
STATUTORY INSTRUMENTS

2013 No. 1394

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

PART 4

Premises

Fitness of premises used to provide care and accommodation by the scheme

27.—(1) The registered person must not provide accommodation unless it is in a location, and of a layout and physical design, which is suitable for the purpose of achieving the aims and objectives in the scheme's statement of purpose.

(2) The registered person must ensure that all premises or sites used by the scheme to provide care and accommodation for children are—

- (a) secure from unauthorised access;
- (b) of sound construction and kept in good structural repair externally and internally;
- (c) suitably furnished with adequate communal, living and storage space to meet the needs of the children accommodated;
- (d) equipped with what is reasonably necessary, and adapted as necessary, in order to meet the needs of the children accommodated;
- (e) equipped with suitable accommodation and facilities, in particular—
 - (i) kitchen, laundry and washing facilities for use by employees and, where appropriate, by the children accommodated by the scheme; and
 - (ii) sleeping accommodation for each child accommodated by the scheme which, having regard to the child's need for privacy, is appropriate for the child's needs.

(3) The registered person must ensure that no child accommodated by the scheme shares a bedroom with an adult or, except in the case of siblings, a child who is of the opposite sex.

(4) Paragraph 3 of this regulation does not apply where—

- (a) a placing authority has agreed in writing to an adult being present in the child's bedroom at the times specified in that agreement;
- (b) the adult present in the child's bedroom at the times specified in the agreement is to be an employee; and
- (c) the registered person—
 - (i) has medical evidence demonstrating that the child's needs require the presence or supervision of an adult in the child's bedroom at the times specified in the agreement;
 - (ii) is satisfied that the child's needs require the presence or supervision of an adult in the child's bedroom at the times specified in the agreement; or

- (iii) produces a signed, written assessment demonstrating that the child would face a significant risk of harm without the presence or supervision of an adult at the times specified in the agreement.
- (5) Where the registered person is satisfied that—
 - (a) a child’s needs require the presence or supervision of an adult in the child’s bedroom at any time; and
 - (b) the requirements of sub-paragraphs (4)(a) and (b) cannot be met before that time, paragraph (3) does not apply but the registered person must comply with sub-paragraphs (4)(a) and (b) without delay.
- (6) The registered person must supply a copy of an assessment produced pursuant to paragraph (4)(c)(iii) to HMCI at HMCI’s request.