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STATUTORY INSTRUMENTS

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**2013 No. 1394**

**The Residential Holiday Schemes for Disabled Children (England) Regulations 2013**

**PART 3**

**Conduct of Holiday Schemes for Disabled Children**

**CHAPTER 2**

*Staffing*

**Staffing of holiday schemes for disabled children**

**21.**—(1) The registered person must ensure that, at all times, having regard to—

- (a) the size of the scheme, its statement of purpose, and the number and needs of the children accommodated; and
- (b) the need to safeguard and promote the health and welfare of those children,

there is a sufficient number of suitably competent, experienced and trained employees.

(2) Where the scheme provides care and accommodation at more than one site, the registered person must be able to—

- (a) provide support on a daily basis at any site; and
- (b) attend each site in person.

**Fitness of employees**

**22.**—(1) A person may only be employed if that person is fit to be so.

(2) For the purposes of paragraph (1), a person is not fit to be employed unless—

- (a) that person is of integrity and good character;
- (b) that person has the experience, skills and training necessary for the work which is to be performed;
- (c) that person is mentally and physically fit for the purposes of the work to be performed; and
- (d) subject to paragraph (3), the information in relation to that person in respect of each of the matters in Schedule 2 is available to the registered person and, on the basis of that information, the registered person is satisfied that there is no reason why that person should not be employed.

(3) The registered person may permit a person to start working as an employee where—

- (a) the registered person has taken reasonable steps to obtain the information in respect of each of the matters in Schedule 2 in respect of that person, but the enquiries in relation to the matters in paragraphs 3 and 4 of Schedule 2 are incomplete;

- (b) the information in relation to that person in respect of each of the matters in paragraphs 1 and 2 of Schedule 2 is available to the registered person and, on the basis of that information, the registered person is satisfied that there is no reason why that person should not start working as an employee;
  - (c) the registered person considers that the circumstances are exceptional; and
  - (d) pending receipt of any outstanding information, the registered person ensures that that person is appropriately supervised while that person is carrying out their duties.
- (4) The registered person must take reasonable steps to ensure that any person who—
- (a) is working at premises or a site used by the scheme to provide care and accommodation but who is not an employee; and
  - (b) does not have regular contact with children accommodated by the scheme in the course of carrying out their duties,
- is appropriately supervised while carrying out those duties.

### **Employment of staff**

- 23.** The registered person must—
- (a) provide all employees with a job description outlining their responsibilities;
  - (b) operate a disciplinary procedure with respect to employees; and
  - (c) ensure that all employees receive appropriate supervision and training.