

## SCHEDULE 1

Regulation 3

### Matters to be included in the statement of purpose

1. A statement of the overall aims of the scheme, and the objectives to be attained with regard to children provided with accommodation by the scheme.
2. A statement of the facilities and services to be provided for children accommodated by the scheme.
3. The name and business address of the registered provider and, if different, the registered manager.
4. The relevant experience and qualifications of the registered provider and, if different, the registered manager.
5. The experience, number and relevant qualifications of employees and, if the employees are all of one sex, a description of the means by which the scheme is to promote appropriate role models of both sexes.
6. The arrangements for the development, supervision and training of employees.
7. The age range, numbers, range of needs and sex of children for whom it is intended that the scheme is to provide accommodation.
8. A description of the scheme's underlying ethos and philosophy and, where this is based on a theoretical or therapeutic model, a description of that model.
9. The arrangements made to protect and promote the health and welfare of children accommodated by the scheme.
10. The arrangements made for promoting appropriate behaviour, and for the control, discipline and restraint of children accommodated by the scheme.
11. The arrangements made for child protection and to counter bullying.
12. The arrangements made for dealing with an incident where a child goes missing from premises or sites used by the scheme to accommodate children.
13. A description of any electronic or mechanical means of surveillance of children which may be used in premises or sites used by the scheme to accommodate children.
14. The fire precautions and associated emergency procedures in place in accommodation for children provided by the scheme.
15. The arrangements for contact between children accommodated by the scheme and their parents.
16. The arrangements for dealing with complaints.
17. The type of accommodation, including the sleeping accommodation, provided, and, where applicable, how children are to be grouped, and in what circumstances they are to share bedrooms.
18. The address, telephone number and such other contact details as the registered person considers necessary for each site at which the registered provider intends to provide accommodation.

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## SCHEDULE 2

Regulations 5, 7, 22

Information required in respect of persons seeking to carry on, manage or be employed to work at a scheme

1. Proof of identity, including a recent photograph.
2. Either—
  - (a) where the certificate is required for a purpose related to registration under Part 2 of the Act or the position falls within regulation 5A of the Police Act 1997 (Criminal Records) Regulations 2002(1), an enhanced criminal record certificate issued under section 113B of the Police Act 1997(2) which includes suitability information relating to children (within the meaning of section 113BA(2)(3) of that Act) and, where applicable, suitability information relating to vulnerable adults (within the meaning of section 113BB(2)(4) of that Act); or
  - (b) in any other case, a criminal record certificate issued under section 113A(5) of the Police Act 1997.
3. Two written references, including a reference from the person's most recent employer, if any.
4. Documentary evidence of any relevant qualifications.

## SCHEDULE 3

Regulation 24

Information to be included in the case records of children accommodated by the scheme

1. The child's name and any name by which the child has previously been known, other than a name used by the child prior to adoption.
2. The child's date of birth and sex.
3. A description of the child's cultural and linguistic background and racial origin.
4. The name, address and telephone number of the child's placing authority.
5. The circumstances and date of use of a measure of control, discipline or restraint used in relation to the child.
6. Any special dietary or health need of the child.
7. A copy of any plan for the care of the child prepared by the placing authority.
8. The name, address and telephone number of the general medical practitioner with whom the child is a registered patient and the child's registered dental practitioner.

