

**2018 No. 540**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

**The Children's Homes (England) (Amendment) Regulations  
2018**

<i>Made</i> - - - -	<i>26th April 2018</i>
<i>Laid before Parliament</i>	<i>30th April 2018</i>
<i>Coming into force</i> - -	<i>22nd May 2018</i>

The Secretary of State makes the following Regulations in exercise of the power conferred by sections 1(4A), 118(5) and 121 of the Care Standards Act 2000(a).

**Citation and commencement**

1. These Regulations may be cited as the Children's Homes (England) (Amendment) Regulations 2018 and come into force on 22nd May 2018.

**Amendment to the Children's Homes (England) Regulations 2015**

2.—(1) Regulation 3 (Excepted establishments) of the Children's Homes (England) Regulations 2015(b) is amended as follows.

(2) After paragraph (1) insert—

“(1A) The exception at paragraph (1)(b) does not apply to any establishment or premises that is also approved by the Secretary of State under regulation 3 of the Children (Secure Accommodation) Regulations 1991(c) to provide accommodation for the purpose of restricting the liberty of children.”.

26th April 2018

*Phillip Lee*  
Parliamentary Under Secretary of State  
Ministry of Justice

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(a) 2000 c. 14. Section 1(4A) of the Care Standards Act 2000 was inserted by section 95 of, and paragraph 2(3) of Schedule 5 to, the Health and Social Care Act 2008 (c. 14).  
(b) S.I. 2015/541; to which there are amendments not relevant to these Regulations.  
(c) S.I. 1991/1505. Regulation 3 was substituted by paragraphs 4 and 7 of Schedule 1 to the Children and Social Work Act 2017.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Children's Homes (England) Regulations 2015 (S.I. 2015/541) to amend a restriction in those Regulations that prevents a 16 to 19 Academy, as defined in section 1B of the Academies Act 2010 (c. 32), from being a children's home. These Regulations will allow a 16 to 19 Academy to be a children's home where that children's home is also approved by the Secretary of State to provide accommodation for the purpose of restricting the liberty of children and young people.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.