.I. 2004/759](#), [art. 4\(2\)](#)

F4 Words in [s. 45\(4\)](#) substituted (20.11.2003 for certain purposes, 1.4.2004 for E., otherwise prosp.) by [Health and Social Care \(Community Health and Standards\) Act 2003](#) (c. 43), [ss. 147, 199](#), [Sch. 9 para. 26\(b\)](#); [S.I. 2004/759](#), [art. 4\(2\)](#)

F5 Words in [s. 45\(4\)](#) inserted (20.11.2003 for certain purposes, 1.4.2004 for E., otherwise prosp.) by [Health and Social Care \(Community Health and Standards\) Act 2003](#) (c. 43), [ss. 147, 199](#), [Sch. 9 para. 26\(c\)](#); [S.I. 2004/759](#), [art. 4\(2\)](#)

Commencement Information

I2 [S. 45](#) wholly in force at 30.4.2003; [s. 45](#) not in force at Royal Assent see [s. 122](#); [s. 45\(4\)](#) in force for E. for certain purposes at 20.11.2001 by [S.I. 2001/3852](#), [arts. 1\(4\), 3\(2\)\(3\)\(a\)\(ii\)](#) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#),

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2002/1493, 2002/1790, 2002/2001, 2002/3210); s. 45 in force for E. for certain purposes in so far as not already in force at 1.4.2002 by S.I. 2001/3852, arts. 1(4), 3(2)(7)(g) (subject to transitional provisions in Sch. 1 and with transitional provisions in Sch. 2) (as amended by S.I. 2001/4150, 2002/1493, 2002/1790, 2002/2001, 2002/3210); s. 45 in force for W. at 30.1.2003 by S.I. 2003/152, art. 2; s. 45(4) in force for E. for certain purposes at 24.2.2003 and for remaining purposes at 30.4.2003 by S.I. 2003/365, art. 3(2)(5)

46 Inspections: supplementary.

F6

Textual Amendments

F6 Ss. 46, 47 repealed (1.4.2004) by Health and Social Care (Community Health and Standards) Act 2003 (c. 14), ss. 196, 199, Sch. 14 Pt. 2; S.I. 2004/759, art. 13

47 Action following inspection.

F7

Textual Amendments

F7 Ss. 46, 47 repealed (1.4.2004) by Health and Social Care (Community Health and Standards) Act 2003 (c. 14), ss. 196, 199, Sch. 14 Pt. 2; S.I. 2004/759, art. 13

48 Regulation of the exercise of relevant fostering functions.

- (1) Regulations may make provision about the exercise by local authorities of relevant fostering functions, and may in particular make provision—
 - (a) as to the persons who are fit to work for local authorities in connection with the exercise of such functions;
 - (b) as to the fitness of premises to be used by local authorities in their exercise of such functions;
 - (c) as to the management and control of the operations of local authorities in their exercise of such functions;
 - (d) as to the numbers of persons, or persons of any particular type, working for local authorities in connection with the exercise of such functions;
 - (e) as to the management and training of such persons.
- (2) Regulations under subsection (1)(a) may, in particular, make provision for prohibiting persons from working for local authorities in such positions as may be prescribed unless they are registered in, or in a particular part of, one of the registers maintained under section 56(1).

Commencement Information

I3 S. 48 wholly in force at 1.4.2002; s. 48 not in force at Royal Assent see s. 122; s. 48 in force for W. at 1.7.2001 by S.I. 2001/2190, art. 2, Sch. Table; s. 48 in force for E. for certain purposes at 20.11.2001 by S.I. 2001/3852, arts. 1(4), 3(2)(3)(a)(ii) (subject to transitional provisions in Sch. 1 and with

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transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210); [s. 48](#) in force for E. for remaining purposes at 1.4.2002 by [S.I. 2001/3852](#), [arts. 1\(4\), 3\(2\)\(7\)\(g\)](#) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210)

49 National minimum standards.

- (1) Subsections (1), (2) and (3) of section 23 shall apply to local authorities in their exercise of relevant functions as they apply to establishments and agencies.
- (2) ^{F8}

