
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations supersede with modifications the existing regulations relating to children's homes, whether community homes, registered children's homes or voluntary homes.

The main changes effected by these Regulations are as follows—

- (a) Private children's homes are required to be registered with and regularly inspected by the local authority for the area in which they are situated. There was no previous such requirement as the Children's Homes Act 1982 (c. 20) which dealt with this was never brought into force;
- (b) All types of children's home are subject to the same or similar provisions. Previously, quite different rules applied to voluntary homes and community homes, and none at all to private homes;
- (c) All homes will now have to provide a statement setting out their objectives;
- (d) Requirements about control and discipline have been strengthened. Corporal punishment is prohibited.

The Regulations provide for the conduct of children's homes.

They provide for each children's home to keep a statement of the particulars specified in Schedule 1, which shall be made available for inspection by those specified in Part II of that Schedule (regulation 4); in detail how children's homes should be conducted (regulations 5 to 14); provide for records to be kept about each child and about the running of the children's home and for guardians ad litem to have access to the records (regulations 15, 16 and 17 and Schedules 2 and 3).

They provide for regulations and guidance on them to be available in the home (regulation 18); certain events to be notified to specified persons (regulation 19); a procedure to be established when a child is absent from the home without authority (regulation 20); the procedure to be followed if the person in charge of a voluntary home or registered children's home proposes to be absent (regulation 21); and visits to homes on behalf of the responsible authority (regulation 22).

They provide for the Secretary of State to give and revoke directions in relation to a particular child accommodated or to be accommodated in a community home (regulation 23); particulars to be supplied with applications for registration of voluntary homes (regulation 24 and Schedule 4); the particulars to be supplied with applications for registration of registered children's homes and the number of children limited by the registration authority (regulations 25 and 26 and Schedule 5); the annual review of such registration and the inspection of registered children's homes before granting registration, and twice yearly thereafter (regulations 27 and 28); cancellation of registration of registered children's homes (regulation 29); the details to be supplied and notice to be given by the responsible authority to the registration authority if it is proposed to change the person in charge (regulation 30 and Schedule 6).

They provide for the particulars to be supplied on the establishment of a voluntary home (regulation 31 and Schedule 7); and for visits to be made by the local authority to all children's homes at prescribed intervals (regulations 32 to 34).

Regulation 35 revokes three sets of regulations which are superseded by these Regulations.