
WELSH STATUTORY INSTRUMENTS

2015 No. 1988

**The Children (Secure Accommodation)
(Wales) Regulations 2015**

Requirements in relation to placements in secure accommodation

Placement in a children's home which is registered

8. A local authority may only place a child in secure accommodation in a home which is registered as a children's home providing accommodation for the purpose of restricting liberty⁽¹⁾.

Duty to give information of placement in secure accommodation

9.—(1) Where a child is placed in secure accommodation in a children's home which is provided by a person other than the local authority which is looking after the child, the person registered in respect of the children's home must inform the local authority which is looking after the child that the child has been placed there within 12 hours of the placement beginning.

(2) The local authority looking after the child must then confirm to the registered person—

- (a) its authorisation for the child to be held in secure accommodation;
- (b) the period of authorisation; and
- (c) details of any order made by a court authorising the placement.

Appointment of persons to review placements

10. A local authority which decides to place a child in secure accommodation must appoint at least 3 persons to review the decision within 15 working days of the start of the placement and then at intervals not exceeding three months where the placement in secure accommodation continues.

Reviews of placement in secure accommodation

11.—(1) The persons appointed under regulation 10 must consider, having regard to the welfare of the child in question—

- (a) whether the criteria for keeping the child in secure accommodation continue to apply;
- (b) whether the placement in secure accommodation continues to be necessary or whether any other description of accommodation would better meet the child's needs.

(2) In undertaking a review of the placement, the persons appointed must, so far as is reasonably practicable, ascertain and take into account the wishes and feelings of—

- (a) the child;
- (b) the child's parents;
- (c) any person not being a parent but who has parental responsibility for the child;

(1) See section 4(8)(a) of the Care Standards Act 2000 which sets out the types of establishment which are required to register under Part 2 of that Act.

- (d) any other person who has had care of the child whose views the persons appointed consider should be taken into account;
 - (e) the child's independent visitor if one has been appointed;
 - (f) the person managing the secure accommodation in which the child is placed.
- (3) The persons appointed must make a recommendation to the local authority about whether the placement of that child in secure accommodation should continue.
- (4) The local authority must, as far as is reasonably practicable, inform all those whose views are required to be taken into account under paragraph (2) of the recommendation made by the review and of what action, if any, it proposes to take in the light of the recommendation.

Records to be kept in respect of a child in secure accommodation in a children's home

12. When a child is placed in secure accommodation in a children's home the persons who are registered in respect of the children's home must maintain a record for that child which includes—

- (a) the name, date of birth and sex of that child;
- (b) details of the care order or other statutory provision by virtue of which the child is placed in the children's home;
- (c) details of the local authority placing the child and the name of the authorising officer;
- (d) the date and time of the start of the placement in secure accommodation;
- (e) the reason for the placement;
- (f) the address of the place where the child was living before the placement;
- (g) the names and relevant details of the persons informed by virtue of regulation 5 of the child's placement;
- (h) details of any court orders made in respect of the child under section 119;
- (i) details of reviews undertaken under regulation 11;
- (j) the date and time of any periods when the child is locked on his own in any room other than his bedroom during usual bedtime hours, the name of the person authorising this action, the reason for it and the date on which and time at which the child ceases to be locked in that room; and
- (k) the date and time of the child's discharge and the child's address following discharge from secure accommodation.