**Leadership and Management**

**REGULATIONS AND STANDARDS**

[Regulation 26 - Fitness of registered provider](https://www.legislation.gov.uk/uksi/2015/541/regulation/26/made)
[Regulation 27 - Appointment of manager](https://www.legislation.gov.uk/uksi/2015/541/regulation/27/made)
[Regulation 28 - Fitness of manager](https://www.legislation.gov.uk/uksi/2015/541/regulation/28/made)
[Regulation 29 - Continuing professional development: registered person and responsible individual](https://www.legislation.gov.uk/uksi/2015/541/regulation/29/made)
[Regulation 42 - Notification of offences](https://www.legislation.gov.uk/uksi/2015/541/regulation/42/made)
[Regulation 47 - Financial position](https://www.legislation.gov.uk/uksi/2015/541/regulation/47/made)
[Regulation 48 - Notice of absence](https://www.legislation.gov.uk/uksi/2015/541/regulation/48/made)
[Regulation 49 - Notice of changes](https://www.legislation.gov.uk/uksi/2015/541/regulation/49/made)
[Guidance on Chapter 3 of the Regulations - Registered Persons](https://qualitystandards.proceduresonline.antser.com/chapter/guidance-on-chapter-3-of-the-regulations-registered-persons)

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1. Fitness of Premises for Use as a Children’s Home

When establishing the Home, the registered person must ensure that it is suitably located so that children are effectively safeguarded and can access services to meet needs identified in their relevant plans.

Considerations to be taken into account in carrying out a location assessment may include:

* Whether the location of the Home influences the potential for an already vulnerable child to be a victim of crime, such as being targeted for sexual exploitation;
* Whether there is a likelihood of children placed in the Home becoming drawn into gang crime or anti-social behaviour in the local area;
* The suitability of the local neighbourhood as a location to care for children who may have already been victims of abuse and neglect; and
* Whether there are environmental factors that would represent a hazard to children, such as locations near level crossings or busy roads.

Location assessments may also identify factors that would positively contribute towards a child's well-being e.g. leisure activities or services to support the child's ethnic or religious identity.

For detailed information on carrying out location assessments, see [Children's Homes Regulations Amendments 2014](https://www.gov.uk/government/publications/childrens-homes-regulations-amendments-2014).

This location assessment will be kept under review and amended to take into account any new risks as these are identified.

Where unable to secure information from the relevant partners the use of 'soft' information (i.e. knowledge of the area, verbal feedback from local neighbourhood policing teams or community safety partnership wardens etc.) will be used to inform the  assessment.

The registered person should review the appropriateness and suitability of the location and premises of the Home at least once a year – see [Monitoring Quality Procedure, Suitability of Premises (Regulation 46)](https://www.proceduresonline.com/templates/la_chomes/web/p_monitoring.html#suitability).

2. Fitness to Provide or Manage the Administration of the Home

**2.1 Overview**

The registered person is responsible for leading a team which provides high quality care for all children living in the Home. They must lead and manage the Home in a way that delivers the ethos, outcomes and approach set out in the Home's Statement of Purpose. They should also play a key role in shaping the ethos of the Home through developing a culture of high aspiration for children which is demonstrated through the care, resources and opportunities offered to the children.

The registered person should support staff to be ambitious for every child in the Home and to gain skills and experience that enable them to actively support each child to achieve their potential. To ensure that staff understand and can meet each child's needs, in line with their responsibilities, the registered person themselves will need to have a high level of understanding of the needs of the children in their care.

The registered person should seek to establish a diverse staff team with a range of interests, skills and experiences. They should lead staff to share those interests, skills and experiences with children to enrich the children's lives.

**2.2 Appointment of Manager**

The registered provider must appoint an individual to manage the Home and notify Ofsted without delay of the name of that manager and the date of their appointment.

**2.3 Fitness of Manager**

See [Staff Qualifications Procedure, Qualifications and Fitness of Manager](https://www.proceduresonline.com/templates/la_chomes/web/p_staff_qual.html#quals_of_manager).

3. Financial Position

The registered provider must carry on the Home in such a manner as is likely to ensure that the Home will be financially viable for the purpose of achieving the aims and objectives set out in its Statement of Purpose.

The registered person must:

* Ensure that adequate financial records are maintained and kept up to date in respect of the Home;
* Supply a copy of the financial records and most recent accounts, if requested to do so, to Ofsted;
* Provide Ofsted with information requested for the purpose of considering the financial viability of the Home, including:
	+ The annual accounts of the Home, certified by an accountant;
	+ A certificate of insurance in respect of liability in relation to death, injury, public liability, damage or other loss.

4. Notice of Absence

If the person who is in day-to-day charge of the Home proposes to be absent from the Home for a continuous period of 28 days or more, the registered person must give notice in writing to [Ofsted](https://www.gov.uk/government/publications/changes-to-childrens-social-care-services-that-are-registered-andor-inspected-by-ofsted/changes-to-childrens-social-care-registered-providers) of the proposed absence.

Except in the case of an emergency or unforeseen absence, the notice must be given no later than one month before the proposed absence is to start, or within such shorter period as may be agreed with Ofsted, and the notice must specify:

1. The length or expected length of the proposed absence;
2. The reason for the proposed absence;
3. The arrangements which have been made for the running of the Home during that absence;
4. The name, address and qualifications of the person who will be responsible for the Home during the absence; and
5. The arrangements that have been made or are proposed to be made for appointing another person to manage the Home during the absence, including the proposed date by which the appointment is to be made.

Where the absence arises as a result of an emergency or is unforeseen, the registered person must give notice of the absence within one week of its occurrence.

The registered person must notify Ofsted of the return to duty of the person in day-to-day charge of the Home  not later than 7 days after the date of return.

5. Notice of Changes

The registered person must give notice in writing to [Ofsted](https://www.gov.uk/government/publications/changes-to-childrens-social-care-services-that-are-registered-andor-inspected-by-ofsted/changes-to-childrens-social-care-registered-providers) as soon as it is reasonably practicable to do so if any of the following events takes place or are expected by the registered person to take place:

* A person other than the registered person carries on or manages the Home;
* A person ceases to carry on or manage the Home;
* The registered provider change their name;
* There is to be any change in the identity of the responsible individual;
* The premises of the Home are significantly altered or extended, or additional premises are acquired.

6. Notification of Offences

Where the registered provider, the registered manager or the responsible individual is convicted of any criminal offence, that person must without delay give notice in writing to [Ofsted](https://www.gov.uk/government/publications/changes-to-childrens-social-care-services-that-are-registered-andor-inspected-by-ofsted/changes-to-childrens-social-care-registered-providers) of:

1. The date and place of the conviction;
2. The offence of which they were convicted; and
3. The penalty imposed on them in respect of the offence.