#### STATUTORY INSTRUMENTS

## 2001 No. 3967

## SOCIAL CARE, ENGLAND CHILDREN AND YOUNG PERSONS, ENGLAND

## The Children's Homes Regulations 2001

Made - - - - 11th December 2001
Laid before Parliament 12th December 2001
Coming into force 1st April 2002

#### THE CHILDREN'S HOMES REGULATIONS 2001

#### PART I

#### **GENERAL**

- 1. Citation, commencement and extent
- 2. Interpretation
- 3. Excepted establishments
- 4. Statement of purpose and children's guide
- 5. Review of the statement of purpose and children's guide

#### PART II

#### **REGISTERED PERSONS**

- 6. Fitness of registered provider
- 7. Appointment of manager
- 8. Fitness of manager
- 9. Registered person—general requirements
- 10. Notification of offences

#### PART III

#### CONDUCT OF CHILDREN'S HOMES

#### CHAPTER 1

#### Welfare of Children

11. Promotion of welfare

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- 12. Child's placement plan
- 13. Food provided for children
- 14. Provision of clothing, pocket money and personal necessities
- 15. Contact and access to communications
- 16. Arrangements for the protection of children
- 17. Behaviour management, discipline and restraint
- 18. Education, employment and leisure activity
- 19. Religious observance
- 20. Health needs of children
- 21. Medicines
- 22. Use of surveillance
- 23. Hazards and safety
- 24. Complaints and representations

#### CHAPTER 2

#### Staffing

- 25. Staffing of children's homes
- 26. Fitness of workers
- 27. Employment of staff

#### **CHAPTER 3**

#### Records

- 28. Children's case records
- 29. Other records
- 30. Notifiable events

#### PART IV

#### **PREMISES**

- 31. Fitness of premises
- 32. Fire precautions

#### PART V

#### MANAGEMENT OF HOMES

- 33. Visits by registered provider
- 34. Review of quality of care
- 35. Regulations and guidance
- 36. Financial position

#### PART VI

#### **MISCELLANEOUS**

- 37. Notice of absence
- 38. Notice of changes
- 39. Appointment of liquidators etc.
- 40. Death of registered person
- 41. Offences
- 42. Compliance with regulations

43. Revocation Signature

# SCHEDULE 1 — MATTERS TO BE INCLUDED IN THE STATEMENT OF PURPOSE

- 1. A statement of the overall aims of the children's home,...
- 2. A statement of the facilities and services to be provided...
- 3. The name and address of the registered provider, and of...
- 4. The relevant qualifications and experience of the registered provider and,...
- 5. The number, relevant qualifications and experience of persons working at...
- 6. The arrangements for the supervision, training and development of employees....
- 7. The organisational structure of the children's home.
- 8. The following particulars—(a) the age-range, sex and numbers of...
- 9. Any criteria used for admission to the home, including the...
- 10. If the children's home provides or is intended to provide...
- 11. A description of the children's home's underlying ethos and philosophy,...
- 12. The arrangements made to protect and promote the health of...
- 13. The arrangements for the promotion of the education of the...
- 14. The arrangements to promote children's participation in recreational, sporting and...
- 15. The arrangements made for consultation with the children accommodated about...
- 16. The arrangements made for the control, restraint and discipline of...
- 17. The arrangements made for child protection and to counter bullying....
- 18. The procedure for dealing with any unauthorised absence of a...
- 19. A description of any electronic or mechanical means of surveillance...
- 20. The fire precautions and associated emergency procedures in the children's...
- 21. The arrangements for the children's religious instruction and observance.
- 22. The arrangements for contact between a child and his parents,...
- 23. The arrangements for dealing with complaints.
- 24. The arrangements for dealing with reviews of placement plans.
- 25. The type of accommodation, including the sleeping accommodation, provided, and,...
- 26. Details of any specific therapeutic techniques used in the home,...
- 27. A description of the children's home's policy in relation to...

