SCHEDULE 1

Regulation 4(1)

MATTERS TO BE INCLUDED IN THE STATEMENT OF PURPOSE

1. A statement of the overall aims of the home, and the objectives to be attained with regard to children accommodated in the home.

Commencement Information

II Sch. 1 para. 1 in force at 1.4.2002, see reg. 1(1)

2. A statement of the facilities and services to be provided, within and outside the home, for the children accommodated in the home.

Commencement Information

I2 Sch. 1 para. 2 in force at 1.4.2002, see reg. 1(1)

3. The name and business address of every registered person.

Commencement Information

I3 Sch. 1 para. 3 in force at 1.4.2002, see reg. 1(1)

4. The relevant qualifications and experience of every registered person.

Commencement Information

I4 Sch. 1 para. 4 in force at 1.4.2002, see reg. 1(1)

5. The numbers, relevant qualifications and experience of persons working at the home, and if the workers are all of one sex, a description of the means whereby the home will promote appropriate role models of both sexes.

Commencement Information

I5 Sch. 1 para. 5 in force at 1.4.2002, see reg. 1(1)

6. The arrangements for the supervision, training and development of employees.

Commencement Information

I6 Sch. 1 para. 6 in force at 1.4.2002, see reg. 1(1)

7. The organisational structure of the home.

Commencement Information

17

Sch. 1 para. 7 in force at 1.4.2002, see reg. 1(1)

8. The following details—

- (a) the age-range, sex and numbers of children for whom it is intended that accommodation should be provided;
- (b) whether it is intended to accommodate children who are disabled, have special needs or any other special characteristics;
- (c) the range of needs (other than those mentioned in sub-paragraph (b)) that the home is intended to meet.

Commencement Information

I8 Sch. 1 para. 8 in force at 1.4.2002, see reg. 1(1)

9. The criteria used for admission to the home, including the home's policy and procedures for emergency admissions (if the home provides for emergency admissions).

Commencement Information

I9 Sch. 1 para. 9 in force at 1.4.2002, see reg. 1(1)

10. If the home provides or is intended to provide accommodation for more than six children, a description of the positive outcomes intended for children in a home of such a size, and a description of the home's strategy for counteracting any adverse effects arising from its size for the children accommodated in the home.

Commencement Information

I10 Sch. 1 para. 10 in force at 1.4.2002, see reg. 1(1)

11. A description of the home's ethos and philosophy and the theoretical or therapeutic basis for the care provided.

Commencement Information

I11 Sch. 1 para. 11 in force at 1.4.2002, see reg. 1(1)

12. The arrangements made to protect and promote the health of the children accommodated in the home.

Commencement Information

I12 Sch. 1 para. 12 in force at 1.4.2002, see reg. 1(1)

13. The arrangements for the promotion of the education of the children accommodated in the home, including the facilities for private study.

Commencement Information

I13 Sch. 1 para. 13 in force at 1.4.2002, see reg. 1(1)

14. The arrangements to promote the participation of children in hobbies and recreational, sporting and cultural activities.

Commencement Information

II4 Sch. 1 para. 14 in force at 1.4.2002, see reg. 1(1)

15. The arrangements made for consultation with the children accommodated in the home about its operation.

Commencement Information

I15 Sch. 1 para. 15 in force at 1.4.2002, see reg. 1(1)

16. Details of-

- (a) the home's policy on behaviour management and the use of restraint;
- (b) the methods of control and discipline that may be used in the home and the circumstances in which, and by whom, they may be used.

Commencement Information

I16 Sch. 1 para. 16 in force at 1.4.2002, see reg. 1(1)

17. The arrangements for child protection and to counter bullying.

Commencement Information

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II7 Sch. 1 para. 17 in force at 1.4.2002, see reg. 1(1)
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18. The procedure for dealing with any unauthorised absence of a child from the home.

