
STATUTORY INSTRUMENTS

1973 No. 637

CHILDREN AND YOUNG PERSONS

The Cessation of Approved Institutions
(Remand Homes) Order 1973

Made - - - - 29th March 1973
Coming into Operation 1st April 1973

The Secretary of State for Social Services in exercise of his powers under section 46 of the Children and Young Persons Act 1969 and of all other powers enabling him in that behalf, hereby makes the following order:—

Citation and commencement

1. This order may be cited as the Cessation of Approved Institutions (Remand Homes) Order 1973, and shall come into operation on 1st April 1973.

Interpretation

2.—(1) In this order unless the context otherwise requires—

“remand home” means a remand home provided by a local authority or authorities under section 77(1) of the Children and Young Persons Act 1933;

“the specified date” means 1st April 1973;

“the Schedule” means the Schedule to this order;

“a protected person” means a person employed by a local authority or local authorities in respect of a remand home mentioned in column 2 of the Schedule;

“the tribunal” means a tribunal established under section 12 of the Industrial Training Act 1964, and referred to in section 100 of the Industrial Relations Act 1971;

“approved institution” has the meaning assigned to it under section 46 of the Children and Young Persons Act 1969.

(2) Planning areas numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 are those areas designated in the Schedule to the Children and Young Persons (Planning Areas) Order 1970(1).

(3) The Interpretation Act 1889 shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

Cessation as approved institutions

3. It having appeared to the Secretary of State that in consequence of the establishment of community homes in any planning area mentioned in column 1 of the Schedule the remand homes mentioned in column 2 of the Schedule and provided by the local authority or authorities in column 3 of the Schedule are no longer required, he hereby orders that the said remand homes shall cease to be approved institutions as from the specified date.

Safeguarding of interests

4.—(1) A protected person shall, until he is served with a statement in writing referring to this order and specifying new terms and conditions of employment, enjoy terms and conditions of employment not less favourable than those he enjoyed immediately before the specified date.

(2) Any new terms and conditions of employment contained in such a statement as aforesaid shall be such that—

- (a) so long as the person is engaged in duties reasonably comparable to those in which he was engaged immediately before the specified date, the scale of his salary or remuneration, and
- (b) the other terms and conditions of his employment, shall not be less favourable than those he enjoyed immediately before the specified date.

(3) Any question whether duties are reasonably comparable or whether terms and conditions of employment are less favourable as mentioned in paragraph (2) of this article shall be determined by the tribunal.

(4) A written statement given in accordance with section 4(1) of the Contracts of Employment Act 1972 shall not be regarded as a statement of new terms and conditions of employment for the purposes of this article unless the statement so indicates; and such a statement for the purposes of this article shall draw the attention of the person concerned to his right to have any question as to comparability of duties or terms and conditions of employment determined in accordance with the preceding paragraph and give him the address to which the reference to any such questions for determination should be sent.

(5) For the purposes of this article any reference to terms and conditions of employment includes a reference to any restriction, arising under any Act or any instrument made under any Act, on the termination of the employment of any person.

(6) Any determination made by the tribunal as provided under paragraph (3) of this article shall be made in accordance with the Industrial Tribunals (Industrial Relations, etc.) Regulations 1972⁽²⁾ and this order, and in respect of any hearing of the tribunal for the purposes of any such determination a person or persons may be appointed to sit with the tribunal as assessor or assessors.

(7) Any determination of the tribunal as mentioned in paragraph (6) of this article shall, subject to any modifications that may be required in consequence of any appeal from that determination on a point of law, be given effect to by the council employing the protected person.

(2) (1972 I, p. 91).

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Signed by authority of the Secretary of State for Social Services.

