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WELSH STATUTORY INSTRUMENTS

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**2002 No. 327**

**The Children's Homes (Wales) Regulations 2002**

**PART V**

**MANAGEMENT OF HOMES**

**Visits by registered provider**

**32.**—(1) Where the registered provider is an individual who does not manage the children's home, he or she shall visit the home in accordance with this regulation.

(2) Where the registered provider is an organisation, the home shall be visited in accordance with this regulation by—

- (a) the responsible individual;
- (b) another of the directors or other persons responsible for the management of the organisation who is suitable to visit the home; or
- (c) an employee of the organisation who is not directly concerned with the conduct of the home who is suitable to visit the home.

(3) Visits under paragraph (1) or (2) shall take place at least once a month and may be unannounced.

(4) The person carrying out the visit shall—

- (a) interview, with their consent and in private, such of the children accommodated there, their parents, relatives and persons working at the home as appears necessary in order to form an opinion of the standard of care provided in the home;
- (b) inspect the premises of the children's home, its daily log of events and records of any complaints; and
- (c) prepare a written report on the conduct of the home.

(5) The registered provider shall supply a copy of the report required to be made under paragraph (4)(c) to—

- (a) the registered manager of the children's home who shall keep the report at the home; and
- (b) in the case of a visit under paragraph (2), to each of the directors or other persons responsible for the management of the organisation.

**Review of quality of care**

**33.**—(1) The registered person shall establish and maintain a system for—

- (a) monitoring, and reviewing at appropriate intervals, the matters set out in Schedule 6; and
- (b) improving the quality of care provided in the children's home.

(2) The registered person shall provide to the appropriate office of the National Assembly a report in respect of each review conducted for the purposes of paragraph (1), and make a copy of the report available on request to children accommodated in the home, their parents and placing authorities.

(3) Subject to paragraph (4), the system referred to in paragraph (1) shall provide for consultation with children accommodated in the home, their parents and placing authorities.

(4) The registered person shall not aim to secure consultation with a child's parent under paragraph (3) if there is a court order that restricts or limits contact between the child and the parent and it is necessary to prevent, or restrict, such consultation for the purpose of promoting or safeguarding the welfare of the child.

### **Regulations and national minimum standards**

**34.** The registered person shall ensure that a copy of these Regulations (and of any amendments to them), and the national minimum standards<sup>(1)</sup> (and of any amendments to them) applicable to children's homes published by the National Assembly under section 23(1) of the Act, are kept in the home and made available on request to—

- (a) any person working in the home;
- (b) any child accommodated in the home; and
- (c) the parent of any child accommodated in the home.

### **Financial position**

**35.—**(1) The registered provider shall carry on the children's home in such manner as is likely to ensure that the home will be financially viable for the purpose of achieving the aims and objectives set out in its statement of purpose.

(2) The registered person shall—

- (a) ensure that adequate accounts are maintained and kept up to date in respect of a children's home; and
- (b) supply a copy of the accounts to the National Assembly at its request.

(3) The registered person shall provide the appropriate office of the National Assembly with such information as the National Assembly may require in order to consider the financial viability of the children's home, including—

- (a) the annual accounts of the home certified by an accountant;
- (b) a reference from a bank expressing an opinion as to the registered provider's financial standing;
- (c) information as to the financing and financial resources of the home;
- (d) where the registered provider is a company, information as to any of its associated companies; and
- (e) a certificate of insurance for the registered provider in respect of liability which may be incurred by him or her in relation to the home in respect of death, injury, public liability, damage or other loss.

(4) In this regulation a company is an associated company of another if one of them has control of the other or both are under the control of the same person.

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(1) Under section 23 of the Act the National Assembly may prepare and publish statements of national minimum standards applicable to children's homes, which must be taken into account in certain decisions and proceedings under Part II of the Act.