

2011 No. 511

CHILDREN AND YOUNG PERSONS, ENGLAND

**Her Majesty's Chief Inspector of Education, Children's Services
and Skills (Fees and Frequency of Inspections) (Children's
Homes etc.) (Amendment) Regulations 2012**

<i>Made</i>	- - - -	<i>23rd February 2012</i>
<i>Laid before Parliament</i>		<i>29th February 2012</i>
<i>Coming into force</i>	- -	<i>1st April 2012</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 16(3) and 118(5) and (6) of the Care Standards Act 2000(a) and section 155(1) and (2) of the Education and Inspections Act 2006(b) and sections 87D(2) and 104(4)(a) of the Children Act 1989(c).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) (Amendment) Regulations 2012 and come into force on 1st April 2012.

(2) In these Regulations "the Principal Regulations" means Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2007(d).

Amendment of regulations 14 and 15 of the Principal Regulations

2. In regulations 14(1) and (2) (voluntary adoption agencies) and 15 (adoption support agencies) of the Principal Regulations—

- (a) for "£834.90" in each place where it occurs substitute "£918.39"; and
- (b) for "£417.45" in each place where it occurs substitute "£459.20".

Amendment of regulation 17 of the Principal Regulations

3.—(1) Regulation 17 of the Principal Regulations (children's homes etc.) is amended as follows.

(2) In paragraph (1)—

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- (a) 2000 c.14. See section 121 for the definitions of "appropriate Minister", "prescribed" and "regulations". Section 16(3) was substituted by the Health and Social Care (Community Health and Standards) Act 2003 (c.43), section 105(1) and (6) and amended by the Health and Social Care Act 2008 (c.14), Schedule 5, paragraph 15.
 - (b) 2006 c.40.
 - (c) 1989 c.41. Section 87D was inserted by the Care Standards Act 2000, section 108.
 - (d) S.I. 2007/694; amended by S.I. 2009/2724, 2010/617 and 2011/553.

- (a) for “£1202.74” in each place where it occurs substitute “£1323.01”;
 - (b) for “69” in each place where it occurs substitute “62”; and
 - (c) in sub-paragraph (b)(ii)—
 - (i) for “£119.79” substitute “£131.77”; and
 - (ii) for “69th” substitute “62nd”.
- (3) In paragraph (2A)—
- (a) for “£801.02” in each place where it occurs substitute “£881.12”;
 - (b) in sub-paragraph (b)—
 - (i) for “between 4 and 6” substitute “4 or 5”; and
 - (ii) for paragraph (ii) substitute—
 - “(ii) an amount of £110.47 for each of the 4th and 5th approved places;” and
 - (c) in sub-paragraph (c) for “6” substitute “5”.
- (4) In paragraph (3A)—
- (a) for “£522.72” in each place where it occurs substitute “£574.99”;
 - (b) in sub-paragraph (b)—
 - (i) for “17” substitute “15”; and
 - (ii) in sub-paragraph (ii)—
 - (aa) for “£31.46” substitute “£34.61”; and
 - (bb) for “17th” substitute “15th”; and
 - (c) in sub-paragraph (c) for “18” substitute “16”.
- (5) In paragraph (3B)—
- (a) for “£522.72” in each place where it occurs substitute “£574.99”;
 - (b) for “17” in each place where it occurs substitute “14”; and
 - (c) in sub-paragraph (b)(ii)—
 - (i) for “£31.46” substitute “£34.61”; and
 - (ii) for “17th” substitute “14th”.
- (6) In paragraph (3C)—
- (a) for “£961.95” in each place where it occurs substitute “£1058.15”;
 - (b) for “23” in each place where it occurs substitute “20”; and
 - (c) in sub-paragraph (b)(ii)—
 - (i) for “£95.59” substitute “£105.15”; and
 - (ii) for “23rd” substitute “20th”.

Amendment of regulation 18 of the Principal Regulations

4. In regulation 18(b) of the Principal Regulations (local authority fostering functions) for “£2404.27” substitute “£2421”.

23rd February 2012

Tim Loughton
Parliamentary Under Secretary of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Part 4 of Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2007 (S.I. 2007/694) ("the Principal Regulations"). The Principal Regulations apply in relation to England only.

These Regulations amend the annual fees that are paid under the Care Standards Act 2000, the Education and Inspections Act 2006 and the Children Act 1989 to Her Majesty's Chief Inspector of Education, Children's Services and Skills in respect of voluntary adoption agencies, adoption support agencies, children's homes, residential family centres, boarding schools, residential colleges, residential special schools and in respect of local authority fostering functions.

Amendments are also made to regulation 17 of the Principal Regulations to amend the number of approved places an establishment can have before reaching the maximum fee payable above which the fees are capped.

An Impact Assessment has been prepared for this instrument and it is available from the Department for Education and annexed to the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.

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STATUTORY INSTRUMENTS

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