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- (1) [S.I. 2002/233](#). Regulation 5A of [S.I. 2002/233](#) was inserted by [S.I. 2006/748](#) and was amended by [S.I. 2008/2143](#), [S.I. 2009/1882](#), [S.I. 2010/817](#), [S.I. 2012/2114](#) and [S.I. 2012/3006](#). There are other amendments to regulation 5A of [S.I. 2002/233](#), but none are relevant to these Regulations.
  - (2) [1997 c.50](#) ("the 1997 Act"). Section 113B of the 1997 Act was inserted by section 163(2) of the Serious Organised Crime and Police Act 2005 ([2005 c.15](#), "the 2005 Act"). Section 113B of the 1997 Act was amended by sections 79, 80, 82 and 115 of, and Schedules 9 and 10 to, the Protection of Freedoms Act 2012 ([2012 c.9](#), "the 2012 Act") and by [S.I. 2012/3006](#). There are other amendments to section 113B of the 1997 Act, but none are relevant to these Regulations.
  - (3) Section 113BA of the 1997 Act was inserted, in relation to England, Wales and Northern Ireland, by section 63(1) of, and paragraph 14 of Schedule 9 to, the Safeguarding Vulnerable Groups Act 2006 ([2006 c.47](#), "the 2006 Act").
  - (4) Section 113BB of the 1997 Act was inserted by section 63(1) of, and paragraph 14 of Schedule 9 to, the 2006 Act.
  - (5) Section 113A of the 1997 Act was inserted by section 163(2) of the 2005 Act. Section 113A of the 1997 Act was amended by sections 79, 80 and 115 of, and Schedules 9 and 10 to, the 2012 Act and by [S.I. 2012/3006](#). There are other amendments to section 113A of the 1997 Act, but none are relevant to these Regulations.

**9.** Details of any accident or serious illness involving the child while accommodated by the scheme and details of any incident where the child went missing.

**10.** Details of any allergy, immunisation or medical examination of the child and of any dental or medical need or treatment of the child.

**11.** Details of any medicines kept for the child in premises or sites used to provide accommodation by the scheme, including any medicines which the child is permitted to administer without assistance, and details of the administration of any medicine to the child.

**12.** The dates on which any money or valuables are deposited by or on behalf of the child for safekeeping, and the dates on which any money is withdrawn or any valuables are returned.

#### SCHEDULE 4

Regulation 25

##### Other records to be kept by schemes

- 1.** A record showing in respect of each employee, the person's—
  - (a) full name;
  - (b) sex;
  - (c) date of birth;
  - (d) address of employment;
  - (e) experience of, and qualifications relevant to, work involving children.
- 2.** A record of accidents occurring at premises or sites used by the scheme to provide accommodation for children.
- 3.** A record of the administration of any medicine to a child accommodated by the scheme, including the receipt of any medicine by or in relation to that child and the disposal of any such medicine.
- 4.** A record of every fire drill or fire alarm test conducted in premises or sites used by the scheme to provide accommodation for children, with details of any deficiency in either the procedure or the equipment concerned, together with details of the steps taken to remedy that deficiency.
- 5.** Records of all accounts kept by the scheme.
- 6.** A copy of the staff duty roster of employees and a record of the actual rosters worked.
- 7.** A record of visitors to premises or sites used by the scheme to accommodate children, including visitors to children accommodated.
- 8.** Written records of any allegation of abuse or neglect in relation to a child accommodated by the scheme, and of the action taken in response to any such allegation.

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## SCHEDULE 5

Regulation 26

## Events and Notifications

<i>Column 1</i>	<i>Column 2</i>				
<i>Event:</i>	<i>To be notified:</i>				
	HMCI	Placing authority	Secretary of State	Local authority (of the area in which the child ordinarily resides), if different from the placing authority	Police
Death of a child accommodated by the scheme	Yes	Yes	Yes	Yes	
Referral of an employee pursuant to section 35 of the Safeguarding Vulnerable Groups Act 2006 <sup>(6)</sup>	Yes	Yes			
Serious illness or serious accident sustained by a child accommodated by the scheme	Yes	Yes		Yes	
Outbreak of any infectious disease which, in the opinion of a registered medical practitioner attending children accommodated by the scheme, is sufficiently serious to be notified	Yes	Yes		Yes	
Allegation that a child accommodated by the scheme		Yes			Yes

(6) Section 35 of the 2006 Act was amended by section 115 of, and Schedule 9 to, the 2012 Act and by [S.I. 2012/3006](#).