29th March 1973

M. G. Russell
Assistant Secretary
Department of Health and Social Security

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SCHEDULE

Article 3

<i>1</i>	<i>2</i>	<i>3</i>
Planning Area	Remand Home	Local authority or authorities
No. 1	Farndale Road	The Council of the County Borough of Teesside
	Mill House	The County Council of Cumberland
	Penshaw House	The County Council of Durham
	Seaham	The Council of the County Borough of Sunderland
No. 2	Ashbank	The Council of the County Borough of York
	The Moss	The Council of the County Borough of Sheffield
	Shirecliffe House	The Council of the County Borough of Sheffield
	Spring Cottage	The Council of the County Borough of Kingston-upon-Hull
	Tong Park House	The County Council of Yorkshire, West Riding
	Westwood Grange	The Council of the County Borough of Leeds
	Whinmoor	The Council of the County Borough of Leeds
	Woodside	The Council of the County Borough of Kingston-upon-Hull
No. 3	Burford	The Council of the County Borough of Manchester
	Derwent House	The Council of the County Borough of Liverpool
	High Bank	The County Council of Cheshire
	Ravenscroft	The County Council of Lancashire
	Red Sands	The County Council of Cheshire
	Rose Hill	The Council of the County Borough of Manchester
	Slynedales	The County Council of Lancashire
	Wood End	The County Council of Lancashire
	Woolton Vale	The Council of the County Borough of Liverpool
No. 4	Field House	The Council of the County Borough of Birmingham
	Forhill House	The Council of the County Borough of Birmingham
	Saltwells	The Council of the County Borough of Dudley

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<i>1</i>	<i>2</i>	<i>3</i>
Planning Area	Remand Home	Local authority or authorities
	Welland	The County Council of Worcestershire
	The Wissage	The County Council of Staffordshire
No. 5	Ashley House	The County Council of Nottinghamshire
	Beechwood	The Council of the County Borough of Nottingham
	The Cedars	A Joint Committee of the County Council of Derbyshire and the Council of the County Borough of Derby
	Enderleigh	The Council of the County Borough of Nottingham
	Saxon House	The County Council of Lincolnshire, Parts of Lindsey
	Watkin Lodge	The Council of the County Borough of Grimsby
	Woodlands	The Council of the County Borough of Leicester
No. 6	Boyles Court	The County Council of Essex
	Bramerton Lodge	The County Council of Norfolk
	Newport House	The County Council of Essex
No. 7	Heyford Hill House	The County Council of Oxfordshire
	Oxenden House	The County Council of Bedfordshire
	Thornbury House	The County Council of Oxfordshire
No. 8	Cumberlow Lodge	The Council of the London Borough of Lambeth
	Little Health Lodge	The Council of the London Borough of Newham
	Middlesex Lodge	The Council of the London Borough of Hillingdon
	Milton House	The Council of the London Borough of Croydon
	St. Nicholas House	The Council of the London Borough of Enfield
	Stamford House	The Council of the London Borough of Hammersmith
No. 9	Beechfield	The County Council of West Sussex
	Green Acre	The County Council of Kent
	Harrietsham	The County Council of Kent
	Pentlands	The County Council of Surrey

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<i>1</i>	<i>2</i>	<i>3</i>
Planning Area	Remand Home	Local authority or authorities
	Stonepound House	The County Council of East Sussex
No. 10	Ashbourne Lodge	The County Council of Hampshire
	Glen House	The Council of the County Borough of Portsmouth
	Red Hatch	The County Council of Hampshire
No. 11	Brooklands	The County Council of Somerset
	Fullaford House	The County Council of Devon
	Horfield Lodge	The Council of the County Borough of Bristol
	Parklands	The Council of the County Borough of Plymouth
No. 12	Crick House	A Joint Committee of the County Council of Glamorgan, the County Council of Monmouthshire and the Council of the County Borough of Newport
	Rheanfa	The Council of the County Borough of Swansea
	The Rise	The Council of the County Borough of Cardiff
	Sully	The County Council of Glamorgan

EXPLANATORY NOTE

This Order makes provision for the cessation as approved institutions of certain remand homes and for the protection of the staff of such homes after they have become community homes.