Commencement Information

I18 Sch. 1 para. 18 in force at 1.4.2002, see reg. 1(1)

19. Details of any means of surveillance of children which may be used in the home.

Commencement Information

I19 Sch. 1 para. 19 in force at 1.4.2002, see reg. 1(1)

20. The fire precautions and associated emergency procedures in the home.

Commencement Information

I20 Sch. 1 para. 20 in force at 1.4.2002, see reg. 1(1)

21. The arrangements made for the children's religious instruction and observance.

Commencement Information

I21 Sch. 1 para. 21 in force at 1.4.2002, see reg. 1(1)

22. The arrangements made for contact between any child accommodated in the home and his or her parents, relatives and friends.

Commencement Information

I22 Sch. 1 para. 22 in force at 1.4.2002, see reg. 1(1)

23. The arrangements for dealing with complaints of the children accommodated there.

Commencement InformationI23Sch. 1 para. 23 in force at 1.4.2002, see reg. 1(1)

24. The arrangements for dealing with reviews of placement plans.

Commencement Information

I24 Sch. 1 para. 24 in force at 1.4.2002, see reg. 1(1)

25. The type of accommodation and sleeping arrangements provided (including details of any zones for particular types of children) and the circumstances in which children may share bedrooms.

Commencement Information

I25 Sch. 1 para. 25 in force at 1.4.2002, see reg. 1(1)

26. Details of any specific therapeutic techniques used in the home and arrangements for their supervision.

Commencement Information

I26 Sch. 1 para. 26 in force at 1.4.2002, see reg. 1(1)

27. Details of the home's policy on anti-discriminatory practice as respects children and children's rights.

Commencement Information

I27 Sch. 1 para. 27 in force at 1.4.2002, see reg. 1(1)

SCHEDULE 2

Regulations 6, 8, 26

INFORMATION REQUIRED IN RESPECT OF PERSONS SEEKING TO CARRY ON, MANAGE OR WORK AT A CHILDREN'S HOME

1. Proof of identity including a recent photograph.

Commencement Information

I28 Sch. 2 para. 1 in force at 1.4.2002, see reg. 1(1)

- 2. Either—
 - (a) where the certificate is required for a purpose relating to section 115(5)(ea) of the Police Act 1997 (registration under Part II of the Care Standards Act 2000)(1), or the position falls within section 115(3) or (4) of the Police Act 1997, an enhanced criminal record certificate issued under section 115 of that Act in respect of which less than three years have elapsed since it was issued; or
 - (b) in any other case, a criminal record certificate issued under section 113 of that Act in respect of which less than three years have elapsed since it was issued;

including, $[^{F1}$ to the extent permitted under the Police Act 1997] $[^{F2}$ and subject to paragraph 8], the matters specified in section 113(3A) or (3C) or 115(6A) or (6B) of that Act(2).

- F1 Words in Sch. 2 para. 2 substituted (18.10.2002) by The Children Act 1989 and the Care Standards Act 2000 (Miscellaneous Regulations) (Amendment) (Wales) Regulations 2002 (S.I. 2002/2622), regs. 1, 3(5)(a)
- F2 Words in Sch. 2 para. 2 inserted (16.9.2004) by The Care Standards Act 2000 and the Children Act 1989 (Amendment of Miscellaneous Regulations) (Wales) Regulations 2004 (S.I. 2004/2414), regs. 1(b), 3(2) (a)

Commencement Information

- I29 Sch. 2 para. 2 in force at 1.4.2002, see reg. 1(1)
- 3. Two written references, including a reference from the last employer, if any.

Commencement Information

I30 Sch. 2 para. 3 in force at 1.4.2002, see reg. 1(1)

4. Where a person has previously worked in a position whose duties involved work with children or vulnerable adults, so far as reasonably practicable verification of the reason why the employment or position ended.

⁽¹⁾ Section 115(ea) is inserted by the Care Standards Act 2000, section 104, on a date to be appointed. Sections 113 and 115, as amended, have not yet been brought into force.

⁽²⁾ Sections 113(3A) and 115(6A) are added to the Police Act 1997 by section 8 of the Protection of Children Act 1997 (c. 14) from a date to be appointed, and amended by section 104 and 116 of, and paragraph 25 of Schedule 4 to, the Care Standards Act 2000. Sections 113(3C) and 115(6B) are added to the Police Act 1997 by section 90 of the Care Standards Act 2000 on a date to be appointed.

