STATUTORY RULES OF NORTHERN IRELAND

2005 No. 186

CHILDREN

The Children Order (Miscellaneous Amendments) Regulations (Northern Ireland) 2005

Made - - - -	*31st March 2005*
Coming into operation	*1st April 2005*

The Department of Health, Social Services and Public Safety(**1**), in exercise of the powers conferred on it by Articles 27(2)(a) and (f), (5) and (7), 28, 34B(3), 44(3) and (8), 45(1), (2), (5) and (6), 70(4), 73(1)(a), 75(2) to (6), 89(1)(a) and 105(1)(a) and 183 of the Children (Northern Ireland) Order 1995(**2**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1. These Regulations may be cited as the Children Order (Miscellaneous Amendments) Regulations (Northern Ireland) 2005, and shall come into operation on 1st April 2005.

Amendment of the Arrangements for Placement of Children (General) Regulations (Northern Ireland) 1996

2.—(1) The Arrangements for Placement of Children (General) Regulations (Northern Ireland) 1996(**3**) shall be amended in accordance with the following provisions of this regulation.

(2) In regulations 1(2), 2(1), 5(1), 6, 10(2) and (3) and 11, and in paragraph 5 of Schedule 4, in each place in which they occur, for the words "registered children's home", substitute "private children's home".

(3) In regulation 1(2) (interpretation), in the definition of "placement", in each of paragraphs (a) and (b), for "(b), (c), (d)" substitute "(aa)"(**4**).

(4) In regulation 5(1) (notification of arrangements) –

(a) in sub-paragraph (b), at the end, add "and, if it is different, for the area in which the child is to be placed;"; and

(**1**) *See* S.I.1999/283 (N.I. 1) – Article 3(6)
(**2**) S.I. 1995/755 (N.I. 2), as amended by 2002 c. 11 (N.I.) and S.I. 2003/431 (N.I. 9)
(**3**) S.R. 1996 No. 453
(**4**) As substituted by Article 50 of, and Schedule 4 to, the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003

(b) in sub-paragraph (c), at the end, add "and, where applicable, any medical practitioner with whom the child is to be registered following the placement;".

(5) For regulation 7 (health requirements) substitute –

"**Health assessments**

7.—(1) Subject to paragraphs (3) and (4), a responsible authority shall –

(a) before making a placement, or if that is not reasonably practicable, as soon as reasonably practicable after a placement is made, make arrangements for a medical practitioner to conduct an assessment, which may include a physical examination, of the child's state of health;

(b) require the medical practitioner who conducts the assessment to prepare a written report of the assessment which addresses the matters listed in Schedule 2; and

(c) having regard to the matters listed in Schedule 2 and, unless paragraph (4) applies, to the assessment report, prepare a plan for the future health care of the child if one is not already in existence.

(2) A responsible authority shall ensure that each child is provided during the placement with –

(a) health services, including medical and dental care and treatment; and

(b) advice and guidance on health, personal care and health promotion issues appropriate to his needs.

(3) Paragraph (1) does not apply if within a period of three months immediately preceding the placement the child's health has been assessed, and a report of the assessment prepared in accordance with that paragraph.

(4) Sub-paragraphs (a) and (b) of paragraph (1) do not apply if the child, being of sufficient understanding to do so, refuses to consent to the assessment.".

(6) In Schedule 2 (health considerations to which responsible authorities are to have regard) –

(a) in paragraph 1, at the end, add "including his physical, emotional and mental health.";

(b) in paragraph 2, at the end, add "including, as far as practicable, his family health history."; and

(c) in paragraph 6, at the end, add "and for advice and guidance on health, personal care and health promotion issues appropriate to the child's needs.".

Amendment of the Placement of Children with Parents etc. Regulations (Northern Ireland) 1996

3.—(1) The Placement of Children with Parents etc. Regulations (Northern Ireland) 1996(**5**) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 8(4) (notification of placements) –

(a) in sub-paragraph (a), at the end, add "and, if it is different, for the area in which the child is to be placed;"; and

(b) in sub-paragraph (b), at the end, add "and, where applicable, any medical practitioner with whom the child is to be registered following the placement;".

(3) In paragraph 1 of Schedule 1 (particulars to be taken into account) –

(**5**) S.R. 1996 No. 463