



Care Standards Act 2000

2000 CHAPTER 14

PART I

INTRODUCTORY

Preliminary

1 [F¹Children's homes in England].

- (1) Subsections (2) to (6) have effect for the purposes of this Act [F²as it applies in relation to England].
- (2) An establishment [F³in England] is a children's home (subject to the following provisions of this section) if it provides care and accommodation wholly or mainly for children.
- (3) An establishment is not a children's home merely because a child is cared for and accommodated there by a parent or relative of his or by a foster parent.

^{F4}(4)

[F⁵(4A) An establishment ^{F6}... is not a children's home if it is—

- (a) a hospital (within the meaning of the National Health Service Act 2006); or
- (b) a residential family centre,

or if it is of a description excepted by regulations.]

- (5) Subject to subsection (6), an establishment is not a children's home if it is a school.
- (6) A school is a children's home at any time if at that time accommodation is provided for children at the school and either—
 - (a) in each year that fell within the period of two years ending at that time, accommodation was provided for children, either at the school or under arrangements made by the proprietor of the school, for more than 295 days; or

Changes to legislation: Care Standards Act 2000, Section 1 is up to date with all changes known to be in force on or before 17 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

- (b) it is intended to provide accommodation for children, either at the school or under arrangements made by the proprietor of the school, for more than 295 days in any year;

and in this subsection “year” means a period of twelve months.

But accommodation shall not for the purposes of paragraph (a) be regarded as provided to children for a number of days unless there is at least one child to whom it is provided for that number of days; and paragraph (b) shall be construed accordingly.

- (7) For the purposes of this section a person is a foster parent in relation to a child if—
- (a) he is a local authority foster parent in relation to the child;
 - (b) he is a foster parent with whom a child has been placed by a voluntary organisation under section 59(1)(a) of the 1989 Act; or
 - (c) he fosters the child privately.

Textual Amendments

- F1** S. 1 heading substituted (2.4.2018) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 2\(e\)](#); S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)
- F2** Words in s. 1(1) inserted (2.4.2018) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 2\(a\)](#); S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)
- F3** Words in s. 1(2) inserted (2.4.2018) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 2\(b\)](#); S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)
- F4** S. 1(4) repealed (2.4.2018) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 2\(c\)](#); S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)
- F5** S. 1(4A) inserted (21.7.2008 for certain purposes and 1.10.2010 otherwise) by [Health and Social Care Act 2008 \(c. 14\)](#), ss. 95, 170, [Sch. 5 para. 2\(3\)](#); S.I. 2010/807, [art. 2\(2\)](#), Sch. 1 (with arts. 3-22)
- F6** Words in s. 1(4A) repealed (2.4.2018) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), [Sch. 3 para. 2\(d\)](#); S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

Modifications etc. (not altering text)

- C1** S. 1(6): power to disapply conferred (temp.) (25.3.2020) by [Coronavirus Act 2020 \(c. 7\)](#), s. 87(1), [Sch. 17 para. 5](#) (with ss. 88-90)

Commencement Information

- I1** S. 1 wholly in force at 1.4.2002; s. 1 not in force at Royal Assent see s. 122; s. 1 in force for W. at 1.7.2001 by [S.I. 2001/2190](#), [art. 2](#), [Sch.](#) Table; s. 1 in force for E. for certain purposes at 20.11.2001 by [S.I. 2001/3852](#), [arts. 1\(4\)](#), 3(2)(3)(a)(i) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210); s. 1 in force for E. for certain purposes at 1.1.2002 by [S.I. 2001/3852](#), [arts. 1\(4\)](#), 3(2)(4)(a)(i)(5) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210); s. 1 in force for E. in so far as not already in force at 1.4.2002 by [S.I. 2001/3852](#), [arts. 1\(4\)](#), 3(2)(7)(a) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210)

Changes to legislation:

Care Standards Act 2000, Section 1 is up to date with all changes known to be in force on or before 17 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.

[View outstanding changes](#)

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. 5(1)(a)(iii) words substituted by [2008 c. 23 s. 4\(2\)\(a\)](#)
- Sch. 2A para. 8A inserted by [2022 asc 1 Sch. 4 para. 13\(2\)\(b\)](#)
- Sch. 2B para. 11 inserted by [2022 asc 1 Sch. 4 para. 13\(3\)](#)