



Children and Families Act 2014

2014 CHAPTER 6

PART 5

WELFARE OF CHILDREN

Regulation of children's homes etc

102 Application of suspension etc powers to establishments and agencies in England

- (1) In section 14A of the Care Standards Act 2000 (power of Welsh Ministers to suspend registration of person in respect of establishment or agency), in subsection (1)—
 - (a) for “Welsh Ministers” substitute “registration authority”, and
 - (b) omit “for which the Welsh Ministers are the registration authority”.
- (2) In subsection (2) of that section, for “Welsh Ministers give” substitute “registration authority gives”.
- (3) In section 15(4A) of that Act (duty of Welsh Ministers to give notice of decision to grant application for cancellation or variation of suspension)—
 - (a) for “Welsh Ministers decide” substitute “registration authority decides”,
 - (b) for “they” substitute “it”, and
 - (c) for “their” substitute “its”.
- (4) In section 20B of that Act (urgent procedure for suspension or variation etc: Wales), in the heading omit “: Wales”.
- (5) In subsection (1) of that section—
 - (a) in paragraph (a) omit “for which the Welsh Ministers are the registration authority”, and
 - (b) in paragraph (b)—
 - (i) for “Welsh Ministers have” substitute “registration authority has”, and
 - (ii) for “they act” substitute “it acts”.

(6) In subsection (2) of that section, for “Welsh Ministers” in both places substitute “registration authority”.

(7) In subsection (4)(b) of that section, for “Welsh Ministers” substitute “registration authority’s”.

103 Objectives and standards for establishments and agencies in England

(1) In section 22 of the Care Standards Act 2000 (regulation of establishments and agencies), in subsection (1), for the words from “may in particular” to the end substitute “—

- (a) regulations made by the Secretary of State may in particular make any provision such as is mentioned in subsection (1A), (2), (7) or (8), and
- (b) regulations made by the Welsh Ministers may in particular make any provision such as is mentioned in subsection (2), (7) or (8).”

(2) In that section, after subsection (1) insert—

“(1A) Regulations made by the Secretary of State may prescribe objectives and standards which must be met in relation to an establishment or agency for which the CIECSS is the registration authority.”

104 National minimum standards for establishments and agencies in England

In section 23 of the Care Standards Act 2000 (national minimum standards), after subsection (1) insert—

“(1A) The standards applicable to an establishment or agency for which the CIECSS is the registration authority may, in particular, explain or supplement requirements imposed in relation to that establishment or agency by regulations under section 22.”

105 Disqualification from carrying on, or being employed in, a children’s home

(1) Section 65 of the Children Act 1989 (person disqualified from fostering a child privately to be disqualified from carrying on etc children’s home) is amended as follows.

(2) Before subsection (1) insert—

“(A1) A person (“P”) who is disqualified (under section 68) from fostering a child privately must not carry on, or be otherwise concerned in the management of, or have any financial interest in, a children’s home in England unless—

- (a) P has, within the period of 28 days beginning with the day on which P became aware of P’s disqualification, disclosed to the appropriate authority the fact that P is so disqualified, and
- (b) P has obtained the appropriate authority’s written consent.

(A2) A person (“E”) must not employ a person (“P”) who is so disqualified in a children’s home in England unless—

- (a) E has, within the period of 28 days beginning with the day on which E became aware of P’s disqualification, disclosed to the appropriate authority the fact that P is so disqualified, and

Status: This is the original version (as it was originally enacted).

- (b) E has obtained the appropriate authority’s written consent.”
- (3) In subsection (1), after “children’s home” insert “in Wales”.
- (4) In subsection (2), after “children’s home” insert “in Wales”.
- (5) In subsection (4), after “subsection” insert “(A1), (A2),”.
- (6) In subsection (5), after “subsection” insert “(A2) or”.