
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 236

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

**PART VI N.I.
MISCELLANEOUS**

Notifiable events N.I.

30.—(1) If, in relation to a residential family centre, any of the events listed in column 1 of the table in Schedule 5 takes place, the registered person shall without delay notify the persons indicated in respect of the event in column 2 of the table.

(2) The registered person shall without delay notify the parent accommodated in the residential family centre with a child of any significant incident affecting the child's welfare unless to do so is not reasonably practicable or would place the child's welfare at risk.

(3) Any notification made in accordance with this regulation which is given orally shall be confirmed in writing.

(4) References in column 1 of the table in Schedule 5 to a centre shall be construed as references to a residential family centre.

(5) References in column 2 of the table to a HSS trust shall be construed as references to the HSS trust in whose area the residential family centre is situated.

Commencement Information

II Reg. 30 in operation at 30.4.2007, see [reg. 1](#)

Notice of absence N.I.

31.—(1) Where—

- (a) the registered provider, if he is an individual who manages the residential family centre himself; or
- (b) the registered manager,

proposes to be absent from the residential family centre for a continuous period of 28 days or more, the registered provider shall give notice in writing to the [F¹RQIA] of the proposed absence.

(2) Except in the case of an emergency, the notice referred to in paragraph (1) shall be given no later than 28 days before and inclusive of the date on which the proposed absence commences or within such shorter period as may be agreed with the [F¹RQIA] and the notice shall specify—

- (a) the length or expected length of the proposed absence;
- (b) the reason for the proposed absence;

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- (c) the arrangements which have been made for the running of the residential family centre during that absence;
- (d) the name, address and qualifications of the person who will be managing the residential family centre during the absence; and
- (e) in the case of the absence of the registered manager, the arrangements that have been, or are proposed to be, made for appointing another person to manage the residential family centre during that absence, including the proposed date by which the appointment is to be made.

(3) Where the absence arises as a result of an emergency, the registered provider shall give notice of the absence within one week of its occurrence specifying the matters in sub-paragraphs (a) to (e) of paragraph (2).

(4) Where—

- (a) the registered provider, if he is an individual; or
- (b) the registered manager,

has been absent from the residential family centre for a continuous period of 28 days or more, and the [F1RQIA] has not been given notice of the absence, the registered person shall without delay give notice in writing to the [F1RQIA] of the absence specifying the matters mentioned in sub-paragraphs (a) to (e) of paragraph (2).

(5) The registered provider shall notify the [F1RQIA] of the return to duty of the registered provider or (as the case may be) the registered manager not later than 7 days after the date of his return.

Textual Amendments

- F1** 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

- I2** Reg. 31 in operation at 30.4.2007, see [reg. 1](#)

Notice of changes **N.I.**

32. The registered person shall give notice in writing to the [F1RQIA] as soon as it is practicable to do so, if any of the following events is proposed to take place—

- (a) a person other than the registered person carries on or manages the residential family centre;
- (b) a person ceases to carry on or manage the residential family centre;
- (c) where the registered person is an individual, he changes his name;
- (d) where the registered provider is a partnership, there is any change in the membership of the partnership;
- (e) where the registered provider is an organisation—
 - (i) the name or address of the organisation is changed;
 - (ii) there is any change of director, manager, secretary or other similar officer of the organisation;
 - (iii) there is to be any change of responsible individual;
- (f) where the registered provider is an individual, a trustee in bankruptcy is appointed;

- (g) where the registered provider is a company or a partnership, a receiver, manager, liquidator or provisional liquidator is appointed in respect of the registered provider; or
- (h) the premises of the residential family centre are to be significantly altered or extended, or additional premises are acquired.

Textual Amendments

- F1** 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. 32 in operation at 30.4.2007, see [reg. 1](#)

Appointment of liquidators etc. **N.I.**

- 33.**—(1) Any person to whom paragraph (2) applies must—
- (a) forthwith notify the [F1RQIA] of his appointment indicating the reasons for it;
 - (b) appoint a manager in any case where there is no registered manager; and
 - (c) within 28 days of his appointment, notify the [F1RQIA] of his intentions regarding the future operation of the residential family centre.
- (2) This paragraph applies to any person appointed as—
- (a) the receiver or manager of the property of a company or a partnership which is a registered provider of a residential family centre;
 - (b) a liquidator or provisional liquidator of a company which is the registered provider of a residential family centre; or
 - (c) the trustee in bankruptcy of a registered provider of a residential family centre.

