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STATUTORY RULES OF NORTHERN IRELAND

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**2007 No. 236**

**The Residential Family Centres  
Regulations (Northern Ireland) 2007**

**PART I  
GENERAL**

**Citation, commencement and extent**

1. These Regulations may be cited as the Residential Family Centres Regulations (Northern Ireland) 2007 and shall come into operation on 30th April 2007.

**Commencement Information**

**II** Reg. 1 in operation at 30.4.2007, see [reg. 1](#)

**Interpretation**

2.—(1) In these Regulations—

[<sup>F1</sup>“bankruptcy restrictions order” means an order made under Schedule 2A to the Insolvency (Northern Ireland) Order 1989 or Schedule 4A to the Insolvency Act 1986;]

“child protection enquiry” means any enquiries carried out by an HSS trust in the exercise of any of its functions conferred by or under the Children Order relating to the protection of children;

[<sup>F2</sup>“debt relief order” means an order made by the Official Receiver under Part 7A of the Insolvency (Northern Ireland) Order 1989, or Part 7A of the Insolvency Act 1986;

“debt relief restrictions order” means an order made under Schedule 2ZB to the Insolvency (Northern Ireland) Order 1989, or Schedule 4ZB to the Insolvency Act 1989;]

“family” means a child and his parent accommodated or to be accommodated together in a residential family centre;

“general medical practitioner” means a medical practitioner providing primary medical services;

“health care professional” has the same meaning as in Article 15C of the Health and Personal Social Services (Northern Ireland) Order 1972(1);

“the Order” means the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003;

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(1) S.I.1972/1265 (N.I. 14) Article 15C was inserted by Article 6(3) of the Primary Medical Services (Northern Ireland) Order 2004 (S.I. 2004/311 (N.I. 2))

“organisation” means a body corporate or any unincorporated association other than a partnership;

“personal care” has the same meaning as in Article 10 (3) of the Order;

“placement plan” means the written plan prepared in accordance with regulation 15;

“placing authority” means, in relation to a family, the HSS trust or other body that has arranged for the family to be accommodated in a residential family centre;

[<sup>F3</sup>“the register” means the register of social care workers maintained by the Northern Ireland Social Care Council under section 3(1) of the 2001 Act;]

“relative” in relation to any person, means—

- (a) the person’s spouse or civil partner;
- (b) any parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece of his or his spouse or civil partner;
- (c) the spouse or civil partner of any relative within sub-paragraph (b) of this definition, and for the purpose of determining any such relationship a person’s step-child shall be treated as his child, and references to “spouse” in relation to any person include a former spouse and a person who is living with the person as husband or wife and references to “civil partner” include a former civil partner and a person who is living with the person as if they were civil partners;

[<sup>F3</sup>“the relevant part” means that part of the register referred to in section 3(2) of the 2001 Act which is most relevant to that person, taking into account their current employment;]

“representative” means in relation to a resident, a person other than the registered person or a person employed by the residential family centre, who with the registered person’s express or implied consent takes an interest in the resident’s care and welfare;

“registered manager”, in relation to a residential family centre, means a person who is registered under Part III of the Order as the manager of the residential family centre;

“registered person”, in relation to a residential family centre, means any person who is the registered provider or the registered manager of the residential family centre;

“registered provider”, in relation to a residential family centre, means a person who is registered under Part III of the Order as the person carrying on the residential family centre;

“resident” means a person for whom accommodation with board and personal care is provided for the purposes of the residential family centre;

“responsible individual” shall be construed in accordance with regulation 7 (2)(c)(i); and

“social care worker” has the same meaning as in section 2(2) of the Health and Personal Social Services Act (Northern Ireland) 2001(2);

“statement of purpose” means the written statement compiled in accordance with regulation 3(1).

(2) In these Regulations, save where otherwise provided, references to a child do not include a parent accommodated in a residential family centre who is under the age of 18.

(3) In these Regulations, references to employing a person include employing a person whether or not for payment and whether under a contract of service or a contract for services and allowing a person to work as a volunteer.

