

SCHEDULE 9

Regulation 38

Amendment of the Care Standards Act 2000 (Registration) (England) Regulations 2010

1. Except in the following provisions—

- (a) regulation 8(e);
- (b) paragraphs 5 to 7, 9 and 16 of Schedule 1;
- (c) paragraph 8 of Schedule 3;
- (d) paragraphs 3 and 4 of Schedule 5,

for “establishment or agency”, wherever the words occur, substitute “establishment, agency or holiday scheme for disabled children”.

2. In regulation 2(1) (interpretation)—

- (a) in the definition of “the Act”, after “2000” insert “and, with respect to holiday schemes for disabled children, means that Act as applied by the Care Standards Act 2000 (Extension of the Application of Part 2 to Holiday Schemes for Disabled Children) (England) Regulations 2013 and the Residential Holiday Schemes for Disabled Children (England) Regulations 2013”;
- (b) in the definition of “behaviour management policy”, after “Children’s Homes Regulations 2001” insert “or, in the case of a holiday scheme for disabled children, by the Residential Holiday Schemes for Disabled Children (England) Regulations 2013”;
- (c) after the definition of “holding company” insert—
 - ““holiday scheme for disabled children” has the meaning given to it by the Residential Holiday Schemes for Disabled Children (England) Regulations 2013;”;
- (d) in the definition of “service user”, after “or by an agency” insert “or holiday scheme for disabled children”;
- (e) in the definition of “statement of purpose”, after sub-paragraph (e) insert—
 - “(f) in relation to a holiday scheme for disabled children, the written statement required in relation to the scheme in accordance with regulation 3 of the Residential Holiday Schemes for Disabled Children (England) Regulations 2013;”

3. Except in regulation 7(5), after “in respect of a children’s home”, wherever the words occur, insert “or holiday scheme for disabled children”.

4. After “premises to be used by an establishment”, in both places where the words occur, insert “or for the purposes of providing accommodation by a holiday scheme for disabled children”.

5. Except in regulation 13(4)(b) and (d)(iii), after “by the agency”, wherever the words occur, insert “or holiday scheme for disabled children”.

6. In regulation 3 (information and documents to be provided by an applicant)—

- (a) in paragraphs (2) and (4), for “paragraph (5)” substitute “paragraphs (2A) and (5)”;
- (b) after paragraph (2) insert—

“(2A) Where a person seeking to be registered as a person carrying on a holiday scheme for disabled children is unable to provide the full information in respect of any of the matters set out in—

- (a) paragraphs 9A, 10, 13, 14, 15 or 17 of Schedule 1;
- (b) paragraphs 1, 3 or 5 of Schedule 4,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

that person must provide such information or documents as are available and required by those provisions at the time of the application.”.

7. In regulation 6 (information as to staff engaged after application made) and after the first occurrence of the words in paragraph 19 of Schedule 1, after “for the purposes of the agency” insert “or holiday scheme for disabled children”.

8. In regulation 7(1) (registers)—

- (a) omit—
 - (i) “establishments and agencies”;
 - (ii) in sub-paragraph (d), “and”;
- (b) after “agencies” in sub-paragraph (e) insert—
 - “(f) holiday schemes for disabled children”.

9. In regulation 8 (contents of certificate)—

- (a) in paragraph (e), after “Act” insert “or the description of the holiday scheme for disabled children”;
- (b) after “the agency” in paragraph (k) insert—
 - “(l) in the case of a holiday scheme for disabled children, the address of the principal office used to carry out the administration of the scheme, if different from the address at paragraph (b)”.

10. In regulation 10(3)(c)(i) (application for variation or removal of a condition) after “for the purposes of an agency” insert “or for the purposes of the provision of accommodation by a holiday scheme for disabled children”.

11. In regulation 13(4) (application for cancellation of registration)—

- (a) in sub-paragraph (d)(iii), after “situated”; and
- (b) in sub-paragraph (e)(iii), after “local authority”,

insert “or, in the case of a holiday scheme for disabled children, the local authority where the principal office used to carry out the administration of the scheme is located”.

12. In Schedule 1 (information to be supplied on an application for registration as a person who carries on an establishment or agency)—

- (a) in paragraph 5, after “agency” insert “or of the principal office used to carry out the administration of the holiday scheme for disabled children”;
- (b) in paragraph 6, after “more than one site” insert “, or where the holiday scheme for disabled children provides accommodation at more than one site,”;
- (c) in paragraph 7, after “the Act”, insert “or the description of the holiday scheme for disabled children”;
- (d) after paragraph 9, insert—

“9A. A statement as to the care and accommodation which are to be provided by the holiday scheme for disabled children and, if accommodation is to be provided at more than one site, a statement in respect of each site.”;

- (e) in paragraph 10, after “sites” insert “and, in relation to a holiday scheme for disabled children, details of any travel arrangements between sites used by the scheme to provide care and accommodation to children”;
- (f) in paragraph 13—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (i) in sub-paragraph (a), after “establishment” insert “or for the purposes of providing accommodation by a holiday scheme for disabled children”;
- (ii) in sub-paragraph (b), after “located” insert—
 - “(c) in respect of a holiday scheme for disabled children, the dates on which the scheme will be providing care and accommodation for children in those premises”;
- (g) in paragraph 14(b), for “paragraph 9” substitute “paragraphs 9 or, as the case may be, 9A”;
- (h) in paragraph 16, after “the Act” insert “or any other holiday scheme for disabled children”;
- (i) in paragraph 18, after “establishment” insert “or in premises used to provide accommodation by the holiday scheme for disabled children”;
- (j) in paragraphs 19(a) and 20, after “resident in the premises used” insert “to provide accommodation by the holiday scheme for disabled children or used”.

13. In paragraph 8 of Schedule 3 (information and documents to be supplied on an application for registration as the manager of an establishment or agency) after “agency” insert “or, in relation to a holiday scheme for disabled children, of the principal office used to carry out the administration of the scheme”.

14. In Schedule 4 (information to be supplied on an application for registration in respect of a children’s home)—

- (a) in paragraph 1, after “children’s home” insert “or holiday scheme for disabled children”;
- (b) in paragraph 3, after “children’s home” insert “or by the holiday scheme for disabled children”;
- (c) in paragraph 6, after “observance” insert “in the children’s home”;
- (d) in paragraph 8, after “children’s home” insert “or from any premises used by the holiday scheme for disabled children to provide accommodation for disabled children”;
- (e) in paragraph 9, after “children’s home” insert “or accommodated by the holiday scheme for disabled children”;
- (f) in paragraphs 10 and 11, after “accommodated” insert “in the children’s home”;
- (g) in paragraph 13, after “guide” insert “of the children’s home”.

15. In paragraph 3 of Schedule 5 (particulars to be recorded in the registers kept by the CI), after “establishment or agency” insert “or of the principal office used to carry out the administration of the holiday scheme for disabled children”.