# SCHEDULE 2 — INFORMATION REQUIRED IN RESPECT OF PERSONS SEEKING TO CARRY ON, MANAGE OR WORK AT A CHILDREN'S HOME

- 1. Proof of identity including a recent photograph.
- 2. Either— (a) where the certificate is required for a purpose...
- 3. Two written references, including a reference from the person's most...
- 4. Where a person has previously worked in a position whose...
- 5. Documentary evidence of any relevant qualifications.
- 6. A full employment history, together with a satisfactory written explanation...
- 7. Details of any criminal offences—(a) of which the person...

# SCHEDULE 3 — INFORMATION TO BE INCLUDED IN THE CASE RECORDS OF CHILDREN ACCOMMODATED IN CHILDREN'S HOMES

- 1. The child's name and any name by which the child...
- 2. The child's date of birth and sex.
- 3. The child's religious persuasion, if any.
- 4. A description of the child's racial origin, cultural and linguistic...
- 5. The child's address immediately prior to entering the home.
- 6. The name, address and telephone number of the child's placing...
- 7. The statutory provision (if any) under which he is provided...
- 8. The name, address, telephone number and the religious persuasion, if...
- 9. The name, address and telephone number of any social worker...
- 10. The date and circumstances of all absences of the child...
- 11. The date of, and reason for, any visit to the...
- 12. A copy of any statement of special educational needs maintained...
- 13. The date and circumstances of any measures of control, restraint...
- 14. Any special dietary or health needs of the child.
- 15. The name, address and telephone number of any school or...
- 16. Every school report received in respect of the child while...
- 17. Arrangements for, including any restrictions on, contact between the child,...
- 18. A copy of any plan for the care of the...
- 19. The date and result of any review of the placing...
- 20. The name and address of the general practitioner with whom...
- 21. Details of any accident or serious illness involving the child...
- 22. Details of any immunisation, allergy, or medical examination of the...
- 23. Details of any health examination or developmental test conducted with...
- 24. Details of any medicines kept for the child in the...
- 25. The dates on which any money or valuables are deposited...
- 26. The address, and type of establishment or accommodation, to which...

#### SCHEDULE 4 — OTHER RECORDS WITH RESPECT TO CHILDREN'S HOMES

- 1. A record in the form of a register showing in...
- 2. A record showing in respect of each person working at...
- 3. A record of any persons who reside or work at...
- 4. A record of all accidents occurring in the children's home,...
- 5. A record of the receipt, disposal and administration of any...
- 6. A record of every fire drill or fire alarm test...
- 7. A record of all money deposited by a child for...
- 8. A record of all valuables deposited by a child and...
- 9. Records of all accounts kept in the children's home.
- 10. A record of menus served.
- 11. A copy of the staff duty roster of persons working...
- 12. A daily log of events occurring in the home.
- 13. A record of all visitors to the home and to...

### SCHEDULE 5 — EVENTS AND NOTIFICATIONS

## SCHEDULE 6 — MATTERS TO BE MONITORED BY THE REGISTERED PERSON

- 1. In respect of each child accommodated in the children's home,...
- 2. The deposit and issue of money and other valuables handed...
- 3. Daily menus.
- 4. All accidents and injuries sustained in the home or by...

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- 5. Any illnesses of children accommodated in the home.
- 6. Complaints in relation to children accommodated in the home and...
- 7. Any allegations or suspicions of abuse in respect of children...
- 8. Staff recruitment records and conduct of required checks for new...
- 9. Visitors to the home and to children in the home....
- 10. Notifications of the events listed in Schedule 5.
- 11. Any unauthorised absence from the home of a child accommodated...
- 12. The use of measures of control, restraint and discipline in...
- 13. Risk assessments for health and safety purposes and subsequent action...
- 14. Medicines, medical treatment and first aid administered to any child...
- 15. In the case of a qualifying school, the standards of...
- 16. Duty rosters of persons working at the home, and the...
- 17. The home's daily log of events.
- 18. Fire drills and tests of alarms and of fire equipment....
- 19. Records of appraisals of employees.
- 20. Minutes of staff meetings.

**Explanatory Note**