

OPEN AGENDA – PUBLIC DOCUMENT

Copy No:

No: 78/2017

Memorandum for Executive Council

SUBJECT

Welfare of Children (Children's Residential Home) Regulations 2017

Memorandum by the Chair of the Social & Community
Development Committee Cllr Anthony Green

ADVICE SOUGHT

1. Council is asked to consider and recommend for enactment the Welfare of Children (Children's Residential Home) Regulations 2017.

BACKGROUND & CONSIDERATIONS

2. The Welfare of Children (Children's Residential Home) Regulations 2017 ('the Regulations') are proposed under sections 35 and 166 of the Welfare of Children Ordinance 2008 ('the Ordinance'). Section 35 of the Ordinance gives power to the Governor in Council to make Regulations about the exercise of the functions of the Safeguarding Directorate (the "Department"). Section 166 gives the Governor in Council general powers to make regulations for carrying the Ordinance into effect.
3. Currently there are no provisions in the Ordinance which regulates, by providing procedures or standards, a children's home which is under the control of the Department. The Ordinance currently only regulates private children's homes that are run by individuals (although there are no such facilities in operation at the moment).
4. These Regulations will set out procedures for the placement of a Children's Residential Home ("the Home") which is managed by the Department and is intended to provide long term or temporary care and accommodation for children in the care of the Department. These Regulations will prescribe the procedures, standards and practices of such a Home and will detail the management of the Home, the conduct of staff employed to care for a child living at the Home, and the provisions to ensure that standards of quality are maintained by way of departmental reviews.
5. These Regulations implement the recommendations of the Wass Inquiry Report and are a further step in safeguarding children in St Helena; these Regulations will prescribe the standards of care

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to be achieved by the Department in relation to those children in their care.

FINANCIAL IMPLICATIONS

6. It is not anticipated that there are any immediate financial implications that will result from enacting these Regulations.
7. The Safeguarding Directorate already has budgetary provision of £40,000 approved in the 2017/18 budget however it is forecasted that an additional £24,000 will be required in this year to deliver this service which will be funded by under spends in other areas within the Safeguarding budget. Budgetary provision has already been factored into the draft Budget for 2018/19 of £98,000.
8. The current provision (Piccolo Hill No. 14) meets the minimum standards. Provided this property is maintained to the current standards it is not anticipated that there will be additional budget required for maintenance. The maintenance of properties is the responsibility of the Crown Estates. If these Regulations are approved SHG will have statutory requirement to maintain the Children's Residential Home to the standard required.
9. In addition, there is an inherent financial risk that exists, as it cannot be known how many children will require this level of care in the future. Currently there are two children in the Children's Residential Home and the budget provision has been set to support four children. If the requirement increases the budget will need to be reviewed.

ECONOMIC IMPLICATIONS

10. There are no economic implications from enacting these Regulations.

PUBLIC/SOCIAL IMPACT

11. The Regulations provide a standard by which the Home and the Department will be measured. This is likely to foster community confidence in the manner the children resident in the Home are cared for.

ENVIRONMENTAL IMPACT

12. The Regulations do not have implications for the environment.

PREVIOUS CONSULTATION / COMMITTEE INPUT

13. The SCDC considered the Regulations on 17.11.2017 and recommended them for consideration by ExCo on 28.11.2017.

PUBLIC

14. Positive or no public reaction is anticipated.

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REACTION

PUBLICITY

15. On 17.11.2017 the SCDC did not consider that consultation was necessary but that public information should be arranged. This can be done via the ExCo Report and associated broadcast and a follow-up press release.

SUPPORT TO STRATEGIC OBJECTIVES OPEN AGENDA ITEM

16. These Regulations implement one of the recommendations of the Wass Inquiry Report.

17. This item is recommended for the open agenda.

AG

Corporate Services
The Castle
Jamestown

21.11.2017