<p><b>F1</b> Words in <a href="#">reg. 2(1)</a> inserted (21.4.2015) by <a href="#">The Insolvency (Northern Ireland) Order 2005 (Consequential Amendments) Order (Northern Ireland) 2015 (S.R. 2015/159)</a>, art. 1, <a href="#">Sch. para. 43(2)</a></p>
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- F2** Words in [reg. 2\(1\)](#) inserted (7.3.2016) by [The Debt Relief Act \(Northern Ireland\) 2010 \(Consequential Amendments\) Order \(Northern Ireland\) 2016 \(S.R. 2016/108\)](#), art. 1, [Sch. para. 50\(2\)](#)
- F3** Words in [reg. 2\(1\)](#) inserted (27.10.2017) by [The Northern Ireland Social Care Council \(Social Care Workers Prohibition\) and Fitness of Workers \(Amendment\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/207\)](#), regs. 1(1), [13\(2\)](#)

**Commencement Information**

- I2** Reg. 2 in operation at 30.4.2007, see [reg. 1](#)

**Statement of purpose**

3.—(1) The registered person shall compile in relation to the residential family centre a written statement which shall consist of—

- (a) a statement of the aims and objectives of the residential family centre;
- (b) a statement as to the facilities and services which are to be provided by the registered person for residents; and
- (c) a statement as to the matters listed in Schedule 1.

(2) The registered person shall provide a copy of the statement of purpose to the [F4RQIA] and shall make a copy of it available for inspection by every resident and any representative of a resident.

(3) Nothing in regulation 16(1) or 25(1) shall require or authorise the registered person to contravene or fail to comply with—

- (a) any other provision of these Regulations; or
- (b) the conditions for the time being in force in relation to the registration of the registered person under Part III of the Order.

- F4** Words in Regulations substituted (11.4.2014) by [Health and Social Care \(Amendment\) Act \(Northern Ireland\) 2014 \(c. 5\)](#), [Sch. para. 1\(1\)\(a\)](#) (with [Sch. para. 1\(2\)](#))

**Commencement Information**

- I3** Reg. 3 in operation at 30.4.2007, see [reg. 1](#)

**Resident's guide**

4.—(1) The registered person shall produce a written guide to the residential family centre which shall include—

- (a) a summary of the statement of purpose including the philosophy of care;
- (b) the terms and conditions in respect of accommodation to be provided for residents, including as to the amount and method of payment of fees;
- (c) a standard form of contract for the provision of services and facilities by the registered provider to residents;
- (d) a summary of the complaints procedure established under regulation 23;
- (e) the address and telephone number of the [F4RQIA].

(2) The registered person shall also provide, on request, access to a copy of the most recent inspection report and information on how to access earlier inspection reports.

(3) The registered person shall supply a copy of the resident's guide to the [F4RQIA] and each resident or their representative.

(4) Where a HSS trust has made arrangements for the provision of accommodation with board and personal care to the resident at the centre, the registered person shall supply to the resident a copy of the agreement specifying the arrangements made.

**F4** Words in Regulations substituted (11.4.2014) by [Health and Social Care \(Amendment\) Act \(Northern Ireland\) 2014 \(c. 5\)](#), [Sch. para. 1\(1\)\(a\)](#) (with [Sch. para. 1\(2\)](#))

#### Commencement Information

**I4** Reg. 4 in operation at 30.4.2007, see [reg. 1](#)

### Information about fees

- 5.—(1) The registered person shall provide each resident with a statement specifying—
- (a) the fees payable by or in respect of the resident for the provision to the resident of any of the following services—
    - (i) residential accommodation with board; and
    - (ii) personal care;
 and, except where a single fee is payable for those services, the services to which each fee relates;
  - (b) the method of payment of the fees and the person by whom the fees are payable.
- (2) The registered person shall notify the resident at least 28 days in advance of—
- (a) any increase in the fees referred to in paragraph (1)(a) and payable by or in respect of the resident;
  - (b) any variation in the matters referred to in paragraph (1)(b).
- (3) Where a HSS trust has made arrangements for the provision of residential accommodation with board and personal care at the residential family centre and the charge made exceeds the fee paid, the registered person shall in the individual written agreement—
- (a) record the reason for the additional charge;
  - (b) by whom it will be paid; and
  - (c) list the services, if any, provided for it.

#### Commencement Information

**I5** Reg. 5 in operation at 30.4.2007, see [reg. 1](#)

### Review of statement of purpose and resident's guide

6. The registered person shall—
- (a) keep under review and, where appropriate, revise the statement of purpose and the resident's guide; and
  - (b) notify the <sup>F4</sup>RQIA and residents of any such revision within 28 days.

**F4** Words in Regulations substituted (11.4.2014) by [Health and Social Care \(Amendment\) Act \(Northern Ireland\) 2014 \(c. 5\)](#), [Sch. para. 1\(1\)\(a\)](#) (with [Sch. para. 1\(2\)](#))

**Commencement Information**

**I6** Reg. 6 in operation at 30.4.2007, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Residential Family Centres Regulations (Northern Ireland) 2007, PART I.