STATUTORY RULES OF NORTHERN IRELAND

1996 No. 480

CHILDREN

The Refuges (Children's Homes and Foster Placements) Regulations (Northern Ireland) 1996

Made - - - -	*8th October 1996*
Coming into operation	*4th November 1996*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 70(4) of the Children (Northern Ireland) Order 1995(**1**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Refuges (Children's Homes and Foster Placements) Regulations (Northern Ireland) 1996 and shall come into operation on 4th November 1996.

(2) In these Regulations—

"the Order" means the Children (Northern Ireland) Order 1995;

"certificate" means a certificate issued under Article 70 of the Order (refuges for children at risk);

"designated officer" has the meaning assigned to it by Article 65 of the Order (removal and accommodation of children by police in cases of emergency);

"home" means a voluntary home or registered children's home;

"responsible person", in relation to a child, means—

(a) except where a person has care of the child as mentioned in paragraph (*b*)—

(i) a parent of his,

(ii) a person who is not a parent of his, but who has parental responsibility for him, and

(iii) any person who for the time being has care of him, not being a person providing a refuge; or

(b) any person who for the time being has care of the child by virtue of a care order, emergency protection order or Article 65 of the Order, as the case may be.

(**1**) S.I.1995/755 (N.I. 2)

Requirements

2.—(1) This regulation applies while a certificate is in force with respect to a home or a foster parent.

(2) A child may not be provided with a refuge unless it appears to the person providing the refuge that the child is at risk of harm, unless the child is or continues to be provided with a refuge.

(3) As soon as is reasonably practicable after admitting a child to a home for the purpose of providing a refuge or after a foster parent provides a refuge for a child, and in any event within 12 hours of such provision, the person providing the refuge for the child shall—

(a) notify the designated officer that a child has been admitted to the home, or provided with refuge by a foster parent, together with the telephone number by which the person providing the refuge for the child may be contacted;

(b) if he knows the child's name, notify the designated officer of that name; and

(c) if he knows the child's last permanent address, notify the designated officer of that address.

(4) Where subsequently the person providing the refuge discovers the child's name or last permanent address, he shall immediately notify the designated officer accordingly.

(5) As soon as is reasonably practicable after providing the refuge for the child, and in any event within 12 hours of becoming aware of the identity of the responsible person for the child, the person providing the refuge shall notify the designated officer of the name and address of the responsible person.

(6) The requirements of paragraph (7) shall apply where the designated officer has been notified or is otherwise aware—

(a) that a child is being provided with a refuge; and

(b) of the name and address of the responsible person.

(7) The designated officer shall—

(a) inform the responsible person—

(i) that the child is being provided with a refuge, and

(ii) by whom the refuge is being provided;

(b) notify the responsible person of a telephone number by which the person providing the refuge for the child may be contacted; and

(c) not disclose to any person the address of the place at which the refuge is provided.

(8) Where a child ceases to be provided with a refuge, the person who provided him with the refuge shall notify the designated officer.

(9) No child shall be provided with a refuge in any one place for a continuous period of more than 14 days, or for more than 21 days in any period of 3 months.

Withdrawal of a certificate

3.—(1) The Department may withdraw a certificate at any time—

(a) where a person providing a refuge fails to comply with a requirement of regulation 2;

(b) where a person providing a refuge in a home fails to comply with any provision of Part II of the Children's Homes Regulations (Northern Ireland) 1996(**2**);

(c) where a foster parent providing a refuge fails to comply with any provision contained in the agreement relating to him concerning the matters to which paragraphs 3 to 9 of

(**2**) S.R. 1996 No. 479