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Column 1	Column 2				
Event:	To be notified:				
	HMCI	Placing authority	Secretary of State	Local authority (of the area in which the child ordinarily resides), if different from the placing authority	Police
has committed a serious offence					
Involvement or suspected involvement of a child accommodated by the scheme in sexual exploitation	Yes	Yes		Yes	Yes
Serious incident necessitating calling the police to the scheme	Yes	Yes			
A child accommodated by the scheme goes missing		Yes			
Any serious complaint about the scheme or an employee	Yes	Yes			
Instigation and outcome of a child protection enquiry in relation to a child accommodated by the scheme	Yes	Yes			

## SCHEDULE 6

Regulation 30

Matters to be monitored by the registered person

1. The deposit and issue of money and other valuables handed in for safekeeping.
2. Accidents involving, and injuries to, persons in premises or sites used by the scheme to accommodate children.
3. Illnesses of children accommodated by the scheme.

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4. Complaints in relation to children accommodated by the scheme and the outcomes of those complaints.
5. Allegations or suspicions of abuse in respect of children accommodated by the scheme and the outcome of any related investigation.
6. Visitors to premises or sites used by the scheme to accommodate children, including visitors to children accommodated.
7. Notifications of the events in Schedule 5.
8. The use of measures of control, discipline and restraint in respect of children accommodated by the scheme.
9. Risk assessments for health and safety purposes and subsequent action taken.
10. First aid, medical treatment or medicines administered to a child accommodated by the scheme.
11. Fire drills and tests of alarms and of fire equipment.

## SCHEDULE 7

Regulation 35

### Application of Part 2 of the Care Standards Act 2000 to persons carrying on or managing a scheme

1. Section 11 (requirement to register) applies as if—
  - (a) in subsection (1)—
    - (i) after “description”, on the first occasion where the word occurs, there were inserted “or a holiday scheme for disabled children”;
    - (ii) after “description”, on the second occasion where the word occurs, there were inserted “or as a holiday scheme for disabled children”;
  - (b) in subsection (6)(a)—
    - (i) for “or agency” there were substituted “, agency or holiday scheme for disabled children”;
    - (ii) “or” at the end of the paragraph were omitted;
  - (c) for subsection (6)(b) there were substituted—
    - “(b) in the case of a conviction in relation to an establishment or agency, the conviction is a second or subsequent conviction of the offence and the earlier conviction, or one of the earlier convictions, was of an offence in relation to an establishment or agency of the same description; or
    - (c) in the case of a conviction in relation to a holiday scheme for disabled children, the conviction is a second or subsequent conviction of the offence.”.
2. Section 12 (applications for registration) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.
3. Section 13 (grant or refusal of registration) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

4. Section 14(7) (cancellation of registration) applies as if in paragraphs (b), (c) and (ca)(i) of subsection (1) for “or agency” there were substituted “, agency or holiday scheme for disabled children”.

5. Section 17(8) (notice of proposals) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

6. Section 19(9) (notice of decisions) applies as if for “or agency” there were substituted “, agency or holiday scheme for disabled children”.

7. Section 20(10) (urgent procedure for cancellation etc.) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

8. Section 21(11) (appeals to the tribunal) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

9. Section 22A(12) (power of CIECSS to serve notice where person is failing to comply with regulations) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

10. Section 22B(13) (notice restricting accommodation at certain establishments) applies as if—

- (a) in subsections (1) to (7), after “establishment”, in each place where the word occurs, there were inserted “or holiday scheme for disabled children”;
- (b) in subsection (8), after “This section applies to” there were inserted “holiday schemes for disabled children and to”.

11. Section 24 (failure to comply with conditions) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

12. Section 24A(14) (offences relating to suspension) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

13. Section 26(15) (false descriptions of establishments and agencies) applies as if—

- (a) in subsection (1), after “description”, in each place where the word occurs, there were inserted “or a holiday scheme for disabled children”;
- (b) in subsection (3), for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

14. Section 28 (failure to display certificate of registration) applies as if—

- (a) for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”;
- (b) after “at the agency” there were inserted “or in the principal office used to carry out the administration of the holiday scheme for disabled children”.

