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STATUTORY INSTRUMENTS

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**1995 No. 755**

**The Children (Northern Ireland) Order 1995**

**PART IV**

**SUPPORT FOR CHILDREN AND THEIR FAMILIES**

*Children looked after by an authority*

**Accommodation and maintenance for children**

- 27.**—(1) Every authority looking after a child shall—
- (a) when he is in the care of the authority, provide accommodation for him; and
  - (b) maintain him in other respects apart from providing accommodation for him.
- (2) An authority shall provide accommodation and maintenance for any child whom it is looking after by—
- (a) placing him (subject to paragraph (5) and any regulations made by the Department) with—
    - (i) a family;
    - (ii) a relative of his; or
    - (iii) any other suitable person,on such terms as to payment by the authority and otherwise as the authority may determine;
  - (b) maintaining him in a home provided under Part VII;
  - (c) maintaining him in a voluntary home;
  - (d) maintaining him in a registered children's home;
  - (e) maintaining him in a home or institution provided by a government department or a prescribed public body; or
  - (f) making such other arrangements as—
    - (i) seem appropriate to the authority; and
    - (ii) comply with any regulations made by the Department.
- (3) Any person with whom a child has been placed under paragraph (2)(a) is referred to in this Order as an authority foster parent unless he falls within paragraph (4).
- (4) A person falls within this paragraph if he is—
- (a) a parent of the child;
  - (b) a person who is not a parent of the child but who has parental responsibility for him; or
  - (c) where the child is in care and there was a residence order in force with respect to him immediately before the care order was made, a person in whose favour the residence order was made.

(5) Where a child is in the care of an authority, it may only allow him to live with a person who falls within paragraph (4) in accordance with regulations made by the Department.

(6) For the purposes of paragraph (5) a child shall be regarded as living with a person if he stays with that person for a continuous period of more than 24 hours.

(7) Subject to any regulations made by the Department for the purposes of this paragraph, any authority looking after a child shall make arrangements to enable him to live with—

- (a) a person falling within paragraph (4); or
- (b) a relative, friend or other person connected with him,

unless that would not be reasonably practicable or consistent with his welfare.

(8) Where an authority provides accommodation for a child whom it is looking after, the authority shall, subject to the provisions of this Part and so far as is reasonably practicable and consistent with his welfare, secure that—

- (a) the accommodation is near his home; and
- (b) where the authority is also providing accommodation for a sibling of his, they are accommodated together.

(9) Where an authority provides accommodation for a child whom it is looking after and who is disabled, the authority shall, so far as is reasonably practicable, secure that the accommodation is not unsuitable to his particular needs.