

2007 No. 460

**CHILDREN AND YOUNG PERSONS, ENGLAND
SOCIAL CARE, ENGLAND**

**The Office for Standards in Education, Children's Services and
Skills (Children's Rights Director) Regulations 2007**

<i>Made</i>	- - - -	<i>19th February 2007</i>
<i>Laid before Parliament</i>		<i>27th February 2007</i>
<i>Coming into force</i>	- -	<i>1st April 2007</i>

The Secretary of State for Education and Skills, in exercise of the powers conferred by section 120(2) of the Education and Inspections Act 2006(a), makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Office for Standards in Education, Children's Services and Skills (Children's Rights Director) Regulations 2007 and come into force on 1st April 2007.

Functions of the Children's Rights Director

2. The following functions are prescribed for the purposes of section 120(2) of the Education and Inspections Act 2006 (functions of the Children's Rights Director)—

- (a) to advise and assist the Chief Inspector in relation to the Chief Inspector's duty(b) when performing his functions set out in section 120(3) of that Act to have regard to—
 - (i) the need to safeguard and promote the rights and welfare of children,
 - (ii) views expressed by relevant persons(c) about activities within his remit(d),in particular by ascertaining the views of children (and, where appropriate, their parents) about those activities, and reporting such views to the Chief Inspector; and
- (b) to inform the Chief Inspector of any matters in relation to the rights and welfare of children that he considers significant.

19th February 2007

Beverley Hughes
Minister of State
Department for Education and Skills

(a) 2006 c. 40.

(b) Section 119(3) specifies the duty of the Chief Inspector when performing his functions; the ambit of that duty for the purposes of this provision is described by sub-paragraphs (i) and (ii) of this provision.

(c) "Relevant persons" is defined in section 117 of the Education and Inspections Act 2006 (c. 40).

(d) These activities are those defined in section 117(6)(b) of the Education and Inspections Act 2006.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the functions of the Children's Rights Director ("CRD"), for the purposes of section 120(2) of the Education and Inspections Act 2006 ("the 2006 Act"). The CRD is an employee of the Office for Standards in Education, Children's Services and Skills established by Part 8 of that Act.

Regulation 2(a) refers to the Chief Inspector's functions under section 120(3); these are the Chief Inspector's functions under section 87 of the Children Act 1989 (c. 41) (welfare of children in boarding schools and further education colleges); as the registration authority under Part 2 of the Care Standards Act 2000 (c. 14) in respect of children's homes, residential family centres, fostering agencies, voluntary adoption agencies and adoption support agencies; and in relation to the inspection and review of the local authority social services functions falling within section 135(1)(d) and (e) of the 2006 Act.

Under section 119(3)(a) of the 2006 Act the Chief Inspector, in performing his functions, is required to have regard, amongst other things, to the need to safeguard and promote the rights and welfare of children and the views of "relevant persons" about "activities" within his remit (as defined in section 117(4)(b) and (6)(b) of the 2006 Act). The CRD is to advise and assist the Chief Inspector to comply with that requirement in relation to the functions set out in section 120(2), in particular by ascertaining the views of children (and, where appropriate, their parents) about those activities and report such views to the Chief Inspector. The CRD is also to report to the Chief Inspector anything he considers significant that relates to the rights and welfare of children in relation to the performance by the Chief Inspector of functions within section 120(3).

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