

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Care Standards Act 2000 (“the Act”) in relation to England only.

It brings into force section 40 of the Act, which amends the Children Act 1989 so as to require privately operated children’s homes accommodating and caring for less than four children to be registered with the local authority. Section 40 will come into force on 15th October 2000 for the purpose of enabling applications for registration to be made, and on 1st January 2001 for all other purposes. This is an interim measure to be repealed, in due course, when Part II of the Act, which will establish a new scheme for the registration of all children’s homes including small homes, is fully implemented. Consequentially, the Order brings into force a minor amendment to section 66 of the Children Act 1989 relating to the definition of private fostering.

The Order also brings into force, as of 1st January 2001, section 41 of the Act. This amends the Children Act 1989 to provide that the registration of a children’s home of any description may be cancelled, even if the home has ceased to exist, for example where the proprietor closes it before the conclusion of any enforcement action. This is also an interim measure pending implementation of Part II of the Act.