#### OPEN AGENDA – PUBLIC DOCUMENT

Copy No:

No: 25/2018

#### **Memorandum for Executive Council**

#### **SUBJECT**

# Welfare of Children (Children's Residential Home) Regulations 2018

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

#### ADVICE SOUGHT

1. Council are asked to consider and recommend for enactment the Welfare of Children (Children's Residential Home) Regulations 2018, attached at Annex A.

## BACKGROUND & CONSIDERATIONS

- 2. The Welfare of Children (Children's Residential Home) Regulations 2018 are proposed under sections 35 and 166 of the Welfare of Children Ordinance 2008. 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. 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 Directorate. The Ordinance currently only regulates private children's homes that are ran 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 which is managed by the Directorate and is intended to provide long term or temporary care and accommodation for children in the care of the Directorate. 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 to be achieved by the Directorate in relation to those children in

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their care.

- 6. An explanatory note of the Regulations is attached at Annex B.
- 7. The Regulations were approved in principal by ExCo 28<sup>th</sup> November 2017 subject to consultation with the Safeguarding Children's Board (SCB) which considered them on 14<sup>th</sup> December 2017 and again on 22<sup>nd</sup> March 2017. The amendments made by the SCB were considered and approved by SCDC on 11<sup>th</sup> April 2017. SCDC recommended that the Regulations be approved for presentation to ExCo subject to final confirmation from the Safeguarding Directorate that there were no additional financial requirements. That confirmation has now been received.

#### **FINANCIAL IMPLICATIONS**

8. With the implementation of these Regulations, there will be no additional funding required. The Safeguarding Directorate's budget would be sufficient.

### **ECONOMIC IMPLICATIONS**

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

#### PUBLIC/SOCIAL **IMPACT**

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

## **IMPACT**

**ENVIRONMENTAL** 11. The Regulations do not have implications for the environment.

## **PREVIOUS** CONSULTATION / **COMMITTEE INPUT**

12. The SCDC considered the Regulations on 17.11.2017 and recommended them for consideration by ExCo on 28.11.2017. The Regulations were approved in principal by ExCo subject to consultation with the SCB which considered them on 14<sup>th</sup> December 2017 and again on 22<sup>nd</sup> March 2018. SCDC considered the amendments made by the SCB on 11<sup>th</sup> April 2018.

## **PUBLIC** REACTION

13. Positive or no public reaction is anticipated.

#### **PUBLICITY**

- 14. On 17.11.2017 the SCDC did not consider that consultation was necessary but that public information should be arranged.
- 15. Mention of this will be made in the ExCo Report and associated broadcast.

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<b>SUPPORT TO</b>
<b>STRATEGIC</b>
<b>OBJECTIVES</b>
<b>OPEN AGENDA</b>
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 07.05.2017