
STATUTORY INSTRUMENTS

2007 No. 694

**The Her Majesty's Chief Inspector of Education,
Children's Services and Skills (Fees and Frequency of
Inspections) (Children's Homes etc.) Regulations 2007**

PART 1

General

Citation, commencement and application

1.—(1) These Regulations may be cited as the Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2007 and come into force on 1st April 2007.

(2) These Regulations apply in relation to England only.

Interpretation

2. In these Regulations—

“the 1984 Act” means the Registered Homes Act 1984⁽¹⁾;

“the 1989 Act” means the Children Act 1989;

“the 2000 Act” means the Care Standards Act 2000;

“approved place” means—

(a) in relation to a children's home, boarding school, residential college or residential special school, a bed provided for the use of a service user at night; or

(b) in relation to a residential family centre, overnight accommodation which is appropriate to a single family;

“boarding school” means a school (not being a residential special school or a school which is a children's home or care home) providing accommodation for any child, and “school” has the meaning given to it in section 4 of the Education Act 1996⁽²⁾;

“branch” means a branch which is not a small branch;

“certificate” means a certificate of registration;

“Chief Inspector” means Her Majesty's Chief Inspector of Education, Children's Services and Skills;

“existing provider” means a person who immediately before 1st April 2002 was registered under Part 1 or 2 of the 1984 Act in respect of a residential care home or a nursing home, carried on a home that was registered in a register kept for the purposes of section 60 of the 1989 Act or carried on a home that was registered under Part 8 of the 1989 Act;

(1) 1984 c. 23.

(2) 1996 c. 56. Section 4 was amended by the Education Act 1997 (c. 44), section 51.

“new provider” means a person who—

- (a) carries on a children’s home and first carried on that home after 1st April 2002;
- (b) carries on a voluntary adoption agency and first carried on that agency on or after 30th April 2003;

“previously exempt provider” means a provider who immediately before 1st April 2002 carried on an establishment other than a residential care home or nursing home in respect of which a person was required to be registered under Part 1 or 2 of the 1984 Act or a home that was required to be registered in a register kept for the purposes of section 60 of the 1989 Act or under Part 8 of that Act;

“principal office” means a principal office which is not a small principal office;

“registered provider” in relation to an establishment or agency means a person who is registered under Part 2 of the 2000 Act as the person carrying on the establishment or agency;

“relevant number of staff” means—

- (a) in the case of a voluntary adoption agency, seven full-time staff or the equivalent, excluding the manager or, as the case may be, branch manager, appointed in accordance with the Voluntary Adoption Agencies and the Adoption Agencies (Miscellaneous Amendments) Regulations 2003(3);
- (b) in the case of an adoption support agency, two full-time staff or the equivalent, excluding the manager appointed in accordance with the Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005(4) or anyone employed solely as a receptionist or administrator;

“residential college” means a college as defined in section 87(10) of the 1989 Act which provides accommodation for any child;

“residential special school” means—

- (a) a special school within the meaning of sections 6(2) and 337 of the Education Act 1996;
- (b) an independent school for the time being approved under section 347(1) of the Education Act 1996; or
- (c) an independent school not falling within (b) which has as its sole or main purpose the provision of places, with the consent of the Secretary of State, for pupils with special educational needs or who are in public care, and which provides accommodation for any child;

“small adoption support agency” means an adoption support agency where no more than the relevant number of staff are employed at any one time;

“small branch” means a branch where no more than the relevant number of staff are employed at any one time as social workers within the meaning of Part 4 of the 2000 Act;

“small children’s home” means a children’s home which has fewer than four approved places;

“small principal office” means a principal office where no more than the relevant number of staff are employed at any one time as social workers within the meaning of Part 4 of the 2000 Act;

“small residential family centre” means a residential family centre which has fewer than four approved places.

(3) [S.I. 2003/367](#), to which there are amendments not relevant to these Regulations.

(4) [S.I. 2005/2720](#).