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## STATUTORY INSTRUMENTS

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# 2015 No. 551

## The Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2015

### PART 1

#### General

#### Citation and commencement

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 2015 and come into force on 1st April 2015.

#### Interpretation

2. In these Regulations—

“approved place” means—

- (a) in relation to a children's home <sup>M1</sup>, boarding school, residential college or residential special school, a bed provided for the use of a service user at night; and
- (b) in relation to a residential family centre <sup>M2</sup>, 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 <sup>M3</sup>) providing accommodation for any child, and “school” has the meaning given to it in section 4 of the Education Act 1996 <sup>M4</sup>;

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

“holiday scheme for disabled children” has the same meaning as in the Care Standards Act 2000 (Extension of the Application of Part 2 to Holiday Schemes for Disabled Children) (England) Regulations 2013 <sup>M5</sup>;

“relevant number of staff” means—

- (a) in the case of a voluntary adoption agency <sup>M6</sup>, 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 <sup>M7</sup>;
- (b) in the case of an adoption support agency <sup>M8</sup>, 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 <sup>M9</sup> or anyone employed solely as a receptionist or administrator;

**Status:** Point in time view as at 02/12/2019.

**Changes to legislation:** The Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2015, PART 1 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“residential college” means a college as defined in section 87(10)<sup>M10</sup> of the Children Act 1989 which provides accommodation for any child;

“residential special school” means—

- (a) a special school within the meaning of section 337 of the Education Act 1996<sup>M11</sup>;
- (b) an independent educational institution which has been entered on the register of independent educational institutions in England and which is specially organised to make special educational provision for pupils with special educational needs (within the meaning of section 579 of the Education Act 1996<sup>M12</sup>),

which is not a registered children's home but 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;

“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;

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

“social worker” means a person who is registered as such in [<sup>F1</sup>the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017].

#### Textual Amendments

- F1** Words in reg. 2 substituted (2.12.2019) by [The Children and Social Work Act 2017 \(Consequential Amendments\) \(Social Workers\) Regulations 2019 \(S.I. 2019/1094\)](#), reg. 1, **Sch. 3 para. 36**; S.I. 2019/1436, reg. 2(b)

#### Marginal Citations

- M1** Section 1 of the Care Standards Act 2000 defines “children's home”.
- M2** Section 4 of the Care Standards Act 2000 defines “residential family centre”. Regulation 3 of the [Residential Family Centres Regulations 2002 \(S.I. 2002/3213\)](#) excepts certain establishments from that definition.
- M3** Section 3 of the Care Standards Act 2000 defines “care home”.
- M4** [1996 c.56](#). Section 4 was amended by: section 51 of, and paragraph 10 of Schedule 7, and Schedule 8 to, the [Education Act 1997 \(c.44\)](#); Schedule 22 to the [Education Act 2002 \(c.32\)](#); section 95(2) and (3) of the [Childcare Act 2006 \(c.21\)](#); paragraph 9(2) of Schedule 13 to the [Education Act 2011 \(c.21\)](#); and paragraph 97 of Schedule 1 to [S.I. 2010/1080](#).
- M5** [S.I. 2013/253](#).
- M6** Section 4(7) of the Care Standards Act 2000 defines “voluntary adoption agency”.
- M7** [S.I. 2003/367](#), to which there are amendments not relevant to these Regulations.
- M8** Section 4(7A) of the Care Standards Act 2000 defines “adoption support agency”.
- M9** [S.I. 2005/2720](#), to which there are amendments not relevant to these Regulations.
- M10** The definition of “college” in section 87D(10) was amended by paragraph 6(4)(a) of Schedule 13 to the Education Act 2011.
- M11** Section 337 was substituted by paragraph 36 of Schedule 3 to the [Children and Families Act 2014 \(c.6\)](#).
- M12** The definitions of “special educational provision” and “special educational needs” were inserted into section 579 by paragraph 59(b) of Schedule 3 to the Children and Families Act 2014.

**Status:**

Point in time view as at 02/12/2019.

**Changes to legislation:**

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