1975 No. 293

# CHILDREN AND YOUNG PERSONS

## Children and Young Persons (Voluntary Homes) Regulations (Northern Ireland) 1975

*Made* . . . . . *8th October* 1975

*Coming into operation* . . . . *1st December* 1975

The Department of Health and Social Services in exercise of the powers conferred on it by sections 127(2) and 129 of the Children and Young Persons Act (Northern Ireland) 1968(**a**) and now vested in it(**b**) and of all other powers enabling it in that behalf hereby makes the following regulations:

*Citation and commencement*

**1.** These regulations may be cited as the Children and Young Persons (Voluntary Homes) Regulations (Northern Ireland) 1975 and shall come into operation on 1st December 1975.

*Interpretation*

**2.** In these regulations—

"Act" means the Children and Young Persons Act (Northern Ireland) 1968;

"administering authority" means the person or persons carrying on the voluntary home;

"child" means a person under the age of eighteen;

"Department" means the Department of Health and Social Services;

"Fire Authority" means the Fire Authority for Northern Ireland;

"Health and Social Services Board" means such a Board established under the Health and Personal Social Services (Northern Ireland) Order 1972(**c**);

"home" means a voluntary home as defined by section 126 of the Act;

"inspector" means a person authorised by the Department under section 168(1) of the Act;

"school" has the same meaning as in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1972(**d**).

*Application for registration*

**3.**—(1) Subject to paragraph (2) an application for the registration of a voluntary home shall be made as prescribed in Schedule 1.

(2) Any voluntary home registered before these regulations come into operation shall be deemed to have been registered under Part VIII of the Act.

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(**a**) 1968 c. 34 (N.I.)
(**b**) S.R. & O. (N.I.) 1973 No. 504 Article 5(*a*) (II, p. 2992)
(**c**) S.I. 1972 No. 1265 (N.I. 14)
(**d**) S.I. 1972 No. 1263 (N.I. 12)

*General provisions governing the conduct of voluntary homes*

**4.**—(1) The administering authority shall ensure that each home in its charge is conducted in such a manner and on such principles as will further the well-being of the children in the home.

(2) The administering authority shall make arrangements for the home to be visited at least once in every month by a person who shall satisfy himself whether the home is conducted in the interests of the well-being of the children, and shall report to the administering authority upon his visit and shall enter in the record book referred to in Schedule 2 his name and the date of his visit.

*Appointment of person in charge*

**5.**—(1) Subject to paragraph (2) the administering authority shall appoint a person to be in charge of the home.

(2) Any person in charge of a home immediately before these regulations come into operation shall be deemed to have been appointed to be in charge of the home under paragraph (1).

(3) The person in charge of the home shall compile the records referred to in Schedule 2 and shall keep them at all times available for inspection by any inspector appointed by the Department.

(4) The person in charge of the home shall be responsible for the custody of the medical records of each child and shall keep them at all times available to the medical officer or officers appointed by the administering authority under regulation 7 or to any inspector appointed by the Department.

*Change of person in charge*

**6.** The administering authority shall forthwith give notice to the Department when a person in charge of a home ceases to be in charge of that home, and of any new appointment to the position.

*Medical care and hygiene*

**7.**—(1) The administering authority shall appoint a medical officer for each home in its charge.

(2) The duties of the medical officer shall include—

(*a*) the general supervision of the health of the children (excluding dental health);

(*b*) the general supervision of the hygienic condition of the premises;

(*c*) attendance at the home at regular intervals with sufficient frequency to ensure that he is closely acquainted with the health of the children;

(*d*) the medical inspection of the children at regular intervals;

(*e*) the provision of such medical attention as may be necessary;

(*f*) the giving of advice to the person in charge of the home on matters affecting the health of any of the children or the hygienic condition of the premises; and

(*g*) the supervision of the compilation of a medical record for each child in the home containing particulars of the medical history of the child before admission, so far as it is known, of his physical and mental condition on admission, of his medical history while accommodated in the home and of his condition on discharge from the home.

(3) Notwithstanding anything in the preceding provisions of this regulation, the administering authority may appoint more than one medical officer and may divide the preceding duties among them as it sees fit.

*Dental care*

**8.** The administering authority shall make suitable arrangements for the dental care of the children in the home.

*Notification of death, illness or accident*

**9.**—(1) The administering authority shall notify the Department forthwith—

(*a*) of the death of any child in the home and of the relevant circumstances;

(*b*) of any accident in the home resulting in serious injury to a child or a member of the staff;

(*c*) if known to the administering authority, of the death of any child who dies within two months of ceasing to be in the home and of the relevant circumstances so far as they can by reasonable enquiry be ascertained; and

(*d*) of any outbreak among the children in the home under five years of age of infective gastro-enteritis, and of any outbreak of infectious disease among any of the children which in the opinion of the medical officer or other medical practitioner attending the children in the home is sufficiently serious to be so notified.

(2) Where a child dies or contracts an illness or sustains an accident which the medical officer considers to be serious, the administering authority shall notify the circumstances forthwith to—

(*a*) the parent or guardian;

(*b*) the Health and Social Services Board in whose care the child is; and

(*c*) any other person or organisation having accepted responsibility wholly or partly for the maintenance of the child.

*Precautions against fire and accident*

**10.**—(1) The administering authority shall ensure that adequate precautions are taken against fire and accidents and in regard to fire they shall—

(*a*) obtain the advice of the Fire Authority before opening a new home or making any structural alterations to an existing home; and

(*b*) consult the Fire Authority as to the precautions to be taken and arrange for periodic inspections of each home in its charge by the Fire Authority.

(2) The administering authority shall ensure that periodic fire drills and practice are carried out in each home in its charge, so that the staff, and so far as possible the children are well versed in the practice for saving life in case of fire.

(3) The administering authority shall report to the Department forthwith any outbreaks of fire in any home in its charge.

*Religious observance*

**11.** The administering authority shall ensure that so far as is practicable each child in the home attends such religious services and receives such religious instruction as are appropriate to the religious persuasion to which he belongs.