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STATUTORY INSTRUMENTS

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**2015 No. 551**

The Her Majesty's Chief Inspector of Education,  
Children's Services and Skills (Fees and Frequency of  
Inspections) (Children's Homes etc.) Regulations 2015

PART 4

Annual Fees

**Interpretation and introductory**

**18.—(1)** In this Part—

“certificate” means a certificate of registration issued under section 13(4)(1) of the Care Standards Act 2000 (grant or refusal of registration);

“existing provider” means a person who immediately before 1st April 2002—

- (a) was registered under Part 1 or 2 of the Registered Homes Act 1984(2) in respect of a residential care home or a nursing home;
- (b) carried on a home that was registered in a register kept for the purposes of section 60(3) of the Children Act 1989 (voluntary homes); or
- (c) carried on a home that was registered under Part 8 of that Act;

“new provider” means a person who—

- (a) carries on a children's home and first carried on that home on or after 1st April 2002;
- (b) carries on a voluntary adoption agency and first carried on that agency on or after 30th April 2003;

“previously exempt provider” means a person who immediately before 1st April 2002 carried on an establishment other than—

- (a) a residential care home or nursing home in respect of which a person was required to be registered under Part 1 or 2 of the Registered Homes Act 1984;
- (b) a home that was required to be registered in a register kept for the purposes of section 60 of the Children Act 1989; or
- (c) a home that was registered under Part 8 of that Act.

**(2)** In this Part—

- (a) regulation 19 applies for the purposes of section 87D(2) of the Children Act 1989;

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(1) Section 13(4) was applied to a person who carries on or manages a holiday scheme for disabled children by regulations 35 and 39 of the Residential Holiday Schemes for Disabled Children (England) Regulations 2013 (S.I. 2013/1394), with the modifications specified at paragraph 3 of Schedule 7 to those Regulations and in accordance with the transitional provision specified at Schedule 10 to those Regulations.

(2) 1984 c.23. The Registered Homes Act 1984 was repealed by Schedule 6 to the Care Standards Act 2000. Section 1 defined “residential care home” and section 21 defined “nursing home”.

(3) Section 60 has since been amended by paragraph 14(9) of Schedule 4, and Schedule 6, to the Care Standards Act 2000.

- (b) regulations 20 to 25 apply for the purposes of section 16(3) of the Care Standards Act 2000; and
- (c) regulation 26 applies for the purposes of section 155(1) and (2) of the Education and Inspections Act 2006.

### **Boarding schools, residential colleges and residential special schools**

**19.**—(1) The relevant person in respect of a boarding school must pay an annual fee and the fee is, where the boarding school—

- (a) has 3 or fewer approved places, £765;
- (b) has between 4 and 12 approved places—
  - (i) £765, plus
  - (ii) £46 for each approved place from the 4th to the 12th place inclusive;
- (c) has between 13 and 50 approved places, £1203;
- (d) has between 51 and 500 approved places, £1683;
- (e) has more than 500 approved places, £2021.

(2) The relevant person in respect of a residential college must pay an annual fee and the fee is, where the residential college—

- (a) has 3 or fewer approved places, £765;
- (b) has between 4 and 11 approved places—
  - (i) £765, plus
  - (ii) £46 for each approved place from the 4th to the 11th place inclusive;
- (c) has more than 11 approved places, £1173.

(3) The relevant person in respect of a residential special school must pay an annual fee and the fee is, where the residential special school—

- (a) has 3 or fewer approved places, £1408;
- (b) has between 4 and 18 approved places—
  - (i) £1408, plus
  - (ii) £140 for each approved place from the 4th to the 18th place inclusive;
- (c) has more than 18 approved places, £3508.

(4) The annual fee in respect of a boarding school, residential college or residential special school is payable—

- (a) in the case of a school or college that was providing accommodation for any child on 1st January 2002, on 1st September in each year;
- (b) in the case of a school or college established after 1st January 2002 and before 1st April 2015, on the anniversary of the date on which the school or college was established;
- (c) otherwise, on the date of the establishment of the school or college, and thereafter on the anniversary of that date.

### **Voluntary adoption agencies**

**20.**—(1) The annual fee payable in respect of a voluntary adoption agency is, subject to paragraph (2)—

- (a) £1153; and

- (b) if the voluntary adoption agency has, in addition to its principal office, one or more branches, an additional sum of—
  - (i) £1153 in respect of each branch that is not a small branch, and
  - (ii) £612 in respect of each small branch.
- (2) If the voluntary adoption agency has a small principal office, the fee is—
  - (a) £612;
  - (b) if the voluntary adoption agency has, in addition to its small principal office, one or more branches, an additional sum of—
    - (i) £1153 in respect of each branch that is not a small branch, and
    - (ii) £612 in respect of each small branch.
- (3) The annual fee is payable—
  - (a) in the case of a person who carries on an agency that was an adoption society approved under Part 1 of the Adoption Act 1976(4), on 30th April in each year;
  - (b) in the case of a new provider registered before 1st April 2015, on the anniversary of the date on which the certificate was issued;
  - (c) otherwise, on the date on which the certificate is issued, and thereafter on the anniversary of that date.