Commencement Information

I31 Sch. 2 para. 4 in force at 1.4.2002, see reg. 1(1)

5. Documentary evidence of any relevant qualification.

Commencement Information

I32 Sch. 2 para. 5 in force at 1.4.2002, see reg. 1(1)

6. A full employment history, together with a satisfactory written explanation of any gaps in employment.

Commencement Information

I33 Sch. 2 para. 6 in force at 1.4.2002, see reg. 1(1)

[^{F3}7. A police check being a report produced by or on behalf of a chief officer of police or other member of a police force within the meaning of the Police Act 1996 which records, as at the time the report is produced, all criminal offences—

- (a) for which the person had been convicted including convictions which are spent within the meaning of the Rehabilitation of Offenders Act 1974 and which may be disclosed by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975; or
- (b) in respect of which the person had been cautioned and which, at the time the caution was given, the person admitted.]
- F3 Sch. 2 para. 7 substituted (18.10.2002) by The Children Act 1989 and the Care Standards Act 2000 (Miscellaneous Regulations) (Amendment) (Wales) Regulations 2002 (S.I. 2002/2622), regs. 1, 3(5)(b)

Commencement Information

I34 Sch. 2 para. 7 in force at 1.4.2002, see reg. 1(1)

[^{F4}8. The requirement in paragraph 2 for a certificate to include the matters specified in section 113(3C) or 115(6B) of the Police Act 1997 shall not apply in relation to a certificate that was available for the purposes of these Regulations immediately before 26 July 2004.]

F4 Sch. 2 para. 8 inserted (16.9.2004) by The Care Standards Act 2000 and the Children Act 1989 (Amendment of Miscellaneous Regulations) (Wales) Regulations 2004 (S.I. 2004/2414), regs. 1(b), 3(2) (b)

SCHEDULE 3

Regulation 28(1)

INFORMATION TO BE INCLUDED IN THE CASE RECORDS OF CHILDREN ACCOMMODATED IN CHILDREN'S HOMES

1. The child's name and any name by which the child has previously been known other than a name used by the child prior to adoption.

Commencement Information

I35 Sch. 3 para. 1 in force at 1.4.2002, see reg. 1(1)

2. The child's date of birth and sex.

Commencement Information

I36 Sch. 3 para. 2 in force at 1.4.2002, see reg. 1(1)

3. The child's religious persuasion, if any.

Commencement Information

I37 Sch. 3 para. 3 in force at 1.4.2002, see reg. 1(1)

4. A description of the child's racial origin and cultural and linguistic background.

Commencement Information

I38 Sch. 3 para. 4 in force at 1.4.2002, see reg. 1(1)

5. The child's address immediately prior to entering the home.

Commencement Information

I39 Sch. 3 para. 5 in force at 1.4.2002, see reg. 1(1)

6. The name, address and telephone number of the child's placing authority.

Commencement Information

I40 Sch. 3 para. 6 in force at 1.4.2002, see reg. 1(1)

7. The statutory provision (if any) under which he or she is provided with accommodation.

Commencement Information

I41 Sch. 3 para. 7 in force at 1.4.2002, see reg. 1(1)

8. The name, address, telephone number and the religious persuasion, if any, of the child's parents;

Commencement Information

I42 Sch. 3 para. 8 in force at 1.4.2002, see reg. 1(1)

9. The name, address and telephone number of any social worker for the time being assigned to the child by the placing authority.

Commencement Information

Sch. 3 para. 9 in force at 1.4.2002, see reg. 1(1) I43

10. Any record required to be kept under regulation 16(2)(d) (allegation of abuse or neglect in relation to the child).

Commencement Information

I44 Sch. 3 para. 10 in force at 1.4.2002, see reg. 1(1)

11. The date and circumstances of all absences of the child from the home, including whether the absence was authorised and any information relating to the child's whereabouts during the period of absence.

