



Children Act 1989

1989 CHAPTER 41

PART VI

COMMUNITY HOMES

53 Provision of community homes by local authorities.

- (1) Every local authority shall make such arrangements as they consider appropriate for securing that homes (“community homes”) are available—
 - (a) for the care and accommodation of children looked after by them; and
 - (b) for purposes connected with the welfare of children (whether or not looked after by them),and may do so jointly with one or more other local authorities.
- (2) In making such arrangements, a local authority shall have regard to the need for ensuring the availability of accommodation—
 - (a) of different descriptions; and
 - (b) which is suitable for different purposes and the requirements of different descriptions of children.
- (3) A community home may be a home—
 - (a) provided, [^{F1}equipped, maintained and (subject to subsection (3A)) managed] by a local authority; or
 - (b) provided by a voluntary organisation but in respect of which a local authority and the organisation—
 - (i) propose that, in accordance with an instrument of management, the [^{F2}equipment, maintenance and (subject to subsection (3B)) management] of the home shall be the responsibility of the local authority; or
 - (ii) so propose that the management, equipment and maintenance of the home shall be the responsibility of the voluntary organisation.

Changes to legislation: Children Act 1989, Section 53 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- [^{F3}(3A) A local authority may make arrangements for the management by another person of accommodation provided by the local authority for the purpose of restricting the liberty of children.
- (3B) Where a local authority are to be responsible for the management of a community home provided by a voluntary organisation, the local authority may, with the consent of the body of managers constituted by the instrument of management for the home, make arrangements for the management by another person of accommodation provided for the purpose of restricting the liberty of children.]
- (4) Where a local authority are to be responsible for the management of a community home provided by a voluntary organisation, the authority shall designate the home as a controlled community home.
- (5) Where a voluntary organisation are to be responsible for the management of a community home provided by the organisation, the local authority shall designate the home as an assisted community home.
- (6) Schedule 4 shall have effect for the purpose of supplementing the provisions of this Part.

Textual Amendments

- F1** Words in s. 53(3)(a) substituted (8.3.1996) by 1994 c. 33, s. 22(2)(a)(i); S.I. 1996/625, art.2
- F2** Words in s. 53(3)(b)(i) substituted (8.3.1996) by 1994 c. 33, s. 22(2)(a)(ii); S.I. 1996/625, art. 2
- F3** S. 53(3A)(3B) inserted (8.3.1996) by 1994 c. 33, s. 22(2)(b); S.I. 1996/625, art.2

Commencement Information

- I1** S. 53 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, art. 3(2)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(1A)(aa) inserted by [2009 c. 24 Sch. 6 para. 21\(3\)](#)
- s. 4(1C) inserted by [2009 c. 24 Sch. 6 para. 21\(4\)](#)
- s. 4ZA(2)(aa) inserted by [2009 c. 24 Sch. 6 para. 22\(3\)](#)
- s. 4ZA(3A) inserted by [2009 c. 24 Sch. 6 para. 22\(4\)](#)
- s. 8(4)(k) inserted by [2021 c. 17 s. 52\(1\)](#)
- s. 31A(4A) inserted by [2014 c. 6 s. 15\(2\)\(b\)](#)