
STATUTORY INSTRUMENTS

2023 No. 416

The Supported Accommodation (England) Regulations 2023

PART 6

Notifications and complaints

Notification of a serious event

27.—(1) If a child dies, the registered person must without delay notify—

- (a) the CIECSS;
- (b) the accommodating authority;
- (c) the Secretary of State;
- (d) the local authority in whose area the premises used as supported accommodation are located (if that local authority is not the accommodating authority);
- (e) the integrated care board (established under Chapter A3 of Part 2 of the National Health Service Act 2006⁽¹⁾) for the area in which the premises used as supported accommodation are located;
- (f) any relevant person not included in sub-paragraphs (a) to (e).

(2) If there is a referral of a person working for the supported accommodation undertaking pursuant to section 35 of the Safeguarding Vulnerable Groups Act 2006⁽²⁾, the registered person must without delay notify—

- (a) the CIECSS;
 - (b) the accommodating authority;
 - (c) any relevant person not included in sub-paragraphs (a) and (b).
- (3) The registered person must notify the CIECSS and any relevant person without delay if—
- (a) a child is involved in or subject to, or is suspected of being involved in or subject to, sexual exploitation or child criminal exploitation;
 - (b) an incident requiring police involvement occurs in relation to a child and the registered person considers that incident to be serious;
 - (c) there is an allegation of abuse against the supported accommodation undertaking or a person working for it;
 - (d) a child protection enquiry—
 - (i) is instigated, or
 - (ii) concludes (in which case, the notification must include the outcome of the child protection enquiry);

⁽¹⁾ 2006 c. 41; Chapter A3 of Part 2 was inserted by the Health and Care Act 2022 (c. 31), sections 19(2), 20(2) and 25(2).

⁽²⁾ 2006 c. 47; section 35 was amended by the Protection of Freedoms Act 2012 (c. 9), Schedule 9, paragraph 61 and S.I. 2012/3006.

- (e) there is an incident involving the use of a measure of restraint of a child;
 - (f) there is any other incident relating to a child which the registered person considers to be serious.
- (4) The registered person must ensure that a notification made under this regulation—
- (a) includes details of—
 - (i) the event concerned;
 - (ii) any other individuals or organisations who or which have been notified;
 - (iii) any actions taken by the registered person as a result of the matter;
 - (b) is made or confirmed in writing.

Notification with respect to children admitted into, or discharged from, supported accommodation

28.—(1) Subject to paragraph (2), the registered person must notify, without delay, the local authority for the area in which the premises used as supported accommodation are located, of every admission of a child into that accommodation and every discharge of a child from that accommodation.

(2) The registered person is not required to notify the local authority in paragraph (1) if that local authority is also the accommodating authority for the child in question.

(3) The registered person must ensure that a notification made under paragraph (1) is in writing and states—

- (a) the child’s name and date of birth;
- (b) whether the child is provided with accommodation under section 22C(6)(d) or section 23B(8)(b) of the Children Act 1989(3);
- (c) whether the child is subject to a care or supervision order under section 31 of the Children Act 1989(4), or to an interim care order under section 38 of that Act(5);
- (d) the contact details for—
 - (i) the child’s accommodating authority, and
 - (ii) the independent reviewing officer appointed for the child’s case, or as the case may be, the personal adviser appointed in accordance with section 23B(2) of, or under paragraph 19C of Schedule 2 to, the Children Act 1989(6);
- (e) whether the child has an education, health and care (“EHC”) plan, as defined by section 37(2) of the Children and Families Act 2014, or a statement of special educational needs and, if so, details of the local authority with responsibility for the EHC plan or for maintaining the statement of special educational needs.

(3) Section 22C was substituted by the Children and Young Persons Act 2008, section 8(1); section 23B was inserted by the Children (Leaving Care) Act 2000, section 2(4); there are amendments to sections 22C and 23B which are not relevant to these Regulations. See [S.I. 2010/959](#), regulation 27 for the general duties of the local authority when placing a child in accommodation in accordance with section 22C(6)(d). See [S.I. 2010/2571](#), regulation 9 for the meaning of “suitable accommodation” under section 23B(8)(b).

(4) Section 31 was amended by the Criminal Justice and Court Services Act 2000 (c. 43), Schedule 7, paragraph 90, the Adoption and Children Act 2002, section 120, the Criminal Justice and Immigration Act 2008 (c. 4), Schedule 4, paragraph 35, the Children and Families Act 2014, section 15(1), the Children and Social Work Act 2017 (c. 16), section 8, the Sentencing Act 2020 (c. 17), Schedule 24, paragraph 109 and [S.I. 2013/1465](#).

