Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

STATUTORY RULES OF NORTHERN IRELAND

2012 No. 324

HEALTH AND SOCIAL CARE

The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012

Made - - - -	*20th August 2012*
Coming into operation	*17th September 2012*

The Department of Health, Social Services and Public Safety makes the following regulations in exercise of the powers conferred by sections 1(2)(b), 1(3)(j), 1(5), 3(4), 5(1), 6(1), 7(1)(a), 7(4), 7(5), 8(1), 9 and 12(1)(j) of the Safeguarding Board Act (Northern Ireland) 2011 [F1].

F1 2011 c.7 (N.I.)

PART 1

General

Citation and commencement

1. These regulations may be cited as the Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012 and shall come into operation on 20th August 2012

Interpretation

2. In these regulations—

"the Act" means the Safeguarding Board Act (Northern Ireland) 2011;

"any Department" means any of the Northern Ireland departments listed in Article 3 of the Departments (Northern Ireland) Order 1999 [F2];

"area of the Safeguarding Panel" has the meaning given in regulation 21(2);

"bankruptcy restrictions order" means an order made under Schedule 2A of the Insolvency (Northern Ireland) Order 1989 [F3] or Schedule 4A of the Insolvency Act 1986 [F4];

"charity trustee" means one of the persons having the general control and management of the administration of a charity;

[F5"debt relief restrictions order" means an order made under Schedule 2ZB to the Insolvency (Northern Ireland) Order 1989 or Schedule 4ZB to the Insolvency Act 1986;**]**

"Designated Nurse for Safeguarding Children" means the nurse designated by the Regional Agency for Public Health and Social Well-being to provide such information, advice and assistance regarding the safeguarding of children as may reasonably be required in accordance with section 13(6)(b) of the Health and Social Care (Reform) Act (Northern Ireland) 2009 F6;

"education and library board" means an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986 F7;

[F8"former health service body" means a Strategic Health Authority, a Primary Care Trust or the Health Protection Agency;**]**

"general medical practitioner" means a person whose name is included on a Primary Medical Services Performers List prepared pursuant to regulation 4 of the Health and Personal Social Services (Primary Medical Services Performers Lists) Regulations (Northern Ireland) 2004 F9;

"health and social care body" means–

(a) any of the following within the meaning of the Health and Social Care (Reform) Act (Northern Ireland) 2009–

(i) the Regional Health and Social Care Board;

(ii) the Regional Agency for Public Health and Social Well-being;

(iii) the Regional Business Services Organisation;

(iv) a HSC trust;

(v) a special agency;

(vi) the Patient and Client Council;

(vii) RQIA;

(b) the Northern Ireland Social Care Council established under section 1 of the Health and Personal Social Services Act (Northern Ireland) 2001 F10; and

(c) the Northern Ireland Practice and Education Council for Nursing and Midwifery established under section 2 of the Health and Personal Social Services Act (Northern Ireland) 2002 F11;

"health service body" means–

(a) any of the following within the meaning of the National Health Service Act 2006 F12–

(i) F13...

(ii) a Special Health Authority;

(iia) **[**F14a clinical commissioning group;**]**

(iib) **[**F14the National Health Service Commissioning Board;**]**

(iic) **[**F14the National Institute for Health and Care Excellence;**]**

(iid) **[**F14the Health and Social Care Information Centre;**]**

(iii) F15...

(iv) an NHS trust;

(v) a Local Health Board;

(b) any of the following within the meaning of the National Health Service (Scotland) Act 1978 [F16]–

(i) a Health Board;

(ii) a Special Health Board;

(iii) the Common Services Agency for the Scottish Health Service;

(iv) the Scottish Dental Practice Board;

(c) the Wales Centre for Health established under section 2 of the Health (Wales) Act 2003 [F17];

(d) [F18]...

(e) the Care Quality Commission established under section 1 of the Health and Social Care Act 2008 [F19];

(f) the General Social Care Council established under section 54 of the Care Standards Act 2000 [F20];

(g) the Social Care Council for Wales established under section 54 of the Care Standards Act 2000;

(h) the Scottish Social Services Council established under section 43 of the Regulation of Care (Scotland) Act 2001 [F21];

"National Society for the Prevention of Cruelty to Children" means the National Society for the Prevention of Cruelty to Children established by Royal Charter on 28 May 1895;

"Probation Board for Northern Ireland" means the Probation Board for Northern Ireland established under Article 3(1) of the Probation Board (Northern Ireland) Order 1982 [F22];

"regulatory person or body" means—

(a) the person holding the office of Chief Inspector of Criminal Justice in Northern Ireland established under section 45 of the Justice (Northern Ireland) Act 2002 [F23];

(b) any person appointed as an inspector under Article 102 of the Education and Libraries (Northern Ireland) Order 1986, or as a lay person under Article 102A of that Order;

(c) any person appointed as an inspector of constabulary under section 54 of the Police Act 1996 [F24], or as an assistant inspector of constabulary or staff officer to the inspector of constabulary under section 56 of that Act;

(d) the Northern Ireland Policing Board established under section 2 of the Police (Northern Ireland) Act 2000 [F25];

(e) the person holding the office of Police Ombudsman for Northern Ireland established under section 51 of the Police (Northern Ireland) Act 1998 [F26];

"trustee for a charity" is a person not being a charity trustee, in whom legal title to the property of the charity is vested;

"voluntary organisation" means any association carrying on or proposing to carry on any activities otherwise than for the purpose of gain by the association or by individual members thereof;

"Youth Justice Agency" means the Youth Justice Agency established as an Executive Agency of the Northern Ireland Office on 1 April 2003 whose functions transferred to the Department of Justice by virtue of the Northern Ireland Act 1998 (Devolution of Policing and Justice) Functions Order 2010 [F27].