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(7) Section 14(1)(ca) of the Act was inserted by section 26(1) of the CYPA 2008.

(8) Section 17(4) of the Act was amended by section 95 of, and paragraphs 1 and 16 of Schedule 5 to, the Health and Social Care Act 2008 (2008 c.14, “the 2008 Act”).

(9) Section 19(4) of the Act was amended by section 95 of, and paragraphs 1 and 17 of Schedule 5 to, the 2008 Act.

(10) Section 20 of the Act was amended by section 95 of, and paragraphs 1 and 18 of Schedule 5 to, the 2008 Act.

(11) Section 21 of the Act was amended by sections 95 and 166 of, and Schedules 5 and 15 to, the 2008 Act, and by sections 28 and 42 of, and Schedule 4 to, the CYPA 2008.

(12) Section 22A of the Act was inserted by section 26(2) of the CYPA 2008.

(13) Section 22B of the Act was inserted by section 27 of the CYPA 2008.

(14) Section 24A of the Act was inserted by section 95 of, and paragraphs 1 and 22 of Schedule 5 to, the 2008 Act.

(15) Section 26 of the Act was amended by section 95 of, and paragraphs 1 and 23 of Schedule 5 to, the 2008 Act.

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- 15.** Section 30A(2)(a), (aa) and (b)(**16**) (notification of matters relating to persons carrying on or managing certain establishments or agencies) apply as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.
- 16.** Section 31(**17**) (inspections by persons authorised by registration authority) applies as if—
- in subsections (1), (3)(c) and (4)(a), for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”;
  - in subsection (2), after “agency” there were inserted “or holiday scheme for disabled children”;
  - in subsection (3)(e), after “there” there were inserted “, or in the case of a holiday scheme for disabled children, any person provided with care or support under such a scheme.”;
  - in subsection (5), after “establishment” there were inserted “or for the purposes of the holiday scheme for disabled children”.
- 17.** Section 32(**18**) (inspections: supplementary) applies as if—
- for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”;
  - in subsection (5), after “of an agency” there were inserted “or holiday scheme for disabled children”.
- 18.** Section 37 (service of documents) applies as if for “or agency”—
- in subsection (1), and for the first occurrence of the words in subsection (2), there were substituted “, agency or holiday scheme for disabled children”;
  - in subsection (2), for the second occurrence of the words, there were substituted “, agency or the premises from which the holiday scheme for disabled children is carried on”.

## SCHEDULE 8

Regulation 37

### Amendment of the Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (Fees and Frequency of Inspections) (Children’s Homes etc.) Regulations 2007

- In regulation 2 (interpretation)—
  - after the definition of “existing provider” insert—
 

““holiday scheme for disabled children” has the same meaning as in the Care Standards Act 2000 (Extension of the Application of Part 2 to Holiday Schemes for Disabled Children) (England) Regulations 2013;”;
  - in the definition of “registered provider”, for “or agency”, in each place where the words occur, substitute “, agency or holiday scheme for disabled children”.
- After regulation 7 (fostering agencies) insert—

(16) Section 30A of the Act was inserted by section 29 of the CYPA 2008. Section 30A(2)(aa) was inserted by section 95 of, and paragraphs 1 and 26 of Schedule 5 to, the 2008 Act.

(17) Section 31 of the Act was amended by section 108 of the 2003 Act. There are other amendments but none are relevant to these Regulations.

(18) Section 32(8) of the Act was repealed by section 196 of, and Schedule 14 to, the 2003 Act.



**“Holiday schemes for disabled children**

**7A.**—(1) For the purposes of section 12(2) of the 2000 Act, the fee to accompany an application by a person seeking to be registered under Part 2 of the 2000 Act as the person who carries on a holiday scheme for disabled children shall be £596.

(2) For the purposes of section 12(2) of the 2000 Act, the fee to accompany an application by a person seeking to be registered under Part 2 of the 2000 Act as the person who manages a holiday scheme for disabled children shall be £596.”.

