
WELSH STATUTORY INSTRUMENTS

2017 No. 1264

The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017

PART 15

Other requirements on service providers

Notification with respect to the death of a child accommodated in a secure children's home

62.—(1) This regulation applies where a child to whom a secure accommodation service⁽¹⁾ is provided dies.

(2) Any requirements imposed by this regulation apply to the service provider of the secure accommodation service which was providing accommodation to the child at the time of the death.

(3) If this regulation applies, the service provider must without delay notify—

- (a) the appropriate office of the service regulator;
- (b) the placing authority;
- (c) the local authority in whose area the secure accommodation service is located;
- (d) the Local Health Board in whose area the secure accommodation service is located;
- (e) the Prisons and Probation Ombudsman for England and Wales (“the PPO”); and
- (f) the child’s parent or person who has parental responsibility for the child.

(4) The service provider must allow the PPO to investigate the death by—

- (a) granting the PPO access to—
 - (i) the premises of the service, and
 - (ii) the service’s documents and records;
- (b) allowing the PPO to take away from the premises copies of any documents or records accessed under sub-paragraph (a)(ii) provided that the PPO has secure arrangements for doing so; and
- (c) if they consent, allowing the PPO to interview in private any children, parents (or persons with parental responsibility) or relatives, or persons working at the service.

(5) A notification under this regulation—

- (a) must include details of—
 - (i) the circumstances of the death;
 - (ii) the other persons, bodies or organisations (if any) who or which the service provider has notified or proposes to notify; and

⁽¹⁾ A secure accommodation service is a regulated service under the Act (see section 2(1)(b) of the Act). Paragraph 2 of Schedule 1 to the Act defines “a secure accommodation service” as the provision of accommodation for the purpose of restricting the liberty of children at residential premises in Wales where care and support is provided to those children.

- (iii) any actions the service provider has taken or proposes to take as a result of the death;
 - (b) must be made or confirmed in writing.
- (6) In this regulation, references to PPO include a person appointed by, or working on behalf of, the PPO for the purposes of an investigation under paragraph (2).