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WELSH STATUTORY INSTRUMENTS

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**2002 No. 327 (W.40)**

**SOCIAL CARE, WALES  
CHILDREN AND YOUNG PERSONS, WALES**

**The Children's Homes (Wales) Regulations 2002**

*Made* - - - - *12th February 2002*

*Coming into force* *1st April 2002*

**THE CHILDREN'S HOMES (WALES) REGULATIONS 2002**

PART 1

**GENERAL**

1. Citation, commencement and application
2. Interpretation
3. Establishments which are not children's homes
4. Statement of purpose and children's guide
5. Review of the statement of purpose and children's guide

PART II

**REGISTERED PERSONS**

6. Fitness of registered provider
7. Appointment of manager
8. Fitness of manager
9. Registered person — general requirements
10. Notification of offences

PART III

**CONDUCT OF CHILDREN'S HOMES**

CHAPTER 1

**WELFARE OF CHILDREN**

11. Promotion of welfare
12. Child's placement plan
13. Food provided for children

*Status: This is the original version (as it was originally made).*

14. Provision of clothing, pocket money and personal necessities
15. Contact and access to communications
16. Arrangements for the protection of children
17. Behaviour management, discipline and restraint
18. Education, employment and leisure activity
19. Religious observance
20. Health needs of children
21. Medicines
22. Use of surveillance
23. Hazards and safety
24. Representations and complaints

## CHAPTER 2

### STAFFING

25. Staffing of children's homes
26. Fitness of workers
27. Employment of staff

## CHAPTER 3

### RECORDS

28. Records
29. Notifiable events

## PART IV

### PREMISES

30. Fitness of premises
31. Fire precautions

## PART V

### MANAGEMENT OF HOMES

32. Visits by registered provider
33. Review of quality of care
34. Regulations and national minimum standards
35. Financial position

## PART VI

### MISCELLANEOUS

36. Notice of absence
37. Notice of changes
38. Appointment of liquidators etc
39. Death of registered person
40. Offences
41. Compliance with regulations
42. Specification of appropriate offices
43. Revocation
- Signature

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- SCHEDULE 1 MATTERS TO BE INCLUDED IN THE STATEMENT OF PURPOSE
1. A statement of the overall aims of the home, and...
  2. A statement of the facilities and services to be provided,...
  3. The name and business address of every registered person.
  4. The relevant qualifications and experience of every registered person.
  5. The numbers, relevant qualifications and experience of persons working at...
  6. The arrangements for the supervision, training and development of employees....
  7. The organisational structure of the home.
  8. The following details— (a) the age-range, sex and numbers of...
  9. The criteria used for admission to the home, including the...
  10. If the home provides or is intended to provide accommodation...
  11. A description of the home's ethos and philosophy and the...
  12. The arrangements made to protect and promote the health of...
  13. The arrangements for the promotion of the education of the...
  14. The arrangements to promote the participation of children in hobbies...
  15. The arrangements made for consultation with the children accommodated in...
  16. Details of— (a) the home's policy on behaviour management and...
  17. The arrangements for child protection and to counter bullying.
  18. The procedure for dealing with any unauthorised absence of a...
  19. Details of any means of surveillance of children which may...
  20. The fire precautions and associated emergency procedures in the home....
  21. The arrangements made for the children's religious instruction and observance....
  22. The arrangements made for contact between any child accommodated in...
  23. The arrangements for dealing with complaints of the children accommodated...
  24. The arrangements for dealing with reviews of placement plans.
  25. The type of accommodation and sleeping arrangements provided (including details...
  26. Details of any specific therapeutic techniques used in the home...
  27. Details of the home's policy on anti-discriminatory practice as respects...
- SCHEDULE 2 INFORMATION REQUIRED IN RESPECT OF PERSONS SEEKING TO CARRY ON, MANAGE OR WORK AT A CHILDREN'S HOME
1. Proof of identity including a recent photograph.
  2. Either— (a) where the certificate is required for a purpose...
  3. Two written references, including a reference from the last employer,...
  4. Where a person has previously worked in a position whose...
  5. Documentary evidence of any relevant qualification.
  6. A full employment history, together with a satisfactory written explanation...

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7. Details of any criminal offences— (a) of which the person...
- SCHEDULE 3 INFORMATION TO BE INCLUDED IN THE CASE RECORDS OF CHILDREN ACCOMMODATED IN CHILDREN'S HOMES
1. The child's name and any name by which the child...
  2. The child's date of birth and sex.
  3. The child's religious persuasion, if any.
  4. A description of the child's racial origin and cultural and...
  5. The child's address immediately prior to entering the home.
  6. The name, address and telephone number of the child's placing...
  7. The statutory provision (if any) under which he or she...
  8. The name, address, telephone number and the religious persuasion, if...
  9. The name, address and telephone number of any social worker...
  10. Any record required to be kept under regulation 16(2)(d) (allegation...
  11. The date and circumstances of all absences of the child...
  12. The date of, and reason for, any visit to the...
  13. A copy of any statement of special educational needs maintained...
  14. The date and circumstances of any measures of control, restraint...
  15. Any special dietary or health needs of the child.
  16. The name, address and telephone number of any school or...
  17. Every school report received by the child while accommodated in...
  18. Arrangements for, including any restriction, prohibition or condition as to,...
  19. A copy of any plan for the care of the...
  20. The date and result of any review of the placing...
  21. The name and address of the general practitioner with whom...
  22. Details of any accident or serious illness involving the child...
  23. Details of any immunisation, allergy, or medical examination of the...
  24. Details of any health examination or developmental test conducted with...
  25. Details of any medicines kept for the child in the...
  26. The date on which any money or valuables are deposited...
  27. The address, and type of establishment or accommodation, to which...
- SCHEDULE 4 OTHER RECORDS
1. A record in the form of a register showing in...
  2. A record of all persons working at the children's home,...
  3. A record of any person who resides or works at...
  4. A record of all accidents occurring in the children's home...
  5. A record of the receipt, disposal and administration of any...
  6. A record of every fire drill or fire alarm test...
  7. A record of all money deposited by a child for...
  8. A record of all valuables deposited by a child and...
  9. Records of all accounts kept in the children's home.
  10. A record of menus served.
  11. A record, in accordance with regulation 17(4), of every disciplinary...
  12. Records of all staff duty rosters, and a record of...
  13. A daily log of events occurring in the home.
  14. A record of all visitors to the home and to...

SCHEDULE 5 EVENTS AND NOTIFICATIONS

SCHEDULE 6 MATTERS TO BE MONITORED AND REVIEWED BY THE REGISTERED PERSON

1. In respect of each child accommodated in the children's home,...
  2. The deposit and issue of money and other valuables handed...
  3. Daily menus.
  4. All accidents and injuries sustained in the home or by...
  5. Any illnesses of children accommodated in the home.
  6. Complaints in relation to children accommodated in the home and...
  7. Any allegations or suspicions of abuse in respect of children...
  8. Staff recruitment records and conduct of required checks for new...
  9. Visitors to the home and to children in the home....
  10. Notifications of the events listed in Schedule 5.
  11. Any unauthorised absence from the home of a child accommodated...
  12. The use of measures of control, restraint and discipline in...
  13. Risk assessments for health and safety purposes and subsequent action...
  14. Medicines, medical treatment and first aid administered to any child...
  15. In the case of a qualifying school, the standards of...
  16. Duty rosters of persons working at the home, and the...
  17. The home's daily log of events.
  18. Fire drills and tests of alarms and of fire equipment....
  19. Records of appraisals of employees.
  20. Minutes of staff meetings.
- Explanatory Note