(5) Section 38 was amended by the Children and Families Act 2014, sections 14(4) and 13(11) and Schedule 2, paragraph 32.

(6) Section 23B(2) was inserted by the Children (Leaving Care) Act 2000, section 2(4). Paragraph 19C of Schedule 2 was inserted by the Children (Leaving Care) Act 2000, section 1.

Notification of offences

29.—(1) A person listed in paragraph (2) who is convicted of a criminal offence, whether in England and Wales or elsewhere, must without delay give notice in writing to the CIECSS of—

- (a) the date and place of the conviction;
 - (b) the offence;
 - (c) the penalty imposed for the offence.
- (2) The persons are—
- (a) the registered provider;
 - (b) the registered service manager;
 - (c) if the registered provider is an organisation, the nominated individual;
 - (d) if the registered provider is an organisation, any director of that organisation;
 - (e) if the registered provider is a partnership, any partner in that partnership.

Amendments to the Care Standards Act 2000 (Enforcement of Care Standards) (Notification) (England) Regulations 2011

30.—(1) The Care Standards Act 2000 (Enforcement of Care Standards) (Notification) (England) Regulations 2011(7) are amended as follows.

(2) In regulation 3 (information to be contained in a notification under section 30A(2) of the Act)—

- (a) in paragraph (2)(a), at the end insert “, and in the case of a supported accommodation undertaking, the address of the principal office”;
- (b) in paragraph (2)(b) and (c), for “or agency”, each time those words appear, substitute “, agency or supported accommodation undertaking”;
- (c) in paragraph (2)(e), for “section 30A(2)(a), (b) or (c)” substitute “section 30A(2)(a), (aa), (ab), (b) or (c)”;
- (d) after paragraph (3), insert—

“(3A) In relation to a notification under section 30A(2)(aa) (decision to adopt a proposal to suspend the registration of P or to extend any such suspension) or (ab) (notice under section 20B of the Act to suspend the registration of P or to extend any such suspension, or to vary or remove a condition for the time being in force in relation to the registration of P, or to impose an additional condition, where P is managing or carrying on a supported accommodation undertaking) of the Act, the date from which the suspension takes effect and the date on which the suspension ends.

(3B) In relation to a notification under section 30A(2)(ab) of the Act, where the notice relates to the variation or removal of a condition for the time being in force in relation to the registration of P, or imposes an additional condition, where P is managing or carrying on a supported accommodation undertaking, a description of the condition and the date on which the decision under section 20B(3) of the Act takes effect.”;

- (e) for paragraph (4), substitute—

“(4) In relation to a notification under section 30A(2)(c) of the Act (notice under section 22B of the Act restricting accommodation at certain establishments)—

- (a) the date on which the notice is to cease to have effect if specified in the notice;

- (b) where the notification relates to a supported accommodation undertaking, the addresses of the premises at which accommodation is restricted.”.
- (3) In regulation 4 (notification of prescribed circumstances under section 30A(3) of the Act)—
 - (a) after paragraph (2), insert—
 - “(2A) In relation to a notice served on P under section 19(3) of the Act (notice of decision of registration authority) to suspend the registration or extend the period of suspension—
 - (a) an appeal by P to the Tribunal against that notice;
 - (b) the decision of the Tribunal on an appeal by P against that notice; and
 - (c) where no appeal is brought by P.
 - (2B) In relation to a notice served on P under section 20B of the Act (urgent procedure for suspension or variation) to suspend or vary the registration or to add a condition to or remove a condition from the registration—
 - (a) if that notice ceases to have effect;
 - (b) an appeal by P to the Tribunal against that notice; and
 - (c) the decision of the Tribunal on an appeal by P against that notice.”;
 - (b) in paragraph (4)(c), at the end insert “or direct that the notice ceases to have effect”.

Complaints and representations

31.—(1) Subject to paragraph (6), the registered person must establish a procedure for considering complaints and representations made by or on behalf of children.

(2) In particular, the procedure must provide that no person who is the subject of a complaint or representation takes any part in its consideration or investigation, except at the informal resolution stage if the registered person considers it appropriate.

(3) The registered person must ensure that a record is made of any complaint or representation, the action taken in response, and the outcome of any investigation.

(4) The registered person must ensure that no child is subject to any reprisal or detriment for making a complaint or representation.

(5) The registered person must provide to the CIECSS upon request a statement containing a summary of any complaints or representations made during the 12 months preceding the date of the request and the action that was taken in response to each complaint or representation.

(6) This regulation (with the exception of paragraph (4)) does not apply to any matter to which the Children Act 1989 Representations Procedure (England) Regulations 2006(8) apply.