Commencement Information I45 Sch. 3 para. 11 in force at 1.4.2002, see reg. 1(1)

12. The date of, and reason for, any visit to the child whilst in the home.

Commencement Information

I46 Sch. 3 para. 12 in force at 1.4.2002, see reg. 1(1)

13. A copy of any statement of special educational needs maintained in relation to the child under section 324 of the Education Act 1996(3), with details of any such needs.

Commencement Information Sch. 3 para. 13 in force at 1.4.2002, see reg. 1(1) I47

14. The date and circumstances of any measures of control, restraint or discipline used on the child.

Commencement Information

Sch. 3 para. 14 in force at 1.4.2002, see reg. 1(1) I48

15. Any special dietary or health needs of the child.

Commencement Information

I49 Sch. 3 para. 15 in force at 1.4.2002, see reg. 1(1)

16. The name, address and telephone number of any school or college attended by the child, and of any employer of the child.

^{(3) 1996} c. 56. Section 324 is amended by section 140(1) of, and paragraph 77 of Schedule 30 to, the School Standards and Framework Act 1998 (c. 31), and section 9 of the Special Educational Needs and Disability Act 2001 (c. 10).

Commencement Information

I50 Sch. 3 para. 16 in force at 1.4.2002, see reg. 1(1)

17. Every school report received by the child while accommodated in the home.

Commencement Information IS1 Sch. 3 para. 17 in force at 1.4.2002, see reg. 1(1)

18. Arrangements for, including any restriction, prohibition or condition as to, contact between the child, his parents, and any other person.

Commencement Information

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I52 Sch. 3 para. 18 in force at 1.4.2002, see reg. 1(1)
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19. A copy of any plan for the care of the child prepared by his placing authority, and of the placement plan.

Commencement Information

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I53 Sch. 3 para. 19 in force at 1.4.2002, see reg. 1(1)
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20. The date and result of any review of the placing authority's plan for the care of the child, or of the child's placement plan.

Commencement Information

I54 Sch. 3 para. 20 in force at 1.4.2002, see reg. 1(1)

21. The name and address of the general practitioner with whom the child is registered, and of the child's registered dental practitioner.

Commencement Information

I55 Sch. 3 para. 21 in force at 1.4.2002, see reg. 1(1)

22. Details of any accident or serious illness involving the child while accommodated in the home.

Commencement Information

I56 Sch. 3 para. 22 in force at 1.4.2002, see reg. 1(1)

23. Details of any immunisation, allergy, or medical examination of the child and of any medical or dental need or treatment of the child.

Commencement Information

I57 Sch. 3 para. 23 in force at 1.4.2002, see reg. 1(1)

24. Details of any health examination or developmental test conducted with respect to the child at or in connection with his or her school.

Commencement Information

I58 Sch. 3 para. 24 in force at 1.4.2002, see reg. 1(1)

25. Details of any medicines kept for the child in the home, including any medicines which the child is permitted to administer to himself, and details of the administration of any medicine to the child.

Commencement Information I59 Sch. 3 para. 25 in force at 1.4.2002, see reg. 1(1)

26. The date on which any money or valuables are deposited by or on behalf of a child for safekeeping, and the dates on which any money is withdrawn, and any valuables are returned.

Commencement Information

I60 Sch. 3 para. 26 in force at 1.4.2002, see reg. 1(1)

27. The address, and type of establishment or accommodation, to which the child goes when he or she ceases to be accommodated in the home.

Commencement Information

I61 Sch. 3 para. 27 in force at 1.4.2002, see reg. 1(1)

SCHEDULE 4

Regulation 28(4)

OTHER RECORDS

1. A record in the form of a register showing in respect of each child accommodated in the children's home—

- (a) the date of his or her admission to the home;
- (b) the date on which he or she ceased to be accommodated there;
- (c) his or her address prior to being accommodated in the home;
- (d) his or her address on leaving the home;
- (e) his or her placing authority;
- (f) the statutory provision, if any, under which he or she is accommodated in the home.

Commencement Information

I62 Sch. 4 para. 1 in force at 1.4.2002, see reg. 1(1)

2. A record of all persons working at the children's home, which shall include in respect of a person falling within regulation 26(1) the following matters—

- (a) full name;
- (b) sex;
- (c) date of birth;
- (d) home address;
- (e) qualifications relevant to, and experience of, work involving children;
- (f) whether he or she works at the home full-time or part-time, (whether paid or not) and if part-time the average number of hours worked per week; and
- (g) whether he or she resides at the home.

