

1973. No. 323

[C]

HEALTH AND PERSONAL SOCIAL SERVICES**Cleanliness of School Children**

REGULATIONS, DATED 11TH SEPTEMBER 1973, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES, UNDER THE HEALTH AND PERSONAL SOCIAL SERVICES (NORTHERN IRELAND) ORDER 1972.

The Ministry of Health and Social Services (hereinafter referred to as "the Ministry") on behalf of the Secretary of State, and in exercise of the powers conferred on it by Articles 17(1), 34, and 107(2) and (3) of the Health and Personal Social Services (Northern Ireland) Order 1972(a), and of all other powers enabling it in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Health and Personal Social Services (Cleanliness of School Children) Regulations (Northern Ireland) 1973 and shall come into operation on 1st October 1973.

(2) In these regulations—

"Board" means a Health and Social Services Board established under Article 16 of the Order;

"clothing" includes footwear;

"District Council" means a Council established under section 1 of the Local Government Act (Northern Ireland) 1972(b);

"medical officer" means a registered medical practitioner employed or engaged whether regularly or for any particular purpose by or by direction of the Ministry;

"pupil" has the same meaning as in the Education and Libraries (Northern Ireland) Order 1972(c);

"school" has the same meaning as in the Education and Libraries (Northern Ireland) Order 1972;

"the Order" means the Health and Personal Social Services (Northern Ireland) Order 1972.

Cleanliness of school children

2. On the coming into operation of these regulations each Health and Social Services Board shall take such steps as may be necessary for the provision of services specified under Article 34 of the Order, with respect to the cleanliness of school children.

Examination of persons and clothing of pupils

3. A Board may by directions in writing issued with respect to all grant-aided schools in its area, or with respect to any such schools named in the directions, authorise a medical officer of the Board to cause examination to

(a) S.I. 1972, No. 1265 (N.I. 14).
(b) 1972. c. 9 (N.I.).

(c) S.I. 1972, No. 1263 (N.I. 12).

be made of the persons and clothing of pupils in attendance at such schools whenever in the opinion of the medical officer such examination is necessary in the interests of cleanliness. Any such examination shall be made by a person authorised by the Board.

Service of cleansing notice upon parent

4. If the person or clothing of any pupil is found upon such examination to be infested with vermin or in a foul condition, an officer of the Board may serve upon the parent of the pupil a notice requiring him to cause the person or clothing of the pupil to be cleansed. Such notice shall inform the person upon whom it is served that unless within the period limited by the notice, not being less than twenty-four hours after the service thereof, the person or clothing of the pupil to whom the notice relates is cleansed to the satisfaction of such person as may be specified in the notice, the cleansing thereof shall be carried out under arrangements to be made by the Board.

Issue of a cleansing order by a medical officer

5. Where, upon a report being made to him at the expiration of the period prescribed in the notice, a medical officer of the Board is not satisfied that the person or clothing of the pupil has been properly cleansed, he may issue an order directing that the person or clothing of the pupil be cleansed under the arrangements specified in regulation 6.

Arrangements for and provision of accommodation for cleansing purposes

6. It shall be the duty of the Board to make arrangements for securing that any person or clothing required under these regulations to be cleansed may be so cleansed (whether at the request of a parent or pupil or in pursuance of an order issued under regulation 5) at suitable premises by suitable persons and with suitable appliances. Where a District Council in the area of the Board has, or is entitled to the use of, any premises or appliances for cleansing the person or clothing of persons infested with vermin or in a foul condition, the Board may require the District Council to permit the use of those premises or appliances for such purposes upon such terms as may be determined by agreement between the Board and the District Council or, in default of such agreement, by the Ministry.

Scope of cleansing order

7. Where a cleansing order has been issued under regulation 5, directing that the person or clothing of a pupil be cleansed under arrangements made by the Board, the order shall be sufficient to authorise any officer of the Board to cause the person or clothing of the pupil to be cleansed in accordance with arrangements made under regulation 6, and for that purpose to convey the pupil to, and detain him at, any premises provided in accordance with such arrangements.

Liability on summary conviction

8. If, after a cleansing order has been carried out, the person or clothing of a pupil is again found to be infested with vermin or in a foul condition at any time while he is in attendance at any grant-aided school, and it is proved that the condition of his person or clothing is due to neglect on the part of his parent, the parent shall be liable on summary conviction to a fine not exceeding ten pounds.

Exclusion of pupil from any grant-aided school

9. Where a medical officer of the Board suspects that the person or clothing of any pupil in attendance at any grant-aided school is infested with vermin or in a foul condition, but action for the examination or cleansing thereof cannot immediately be taken, he may, if he considers it necessary either in the interest of the pupil or of other pupils in attendance at the school, direct that the pupil be excluded from the school until such action has been taken.

Examination and cleansing of female pupils

10. No female pupil shall be examined or cleansed under these regulations except by a duly qualified medical practitioner or by a woman authorised for that purpose by the Board.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 11th day of September 1973.

(L.S.)

N. I. Kells,
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations confer on Health and Social Services Boards responsibility for the provision of services specified in Article 34 of the Health and Personal Social Services (Northern Ireland) Order 1972, relating to cleanliness of school children; and in particular make provision for the examination and cleansing of the persons and clothing of pupils in attendance at grant-aided schools and for the exclusion from school of a pupil whose examination or cleansing cannot take place immediately.