

Children and Young Persons (Care and Protection) Regulation 2000

[2000-697]

Status Information

Currency of version

This is the latest version of this legislation.

Legislation on this site is usually updated within 5 working days after a change to the legislation.

This version was last updated on 15 July 2003.

This version relates to the period commencing on 15 July 2003 to date.

Act under which legislation made

This legislation was made under the Children and Young Persons (Care and Protection) Act 1998

Date made

8 December 2000

Schedule 2 Code of Conduct for Authorised Carers

(Clause 23)

1 The home (15 July 2003)

An authorised carer must ensure that the home where the child or young person will reside in out-of-home care is kept safe, clean and in good repair and is properly ventilated, lit and heated.

2 Furniture, furnishings and equipment (15 July 2003)

The home must have:

- (a) adequate furniture, furnishings and equipment for use by the children or young persons who reside at the home, having regard to their ages and physical and intellectual development, and
- (b) adequate facilities for the preparation, refrigeration and hygienic storage of food and refreshments, and
- (c) adequate facilities for the storage of equipment and bedding and for the safe keeping of the children's outdoor clothes and other personal belongings, and
- (d) sufficient equipment suitable for the indoor and outdoor recreational needs of the children, having regard to their ages and physical and intellectual development, and
- (e) access to a telephone.

3 Swimming pools (15 July 2003)

Any swimming pool at the home must be adequately fenced in accordance with the *Swimming Pools Act 1992*.

4 Care of children and young persons (15 July 2003)

The authorised carer must, in relation to each child or young person in out-of-home care, ensure that:

- (a) the health, education, safety, welfare, well-being and progress of the child or young person are promoted, and
- (b) the child or young person is encouraged to participate, as far as is reasonably practicable, in the ordinary life of the community, and
- (c) the observance by the child or young person of his or her religion (if any) and the preservation of the child's or young person's cultural identity are encouraged, and
- (d) the same standards of care and discipline are applied to all children and young people

residing in the home, and

(e) the child or young person is encouraged to maintain a connection with birth and extended family members and other significant people, as far as it is reasonably practicable and safe to do so.

5 Bedrooms (15 July 2003)

The authorised carer:

(a) must provide adequate sleeping accommodation for each child or young person who resides in out-of-home care, and

(b) must ensure that sleeping accommodation that is provided for a child or young person in out-of-home care is appropriate for the age of the child or young person and takes into account the child's or young person's requirements for privacy, and

(c) must ensure that:

(i) each such child or young person is provided with a separate bed or cot, equipped with a clean and comfortable mattress and bed clothing that is appropriate to the climate, and

(ii) adequate facilities are provided for storage of each such child's or young person's clothing and personal belongings.

(iii) linen on each such child's or young person's bed or cot is changed weekly (or more frequently if necessary), and

6 Study (15 July 2003)

The authorised carer must ensure that each child or young person who is in out-of-home care and who is attending school or undertaking studies is provided with facilities for quiet study that are adequate, having regard to the age of the child or young person.

7 Health and medical attention (15 July 2003)

(1) The authorised carer must ensure that each child or young person in out-of-home care is supplied with such medical and dental treatment as is necessary.

(2) The authorised carer must, as soon as practicable (and, in any case, within 24 hours) after a child or young person who is in out-of-home care is admitted to hospital, cause notice of that fact to be given to:

(a) each person who has parental responsibility for the child or young person who can reasonably be located, and

(b) the principal officer of the designated agency having supervisory responsibility for the child or young person.

(3) If a medical practitioner recommends to the authorised carer that the care or treatment of a child or young person in out-of-home care should be varied for reasons of health, the carer must use his or her best endeavours to give effect to the medical practitioner's recommendation.

8 Children and young persons not to perform unreasonable duties (15 July 2003)

An authorised carer must not require a child or young person in out-of-home care to perform duties that are unreasonable, having regard to the child's or young person's age and physical and intellectual development.

9 Discipline of children and young persons (15 July 2003)

An authorised carer:

(a) must not physically coerce or physically punish a child or young person, and

(b) must, in any event, comply with the behaviour management policy of the designated agency.

10 Animals (15 July 2003)

The designated agency must ensure that any animal kept in the home is kept clean and well-cared for.

11 Discharge of children and young persons (15 July 2003)

An authorised carer in whose care a child or young person has been placed must not discharge

the child or young person into the care of any other person, otherwise than:

(a) into the care of:

(i) a member of staff of the designated agency having supervisory responsibility for the child or young person, or

(ii) a person who has parental responsibility for the child or young person, or

(b) with the written consent of the Director-General or the principal officer of the designated agency having supervisory responsibility for the child or young person, or

(c) pursuant to an order of a court having jurisdiction to make orders with respect to parental responsibility for children or young persons.