
STATUTORY INSTRUMENTS

2001 No. 3967

The Children's Homes Regulations 2001

PART V

MANAGEMENT OF HOMES

Visits by registered provider

33.—(1) Where the registered provider is an individual, but is not in day to day charge of the children's home, he shall visit the home in accordance with this regulation.

(2) Where the registered provider is an organisation or a partnership, the home shall be visited in accordance with this regulation by—

- (a) the responsible individual or one of the partners, as the case may be;
- (b) another of the directors or other persons responsible for the management of the organisation or partnership; or
- (c) an employee of the organisation or partnership who is not directly concerned with the conduct of the home.

(3) Visits under paragraph (1) or (2) shall take place at least once a month and may be unannounced.

(4) The person carrying out the visit shall—

- (a) interview, with their consent and in private, such of the children accommodated there, their parents, relatives and persons working at the home as appears necessary in order to form an opinion of the standard of care provided in the home;
- (b) inspect the premises of the children's home, its daily log of events and records of any complaints; and
- (c) prepare a written report on the conduct of the home.

(5) The registered provider shall supply a copy of the report required to be made under paragraph (4)(c) to—

- (a) the Commission;
- (b) the registered manager of the children's home; and
- (c) in the case of a visit under paragraph (2)—
 - (i) where the registered provider is an organisation, to each of the directors or other persons responsible for the management of the organisation; and
 - (ii) where the registered provider is a partnership, to each of the partners.

Review of quality of care

34.—(1) The registered person shall establish and maintain a system for—

- (a) monitoring the matters set out in Schedule 6 at appropriate intervals; and

(b) improving the quality of care provided in the children’s home.

(2) The registered person shall supply to the Commission a report in respect of any review conducted by him for the purposes of paragraph (1), and make a copy of the report available on request to children accommodated in the home, their parents and placing authorities.

(3) The system referred to in paragraph (1) shall provide for consultation with children accommodated in the home, their parents and placing authorities.

Regulations and guidance

35. The registered person shall ensure that a copy of these Regulations (and of any amendments to them) and of the statement of national minimum standards applicable to children’s homes published by the Secretary of State under section 23(1) of the Act are kept in the home and made available on request to—

- (a) any person working in the home;
- (b) any child accommodated in the home; and
- (c) the parent of any child accommodated in the home.

Financial position

36.—(1) The registered provider shall carry on the children’s home in such manner as is likely to ensure that the home will be financially viable for the purpose of achieving the aims and objectives set out in its statement of purpose.

(2) The registered person shall—

- (a) ensure that adequate accounts are maintained and kept up to date in respect of a children’s home;
- (b) supply a copy of the accounts to the Commission at its request.

(3) The registered person shall provide the Commission with such information as it may require for the purpose of considering the financial viability of the children’s home, including—

- (a) the annual accounts of the home certified by an accountant;
- (b) a reference from a bank expressing an opinion as to the registered provider’s financial standing;
- (c) information as to the financing and financial resources of the home;
- (d) where the registered provider is a company, information as to any of its associated companies; and
- (e) a certificate of insurance for the registered provider in respect of liability which may be incurred by him in relation to the home in respect of death, injury, public liability, damage or other loss.

(4) In this regulation a company is an associated company of another if one of them has control of the other or both are under the control of the same person.