Commencement Information

I63 Sch. 4 para. 2 in force at 1.4.2002, see reg. 1(1)

3. A record of any person who resides or works at any time at the children's home, who is not mentioned in the records kept in accordance with paragraph 1 or 2.

Commencement Information

I64 Sch. 4 para. 3 in force at 1.4.2002, see reg. 1(1)

4. A record of all accidents occurring in the children's home or to children whilst accommodated by the home.

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Commencement Information
I65 Sch. 4 para. 4 in force at 1.4.2002, see reg. 1(1)
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5. A record of the receipt, disposal and administration of any medicine to any child.

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Commencement Information
I66 Sch. 4 para. 5 in force at 1.4.2002, see reg. 1(1)
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6. A record of every fire drill or fire alarm test conducted, with details of any deficiency in either the procedure or the equipment concerned, together with details of the steps taken to remedy that deficiency.

Commencement Information I67 Sch. 4 para. 6 in force at 1.4.2002, see reg. 1(1) 7. A record of all money deposited by a child for safekeeping, together with the date on which that money was withdrawn, or the date of its return.

Commencement Information

I68 Sch. 4 para. 7 in force at 1.4.2002, see reg. 1(1)

8. A record of all valuables deposited by a child and the date of their return.

Commencement Information I69 Sch. 4 para. 8 in force at 1.4.2002, see reg. 1(1)

9. Records of all accounts kept in the children's home.

Commencement Information

I70 Sch. 4 para. 9 in force at 1.4.2002, see reg. 1(1)

10. A record of menus served.

Commencement Information

I71 Sch. 4 para. 10 in force at 1.4.2002, see reg. 1(1)

11. A record, in accordance with regulation 17(4), of every disciplinary measure imposed on a child.

Commencement Information

I72 Sch. 4 para. 11 in force at 1.4.2002, see reg. 1(1)

12. Records of all staff duty rosters, and a record of the actual rosters worked.

Commencement Information

I73 Sch. 4 para. 12 in force at 1.4.2002, see reg. 1(1)

13. A daily log of events occurring in the home.

Commencement Information

I74 Sch. 4 para. 13 in force at 1.4.2002, see reg. 1(1)

14. A record of all visitors to the home and to children accommodated in the home, including the names of visitors and the reasons for the visit.

Commencement Information

I75 Sch. 4 para. 14 in force at 1.4.2002, see reg. 1(1)

SCHEDULE 5

Regulation 29(1)

EVENTS AND NOTIFICATIONS

Modifications etc. (not altering text)						
ch. 5 applied (with modifications) (1.4.2002) by The Care Homes (Wales) Regulations 2002 (S.I.						
002/324), regs. 1(1), 33(2)						
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Commencement Information

I76 Sch. 5 in force at 1.4.2002, see reg. 1(1)

Column 1 <i>Event:</i>	Column 2 To be notified Appropriate office of the National Assembly	to: Placing authority	Local authority in whose area the home is situated	Appro private police officer	Health authority in whose area the home is situated
Death of a child accommodated in the home	yes	yes	yes		yes
Referral to the Secretary of State pursuant to section 2(1) (a) of the Protection of Children Act 1999(4) of an individual working at the home	yes	yes			
Serious illness or serious accident sustained by a child accommodated in the home	yes	yes			

Column 1 <i>Event:</i>	Column 2 To be notified to:						
	Appropriate office of the National Assembly	Placing authority	Local authority in whose area the home is situated	Appro private police officer	Health authority in whose area the home is situated		
Occurrence of infectious disease which in the opinion of a registered medical practitioner attending at the home is sufficiently serious to be so notified	yes	yes			yes		
Allegation that a child accommodated at the home has committed a serious offence	yes		yes				
Involvement or suspected involvement of a child accommodated at the home in prostitution	yes	yes	yes	yes			
Serious incident necessitating calling the police to the home	yes	yes					
Absconding by a child accommodated at the home		yes					
Any serious complaint about the home or persons working there	yes	yes					

