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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 176**

**The Children's Homes Regulations (Northern Ireland) 2005**

**PART I**  
**GENERAL**

**Interpretation**

2.—(1) In these Regulations –

“the 2001 Act” means the Health and Personal Social Services Act, (Northern Ireland) 2001(1);

“the Order” means the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003;

“the Children Order” means the Children (Northern Ireland) Order 1995(2);

“child protection enquiry” means any enquiries carried out by an HSS trust in the exercise of any of its functions conferred by the Children Order relating to the protection of children;

“children's guide” means the guide produced in accordance with regulation 4(3);

“children's home” has the meaning assigned to it by Article 9 of the Order;

“the Commissioner” means the Commissioner for Children and Young People for Northern Ireland appointed under Article 5 of the Commissioner for Children and Young People (Northern Ireland) Order 2003(3);

“general practitioner” means a medical practitioner who provides primary services;

“guardian ad litem” means a guardian ad litem appointed pursuant to Article 60 of the Children Order (representation of child and of his interests in certain proceedings) or rules made under Article 66 of the Adoption (Northern Ireland) Order 1987(4);

“independent visitor” means an independent person appointed to be the visitor of a child pursuant to Article 31(1) of the Children Order;

“Northern Ireland Social Care Council” means the Northern Ireland Social Care Council within the meaning of the 2001 Act;

“nurse” means a person registered in the register maintained under Article 5 of the Nursing and Midwifery Order 2001(5) by virtue of qualifications in nursing or midwifery, as the case may be;

“organisation”, other than in regulation 16, means a body corporate or any unincorporated association other than a partnership;

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(1) 2001 c. 3 (N.I.)

(2) S.I.1995/755 (N.I. 2)

(3) S.I. 2003/439 (N.I. 11)

(4) S.I. 1987/2203 (N.I. 22)

(5) S.I. 2002/253

“placement plan” means the written plan, setting out how on a day-to-day basis the children’s home will care for the child and promote his welfare, which is prepared in accordance with regulation 12(1);

“placing authority” in relation to a child accommodated in a children’s home means –

- (a) in the case of a child who is looked after by an HSS trust, that HSS trust;
- (b) in the case of a child who is not looked after by an HSS trust –
  - (i) if he is being provided with accommodation by a voluntary organisation<sup>(6)</sup>, that voluntary organisation;
  - (ii) in any other case, the child’s parent;

“registered manager”, in relation to a children’s home, means a person who is registered under Part III of the Order as the manager of that home;

“registered person”, in relation to a children’s home, means any person who is the registered provider or the registered manager of the home;

“registered provider”, in relation to a children’s home, means a person who is registered under Part III of the Order as the person carrying on that home;

“relevant register” has the same meaning as in section 8(6) of the 2001 Act;

“responsible individual” shall be construed in accordance with regulation 6(2)(c);

“social care worker” has the same meaning as in section 2(2) of the 2001 Act;

“social worker” shall be construed in accordance with section 2(2) of the 2001 Act;

“statement of purpose” means the written statement compiled in accordance with regulation 4(1); and

“team leader” means the registered manager or a senior professional person in the residential staff team responsible for the day to day management of a unit within the children’s home.

(2) In these Regulations, references to employing a person include employing a person whether or not for payment, and whether under a contract of service or a contract for services, and allowing a person to work as a volunteer, and references to an employee or to a person being employed shall be construed accordingly.

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<sup>(6)</sup> See Article 75 of the Children (Northern Ireland) Order 1995