F2 S.I. 1999/283 (N.I. 1)

F3 S.I. 1989/2405 (N.I. 19); the relevant amending provision is S.I. 2005/1455 (N.I. 10)
F4 1986 c.45; Schedule 4A was inserted by the Enterprise Act 2002 (c.40)
F5 Words in reg. 2 inserted (7.3.2016) by The Debt Relief Act (Northern Ireland) 2010 (Consequential Amendments) Order (Northern Ireland) 2016 (S.R. 2016/108), art. 1, **Sch. para. 57(2)**
F6 2009 c.1 (N.I.)
F7 S.I. 1986/594 (N.I. 3)
F8 Words in reg. 2 inserted (1.4.2013) by The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 (S.I. 2013/235), art. 1(2), **Sch. 2 para. 178(2)(a)**
F9 S.R. 2004 No. 149
F10 2001 c.3 (N.I.)
F11 2002 c.9 (N.I.)
F12 2006 c.41
F13 Words in reg. 2 omitted (1.4.2013) by virtue of The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 (S.I. 2013/235), art. 1(2), **Sch. 2 para. 178(2)(b)(i)**
F14 Words in reg. 2 inserted (1.4.2013) by The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 (S.I. 2013/235), art. 1(2), **Sch. 2 para. 178(2)(b)(ii)**
F15 Words in reg. 2 omitted (1.4.2013) by virtue of The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 (S.I. 2013/235), art. 1(2), **Sch. 2 para. 178(2)(b)(iii)**
F16 1978 c.29; section 2 was amended by paragraph 1 of Schedule 7 to the Health and Social Services and Social Security Adjudications Act 1983 (c.41) and by section 28 of the National Health Service and Community Care Act 1990 (c.19); section 10 was amended by paragraph 2 of Schedule 6 to the Health Services Act 1980 (c.53)
F17 2003 c.4
F18 Words in reg. 2 omitted (1.4.2013) by virtue of The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013 (S.I. 2013/235), art. 1(2), **Sch. 2 para. 178(2)(b)(iv)**
F19 2008 c.14
F20 2000 c.14
F21 2001 asp.8
F22 S.I. 1982/713 (N.I. 10)
F23 2002 c.26
F24 1996 c.16
F25 2000 c.32
F26 1998 c.32
F27 S.I. 2010/976

PART 2

Safeguarding Board for Northern Ireland

Membership

3.—(1) For the purposes of section 1(3)(j) of the Act (*other relevant persons or bodies*), a prescribed relevant body shall be—

(a) the British Medical Association; and

(b) any voluntary organisation.

(2) For the purposes of section 1(2)(b) of the Act the prescribed representatives shall be—

[F28(a) from the Regional Health and Social Care Board—

(i) the Director or Assistant Director of Social Care and Children; and

(ii) a Designated Doctor for Safeguarding Children;**]**

(b) from the Regional Agency for Public Health and Social Well-being–

(i) the Designated Nurse for Safeguarding Children;

(ii) the Director of Nursing and Allied Health Professionals; and

(iii) the Director of Public Health **[**F29or Assistant Director for Service Development and Screening**]** ;

[F30(c) an Executive Director for Social Work or Assistant Director for Children's Services from each of the following HSC trusts—

(i) the South Eastern HSC Trust;

(ii) the Southern HSC Trust;

(iii) the Northern HSC Trust;

(iv) the Western HSC Trust;**]**

[F31(cc) an Executive Director of Social Work or Co-Director for Children's Services from the Belfast HSC Trust;**]**

(d) an Assistant Chief Constable of the Police Service of Northern Ireland with responsibility for safeguarding and promoting the welfare of children **[**F32or the Chief Superintendent for Public Protection**]** ;

(e) the Director **[**F33or Assistant Director**]** of the Probation Board for Northern Ireland;

(f) the Chief Executive **[**F34or Director**]** of the Youth Justice Agency;

(g) a Chief Executive of an education and library board;

(h) two Chief Executives of district councils;

(i) the National Head of Service **[**F35or Assistant Director**]** for Northern Ireland of the National Society for the Prevention of Cruelty to Children;

(j) a member of the Northern Ireland General Practitioners Committee of the British Medical Association; and

(k) at least three but not more than five persons from voluntary organisations.

[F36(3) For the purposes of paragraph (2)(a)(ii) a Designated Doctor for Safeguarding Children means a paediatrician designated by the Regional Health and Social Care Board to provide information, advice and assistance regarding the safeguarding of children.**]**

F28 Reg. 3(2)(a) substituted (1.1.2015) by The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) (Amendment No. 2) Regulations (Northern Ireland) 2014 (S.R. 2014/293), regs. 1(1), **2(2)(a)**

F29 Words in reg. 3(2)(b)(iii) inserted (1.1.2015) by The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) (Amendment No. 2) Regulations (Northern Ireland) 2014 (S.R. 2014/293), regs. 1(1), **2(2)(b)**

F30 Reg. 3(2)(c) substituted (1.1.2015) by The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) (Amendment No. 2) Regulations (Northern Ireland) 2014 (S.R. 2014/293), regs. 1(1), **2(2)(c)**