3. After regulation 17 (children’s homes etc) insert—

**“Holiday schemes for disabled children**

**17A.** The registered provider in respect of a holiday scheme for disabled children shall pay an annual fee of £2176.”.

4. In regulation 19(1)(c) (frequency of inspections), after “period” insert—

“(d) for the purposes of a holiday scheme for disabled children, at least once in every 12 month period”.

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

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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,

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—

(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”.

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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”.

## SCHEDULE 10

Regulation 39

### Transitional Provisions

1. In this Schedule, “registered manager” and “registered provider”, in relation to a children’s home, have the meaning given in regulation 2 (interpretation) of the Children’s Homes Regulations 2001.

2. This paragraph applies where, immediately before 1st July 2013, a person was—

- (a) a registered provider; or
- (b) a registered manager,

in respect of a children’s home that satisfied the definition of a scheme and was carried on solely as such.

3. Where paragraph 2(a) applies, the person who was a registered provider in respect of the children’s home may carry on the scheme as if it were a children’s home under Part 2 of the Act until 31st December 2013 if—

- (a) that person notifies HMCI in writing of—
  - (i) their wish to cancel their registration in respect of the home and instead to be registered in respect of a scheme under Part 2 of the Act;
  - (ii) the address at which the scheme is to provide accommodation for children or, if accommodation is to be provided at more than one site, the address of each site;
  - (iii) the dates, in respect of each site, during which the scheme is to provide that accommodation;
  - (iv) their agreement to notify HMCI in writing, without delay, of any change to the information in sub-paragraphs (ii) or (iii); and
- (b) HMCI receives that notification before 1st August 2013.

4. This paragraph applies where—

- (a) paragraph 2(b) applies; and
- (b) HMCI receives a notification in accordance with paragraph 3.

5. Where paragraph 4 applies, the person who was a registered manager in respect of the children’s home may continue to manage the scheme as if it were a children’s home under Part 2 of the Act until 31st December 2013 if—

- (a) that person notifies HMCI in writing of their wish to cancel their registration in respect of the home and instead to be registered as the manager in respect of a scheme under Part 2 of the Act; and
- (b) HMCI receives that notification before 1st August 2013.

6. HMCI may treat—

- (a) a notification provided in accordance with paragraph 3 or 5 as an application for—
  - (i) the cancellation of the registration of the registered provider and, as the case may be, the registered manager in respect of the children’s home;

- (ii) the registration of the registered provider and, as the case may be, the registered manager of that children's home in respect of the scheme;
  - (b) notification of the matters in paragraph 3(a)(ii) and (iii) as conditions which have been agreed with the applicant for the purposes of section 19 (notice of decisions) of the Act.
7. This paragraph applies where—
- (a) paragraph 2 applies; and
  - (b) HMCI receives a notification in accordance with paragraph 3 or 5.
8. Where paragraph 7 applies—
- (a) section 11(1) of the Act (requirement to register) does not apply until 1st January 2014;
  - (b) the requirement under section 12(2) of the Act that an application for registration must be accompanied by a fee does not apply;
  - (c) the first annual fee in respect of the scheme, under section 16(3) of the Act, is to be required on the anniversary of the date on which the last annual fee was paid in respect of the children's home that was carried on by the registered provider;
  - (d) HMCI may credit an annual fee excess proportion to the registered provider in respect of the scheme, and—
    - (i) “annual fee excess” means the amount, if any, by which the last annual fee that was paid in respect of the children's home exceeds the annual fee that is payable on 1st July 2013 in respect of a scheme; and
    - (ii) “proportion” means that part of the annual fee excess which relates to the period from the date of the notification provided in accordance with paragraph 3 until the date on which the scheme's first annual fee is required pursuant to sub-paragraph (c);
  - (e) regulation 13 (application for cancellation of registration) of the Care Standards Act 2000 (Registration) (England) Regulations 2010 does not apply.