Column 1 <i>Event:</i>	Column 2 To be notified to:						
	Appropriate office of the National Assembly	Placing authority	Local authority in whose area the home is situated	Appro private police officer	Health authority in whose area the home is situated		
Instigation and subsequent outcome of any child protection enquiry involving a child accommodated at the home	yes	yes					

SCHEDULE 6

Regulation 33(1)

MATTERS TO BE MONITORED AND REVIEWED BY THE REGISTERED PERSON

1. In respect of each child accommodated in the children's home, compliance with the placing authority's plan for the care of the child (where applicable) and the placement plan.

Commencement Information

I77 Sch. 6 para. 1 in force at 1.4.2002, see reg. 1(1)

2. The deposit and issue of money and other valuables handed in for safekeeping.

Commencement Information

I78 Sch. 6 para. 2 in force at 1.4.2002, see reg. 1(1)

3. Daily menus.

Commencement Information I79 Sch. 6 para. 3 in force at 1.4.2002, see reg. 1(1)

4. All accidents and injuries sustained in the home or by children accommodated there.

Commencement Information I80 Sch. 6 para. 4 in force at 1.4.2002, see reg. 1(1)

5. Any illnesses of children accommodated in the home.

Commencement Information

I81 Sch. 6 para. 5 in force at 1.4.2002, see reg. 1(1)

6. Complaints in relation to children accommodated in the home and their outcomes.

Commencement Information I82 Sch. 6 para. 6 in force at 1.4.2002, see reg. 1(1)

7. Any allegations or suspicions of abuse in respect of children accommodated in the home and the outcome of any investigation.

Commencement Information I83 Sch. 6 para. 7 in force at 1.4.2002, see reg. 1(1)

8. Staff recruitment records and conduct of required checks for new workers in the home.

Commencement Information

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I84 Sch. 6 para. 8 in force at 1.4.2002, see reg. 1(1)
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9. Visitors to the home and to children in the home.

Commencement Information

I85 Sch. 6 para. 9 in force at 1.4.2002, see reg. 1(1)

10. Notifications of the events listed in Schedule 5.

Commencement Information

I86 Sch. 6 para. 10 in force at 1.4.2002, see reg. 1(1)

11. Any unauthorised absence from the home of a child accommodated there.

Commencement Information

I87 Sch. 6 para. 11 in force at 1.4.2002, see reg. 1(1)

12. The use of measures of control, restraint and discipline in respect of children accommodated in the home.

Commencement Information

I88 Sch. 6 para. 12 in force at 1.4.2002, see reg. 1(1)

13. Risk assessments for health and safety purposes and subsequent action taken.

Commencement Information

I89 Sch. 6 para. 13 in force at 1.4.2002, see reg. 1(1)

14. Medicines, medical treatment and first aid administered to any child accommodated in the home.

Commencement Information

I90 Sch. 6 para. 14 in force at 1.4.2002, see reg. 1(1)

15. In the case of a qualifying school, the standards of educational provision.

Commencement Information I91 Sch. 6 para. 15 in force at 1.4.2002, see reg. 1(1)

16. Duty rosters of persons working at the home, and the rosters actually worked.

Commencement Information

I92 Sch. 6 para. 16 in force at 1.4.2002, see reg. 1(1)

17. The home's daily log of events.

Commencement Information

I93 Sch. 6 para. 17 in force at 1.4.2002, see reg. 1(1)

18. Fire drills and tests of alarms and of fire equipment.

Commencement Information

I94 Sch. 6 para. 18 in force at 1.4.2002, see reg. 1(1)

19. Records of appraisals of employees.

Commencement Information

I95 Sch. 6 para. 19 in force at 1.4.2002, see reg. 1(1)

20. Minutes of staff meetings.

Commencement Information

I96 Sch. 6 para. 20 in force at 1.4.2002, see reg. 1(1)

Status:

Point in time view as at 16/09/2004.

Changes to legislation:

There are currently no known outstanding effects for the The Children's Homes (Wales) Regulations 2002.