Textual Amendments

- F1** 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. 33 in operation at 30.4.2007, see [reg. 1](#)

Notice of termination of accommodation **N.I.**

- 34.**—(1) Subject to paragraph (2), the registered person shall not terminate the arrangements for the accommodation of a resident unless he has given reasonable notice of his intention to do so to—
- (a) the resident;
 - (b) the person who appears to be the resident's next of kin; and
 - (c) where a HSS trust has made arrangements for the provision of accommodation, board and personal care to the resident at the residential family centre, that Trust.
- (2) If it is impracticable for the registered person to comply with the requirement in paragraph (1)
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- (a) he shall do so as soon as it is practicable to do so; and

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- (b) he shall provide to the [F1RQIA] a statement as to the circumstances which made it impracticable for him to comply with the requirement.

Textual Amendments

- F1** 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

- I5** Reg. 34 in operation at 30.4.2007, see [reg. 1](#)

Death of registered person **N.I.**

35.—(1) If more than one person is registered in respect of a residential family centre, and a registered person dies, the surviving registered person shall without delay notify the [F1RQIA] of the death in writing.

(2) If only one person is registered in respect of a residential family centre, and he dies, his personal representatives shall notify the [F1RQIA] in writing—

- (a) without delay of the death; and
- (b) within 28 days of their intentions regarding the future operation of the residential family centre.

(3) The personal representatives of a deceased registered provider may carry on the residential family centre without being registered in respect of it—

- (a) for a period not exceeding 28 days;
- (b) for any further period as may be determined in accordance with paragraph (4).

(4) The [F1RQIA] may extend the period specified in paragraph (3)(a) by such further period, not exceeding one year, as the [F1RQIA] shall determine and shall notify any such determination to the personal representatives in writing.

(5) The personal representatives shall appoint a person to manage the residential family centre during any period in which, in accordance with paragraph (3), they carry on the residential family centre without being registered in respect of it.

Textual Amendments

- F1** 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. 35 in operation at 30.4.2007, see [reg. 1](#)

Offences **N.I.**

36.—(1) A contravention of any of the provisions of regulations 3, 4 and 11 to 32 shall be an offence.

(2) The [F1RQIA] shall not bring proceedings against a person in respect of any contravention of those regulations unless—

- (a) subject to paragraph (4), he is a registered person;

- (b) notice has been given to him in accordance with paragraph (3);
- (c) the period specified in the notice within which the registered person may make representations to the [F1RQIA], has expired; and
- (d) the person contravenes any of the provisions of the regulations mentioned in the notice.

(3) Where the [F1RQIA] considers that the registered person has contravened any of the provisions of the regulations mentioned in paragraph (1), it may serve a notice on the registered person specifying—

- (a) in what respect in its opinion the registered person has contravened the requirements of any of the regulations;
- (b) where it is practicable for the registered person to take action for the purpose of complying with those regulations, what action, in the opinion of the [F1RQIA], the registered person should take for that purpose;
- (c) the period, not exceeding three months, within which the registered person should take any action specified in sub-paragraph (b); and
- (d) the period, not exceeding one month, within which the registered person shall make representations to the [F1RQIA] about the notice.

(4) The [F1RQIA] may bring proceedings against a person who was once, but no longer is, a registered person, in respect of a failure to comply with regulation 22 and for this purpose, references in paragraphs (2) and (3) to a registered person shall be taken to include such a person.

Textual Amendments

F1 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

I7 Reg. 36 in operation at 30.4.2007, see [reg. 1](#)

Compliance with regulations **N.I.**

37. Where there is more than one registered person in respect of a residential family centre, anything which is required under these regulations to be done by the registered person shall, if done by one of the registered persons, not be required to be done by any of the other registered persons.

Commencement Information

I8 Reg. 37 in operation at 30.4.2007, see [reg. 1](#)

Status:

Point in time view as at 21/04/2015.

Changes to legislation:

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