### **Adoption support agencies**

- 21.**—(1) The annual fee payable in respect of an adoption support agency that is not a small adoption support agency, is £1157.
- (2) The annual fee payable in respect of a small adoption support agency is £612.
  - (3) The annual fee is payable—
    - (a) if the certificate was issued before 1st April 2015, on the anniversary of the date on which the certificate was issued;
    - (b) otherwise, on the date on which the certificate is issued, and thereafter on the anniversary of that date.

### **Fostering agencies**

- 22.**—(1) The annual fee payable in respect of a fostering agency is £1933.
- (2) The annual fee is payable—
    - (a) if the certificate was issued before 1st April 2003, on 1st April in each year;
    - (b) if the certificate was issued on or after 1st April 2003 but before 1st April 2015, on the anniversary of the date on which the certificate was issued;
    - (c) otherwise, on the date on which the certificate is issued, and thereafter on the anniversary of that date.

### **Children's homes**

- 23.**—(1) The annual fee payable in respect of a children's home is—
- (a) where the home has 3 or fewer approved places, £1761;
  - (b) where the home has between 4 and 33 approved places,

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(4) [1976 c.36](#). Part 1 of the Adoption Act 1976 was repealed by Schedule 5 to the Adoption and Children Act 2002 (c.38).

- (i) £1761, plus
- (ii) £176 for each approved place from the 4th to the 33rd inclusive;
- (c) where the home has more than 33 approved places, £7039.
- (2) The annual fee in respect of a children's home is payable—
  - (a) in the case of an existing provider, on the anniversary of the date on which the annual fee was payable under the Registered Homes Act 1984 Act or the Children Act 1989;
  - (b) in the case of an existing provider, where an annual fee was not previously payable under the Children Act 1989, on 1st April in each year;
  - (c) in the case of a previously exempt provider, on 1st April in each year;
  - (d) in the case of a new provider if the certificate was issued before 1st April 2015, on the anniversary of the date of issue of the certificate;
  - (e) otherwise, on the date on which the certificate is issued and thereafter on the anniversary of that date.

#### **Residential family centres**

- 24.**—(1) The annual fee payable in respect of a residential family centre is—
- (a) where the centre has 3 or fewer approved places, £1173;
  - (b) where the centre has 4 approved places, £1320;
  - (c) where the centre has more than 4 approved places, £1377.
- (2) The annual fee in respect of a residential family centre is payable—
- (a) in the case of an existing provider, on the anniversary of the date on which the annual fee was payable under the Registered Homes Act 1984 Act or the Children Act 1989;
  - (b) in the case of a previously exempt provider, on 1st April in each year;
  - (c) in the case of a new provider if the certificate was issued before 1st April 2015, on the anniversary of the date of issue of the certificate;
  - (d) otherwise, on the date on which the certificate is issued and thereafter on the anniversary of that date.

#### **Holiday schemes for disabled children**

- 25.**—(1) The annual fee payable in respect of a holiday scheme for disabled children is £2259.
- (2) The annual fee in respect of a holiday scheme for disabled children is payable—
- (a) if the certificate was issued before 1st April 2015, on the anniversary of the date on which the certificate was issued;
  - (b) otherwise, on the date on which the certificate is issued, and thereafter on the anniversary of that date.

#### **Local authority adoption and fostering functions**

- 26.**—(1) A local authority must pay to the Chief Inspector an annual fee in respect of—
- (a) the discharge by the authority of relevant adoption functions, of £1406; and
  - (b) the discharge by the authority of relevant fostering functions, of £2197.

(2) In this regulation “relevant adoption functions” and “relevant fostering functions” have the meaning given in section 43(5) of the Care Standards Act 2000.

(3) An annual fee under this regulation is payable on 1st April 2015 and thereafter on the anniversary of that date.

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(5) Section 43(3)(a) of the Care Standards Act 2000 was amended by paragraph 112 of Schedule 3 to the Adoption and Children Act 2002. Section 43(3)(b) of the Care Standards Act 2000 was substituted by paragraph 13 of Schedule 1 to the Children and Young Persons Act 2008.