
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision with respect to residential establishments in which a child who is looked after by a local authority under the Children (Scotland) Act 1995 may be placed. They supersede the Social Work (Residential Establishments – Child Care) (Scotland) Regulations 1987 (S.I.1987/2233).

Part II of the Regulations deals with the conduct of residential establishments and requires them to be conducted in a way which is conducive to the best interests of the children resident in them (regulation 4). Each establishment is required to prepare a statement of functions and objectives setting out the responsibilities of managers (regulation 5 and the Schedule). Minimum requirements are specified regarding fire precautions, sanctions, log books, records, education and health care (regulations 9-15).

Part III of the Regulations prescribes the information to be supplied to persons in respect of each child placed in a residential establishment.

Two main changes are made to the Regulations. Some of the regulations from the Social Work (Residential Establishments – Child Care) (Scotland) Regulations 1987 have been removed to the Arrangements to Look After Children (Scotland) Regulations 1996 (S.I. 1996/3262) which deal with matters relating to the nature, review and termination of placement of such children. A new regulation has been introduced which places a specific duty on managers of residential establishments to have in place procedures for the appointment and vetting of staff (regulation 8).