Textual Amendments

F8 [S. 49\(2\)](#) repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003](#) (c. 43), [ss. 196, 199](#), [Sch. 14 Pt. 2](#); [S.I. 2004/759](#), [art. 13](#)

Commencement Information

I4 [S. 49](#) wholly in force at 30.4.2003; [s. 49](#) not in force at Royal Assent see [s. 122](#); [s. 49](#) in force for W. at 1.7.2001 by [S.I. 2001/2190](#), [art. 2](#), [Sch. Table](#); [s. 49](#) in force for E. for certain purposes at 20.11.2001 by [S.I. 2001/3852](#), [arts. 1\(4\), 3\(2\)\(3\)\(d\)\(i\)](#) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210); [s. 49](#) in force for E. for certain purposes at 1.4.2002 by [S.I. 2001/3852](#), [arts. 1\(4\), 3\(2\)\(7\)\(g\)](#) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210); [s. 49](#) in force for E. for certain purposes at 24.2.2003 and 30.4.2003 by [S.I. 2003/365](#), and for remaining purposes at 30.4.2003 by [S.I. 2003/365](#), [art. 3\(2\)\(5\)](#) (subject to [Sch.](#))

50 Annual returns.

- (1) Regulations may require a local authority to make to the registration authority an annual return containing such information with respect to the exercise by the local authority of relevant functions as may be prescribed.
- (2) Provision may be made by the regulations as to the period in respect of which and date by which the return is to be made.

Commencement Information

I5 [S. 50](#) partly in force; [s. 50](#) not in force at Royal Assent see [s. 122](#); [s. 50](#) in force for W. at 1.7.2001 by [S.I. 2001/2190](#), [art. 2](#), [Sch. Table](#); [s. 50](#) in force for E. for certain purposes at 20.11.2001 by [S.I. 2001/3852](#), [arts. 1\(4\), 3\(2\)\(3\)\(a\)\(ii\)](#) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210); [s. 50](#) in force for E. for certain purposes at 1.4.2002 by [S.I. 2001/3852](#), [arts. 1\(4\), 3\(2\)\(7\)\(g\)](#) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210)

51 Annual fee.

^{F9}

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Textual Amendments

- F9** S. 51 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003](#) (c. 14), ss. 196, 199, [Sch. 14 Pt.2](#); S.I. 2004/759, [art. 13](#)

52 Contravention of regulations.

- (1) Regulations under this Part may provide that a contravention of or failure to comply with any specified provision of the regulations shall be an offence.
- (2) A person guilty of an offence under the regulations shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Commencement Information

- I6** S. 52 partly in force; s. 52 not in force at Royal Assent see [s. 122](#); s. 52 in force for W. at 1.7.2001 by S.I. 2001/2190, [art. 2](#), [Sch. Table](#); s. 52 in force for E. for certain purposes at 20.11.2001 by S.I. 2001/3852, [arts. 1\(4\)](#), 3(2)(3)(a)(ii) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by S.I. 2001/4150, 2002/1493, 2002/1790, 2002/2001, 2002/3210); s. 52 in force for E. for certain purposes in so far as not already in force at 1.4.2002 by S.I. 2001/3852, [arts. 1\(4\)](#), 3(2)(7)(g) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by S.I. 2001/4150, 2002/1493, 2002/1790, 2002/2001, 2002/3210)

53 Offences: general provisions.

Sections 29 and 30 apply in relation to this Part as they apply in relation to Part II.

Commencement Information

- I7** S. 53 partly in force; s. 53 not in force at Royal Assent see [s. 122](#); s. 53 in force for E. at 1.4.2002 by S.I. 2001/3852, [arts. 1\(4\)](#), 3(2)(7)(g) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by S.I. 2001/4150, 2002/1493, 2002/1790, 2002/2001, 2002/3210); s. 53 in force for W. for certain purposes at 30.1.2003 by S.I. 2003/152, [art. 2](#); s. 53 in force for E. for remaining purposes at 30.4.2003, by S.I. 2003/365, [art. 3\(5\)\(b\)](#) (subject to [Sch.](#))

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