
STATUTORY INSTRUMENTS

1990 No. 87

The Children's Homes (Control and Discipline) Regulations 1990

Control and discipline

2.—(1) The responsible body shall ensure that control of the home is maintained in accordance with sound management, good professional practice and on the basis of good personal relationships with the children in the home and, except as otherwise so directed by the Secretary of State under section 53 of the Children and Young Persons Act 1933⁽¹⁾ (punishment of certain grave crimes), with the use only of such sanctions, not being sanctions prohibited by paragraph (2) of this regulation, as are approved in writing by the responsible body.

(2) The following sanctions may not be used on a child in a home —

- (a) any form of corporal punishment;
- (b) any deprivation of food or drink;
- (c) any restriction or refusal of any facility for a child to receive visits and communications from and to communicate by telephone or post with:
 - (i) his parent or guardian,
 - (ii) his relatives,
 - (iii) any person visiting a voluntary home in accordance with regulation 2 of the Administration of Children's Homes Regulations 1951 (visits by administering authority),
 - (iv) any person visiting a community home in accordance with regulation 3(2) of the Community Homes Regulations 1972⁽²⁾,
 - (v) any visitor appointed for the child in pursuance of section 11 of the 1980 Act,
 - (vi) any social worker for the time being assigned to the child by the local authority or voluntary organisation in whose care he is, or who are looking after him, if his identity is known to the person in charge of the home, or
 - (vii) any solicitor for the time being acting for the child, or whom the child wishes to instruct;
- (d) any restriction or refusal of any facility for a child to make visits to his parents or guardian, or his relatives;
- (e) requiring a child to wear distinctive or inappropriate clothes;
- (f) the use, or withholding, of medication or medical or dental treatment.

(1) 1933 c. 12.

(2) S.I.1951/1217.