

SCHEDULES

SCHEDULE 4

MANAGEMENT AND CONDUCT OF COMMUNITY HOMES

PART III

REGULATIONS

- 4 (1) The Secretary of State may make regulations—
- (a) as to the placing of children in community homes;
 - (b) as to the conduct of such homes; and
 - (c) for securing the welfare of children in such homes.
- (2) The regulations may, in particular—
- (a) prescribe standards to which the premises used for such homes are to conform;
 - (b) impose requirements as to the accommodation, staff and equipment to be provided in such homes, and as to the arrangements to be made for protecting the health of children in such homes;
 - (c) provide for the control and discipline of children in such homes;
 - (d) impose requirements as to the keeping of records and giving of notices in respect of children in such homes;
 - (e) impose requirements as to the facilities which are to be provided for giving religious instruction to children in such homes;
 - (f) authorise the Secretary of State to give and revoke directions requiring—
 - (i) the local authority by whom a home is provided or who are specified in the instrument of management for a controlled community home, or
 - (ii) the voluntary organisation by which an assisted community home is provided,to accommodate in the home a child looked after by a local authority for whom no places are made available in that home or to take such action in relation to a child accommodated in the home as may be specified in the directions;
 - (g) provide for consultation with the Secretary of State as to applicants for appointment to the charge of a home;
 - (h) empower the Secretary of State to prohibit the appointment of any particular applicant except in the cases (if any) in which the regulations dispense with such consultation by reason that the person to be appointed possesses such qualifications as may be prescribed;
 - (i) require the approval of the Secretary of State for the provision and use of accommodation for the purpose of restricting the liberty of children in such homes and impose other requirements (in addition to those imposed

Status: This is the original version (as it was originally enacted).

- by section 25) as to the placing of a child in accommodation provided for that purpose, including a requirement to obtain the permission of any local authority who are looking after the child;
- (j) provide that, to such extent as may be provided for in the regulations, the Secretary of State may direct that any provision of regulations under this paragraph which is specified in the direction and makes any such provision as is referred to in paragraph (a) or (b) shall not apply in relation to a particular home or the premises used for it, and may provide for the variation or revocation of any such direction by the Secretary of State.
- (3) Without prejudice to the power to make regulations under this paragraph conferring functions on—
- (a) the local authority or voluntary organisation by which a community home is provided; or
 - (b) the managers of a controlled or assisted community home,
- regulations under this paragraph may confer functions in relation to a controlled or assisted community home on the local authority named in the instrument of management for the home.