STATUTORY RULES OF NORTHERN IRELAND

2022 No. 161

HEALTH AND PERSONAL SOCIAL SERVICES

The Children's Social Care (Consequential Amendments) Regulations (Northern Ireland) 2022

Made - - - -	*24th March 2022*
Laid before the Assembly	*24th March 2022*
Coming into operation -	*1st April 2022*

The Department of Health, in exercise of the powers conferred by Articles 10(1) and (1A), 59(A), 66(A) (1) and (2) of the Adoption (Northern Ireland) Order 1987(**a**), Articles 60(7) and (9) of the Children (Northern Ireland) Order 1995(**b**), Article 48(2) of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003(**c**),section 1(2)(b), (3)(j), (3A) and (3B) of the Safeguarding Board Act (Northern Ireland) 2011(**d**) and section 6(2) and (3) of the Health and Social Care Act (Northern Ireland) 2022(**e**) makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Children's Social Care (Consequential Amendments) Regulations (Northern Ireland) 2022 and shall come into operation on 1st April 2022.

Amendment of the Adoption Agencies Regulations (Northern Ireland) 1989

2.—(1) The Adoption Agencies Regulations (Northern Ireland) 1989(**f**) are amended in accordance with paragraphs (2) to (6).

(2) In Regulation 5 (establishment of adoption panel and appointment of members) omit paragraph (3)(b)(i);

(3) In regulation 5A (establishment of joint panels and appointment of members) omit paragraph 5(3)(b)(ii);

(4) In Regulation 8 (adoption agency's duties in respect of a prospective adopter) at paragraph (2)(f) omit the words "Board or";

(5) In Regulation 9 (adoption agency's duties in respect of proposed placement) at paragraph (2)(b) omit the word "Board";

(6) In Regulation 12 (placement for adoption) omit paragraph 2(c)(i);

(**a**) S.I. 1987 No. 2203 (N.I. 22)
(**b**) S.I. 1995 No. 755 (N.I. 2)
(**c**) S.I. 2003 No. 431 (N.I. 9)
(**d**) 2011 c.7 (N.I.) as amended by section 2 and paragraph 244 and 245 of Schedule 1 to the Health and Social Care Act (Northern Ireland) 2022 [2022 c. 3 (N.I.)]
(**e**) 2022 c.3 (N.I.)
(**f**) S.R. 1989 No. 253

(7) In the Schedule, Part 1 (particulars relating to the child) at Paragraph 10 omit the word "Board".

Amendment of the Adoption Allowance Regulations (Northern Ireland) 1996

3.—(1) The Adoption Allowance Regulations (Northern Ireland) 1996(**a**) are amended in accordance with paragraph (2).

(2) In paragraph (2) of Regulation 1 (citation, commencement and interpretation) omit "a Health and Social Care Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972" from the definition of "adoption agency".

Amendment of the Voluntary Adoption Agencies Regulations (Northern Ireland) 2010

4.—(1) The Voluntary Adoption Agencies Regulations (Northern Ireland) 2010(**b**) are amended in accordance with paragraph (2).

(2) In Schedule 4 (events and notifications) omit "Column 3 – DHSSPS".

Amendment of the Guardians Ad Litem (Panel) Regulation (Northern Ireland) 1996

5.—(1) The Guardians Ad Litem (Panel) Regulation (Northern Ireland) 1996(**c**) is amended in accordance with paragraphs (2) to (5).

(2) In Regulation 7 (administration of the panel) at paragraph 1 omit "Health and Social Care Board or of a";

(3) In Regulation 9 (expenses, fees and allowances of members of the panel) at paragraph 2 omit "by a Health and Social Care Board";

(4) In Schedule 1 (complaints board) Paragraph 1 omit "or of a Health and Social Care Board";

(5) In Schedule 2 (panel committee) Paragraph 1 (c) omit "of a Health and Social Care Board or".

Amendment of the Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012

6.—(1) The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012(**d**) are amended in accordance with paragraphs (2) and (3).

(2) In Regulation 3—

(a) In paragraph (1)—

(i) omit the word "and" at the end of sub-paragraph (a), and

(ii) at the end of sub-paragraph (b), for "." substitute—

"; and

(c) the Department(**e**).";

(b) In paragraph (2)—

(i) immediately after "section 1(2)(b)" insert "and (3A) and (3B),"; and

(ii) for sub-paragraph (a) substitute—

"(a) from the Department, the Director of Social Care and Children;".

(**a**) S.R. 1996 No. 438
(**b**) S.R. 2010 No. 289
(**c**) S.R. 1996 No. 128
(**d**) S.R. 2012 No. 324 as amended by S.R. 2014 No. 293
(**e**) Section 1(3)(j) of the Act should be read in conjunction with section 1 (3A) and (3B) as inserted by section 2 and paragraph 244 of Schedule 1 to the Health and Social Care Act (Northern Ireland) 2022 [2022 c. 3]

Sealed with the Official Seal of the Department of Health on 24th March 2022

(L.S.)

Dr Naresh Chada
A senior officer of the Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to procedures within children's social care in Northern Ireland amend certain Regulations made under the Adoption (Northern Ireland) Order 1987, the Children (Northern Ireland) Order 1995, the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and the Safeguarding Board Act (Northern Ireland) 2011 to put in place consequential amendments required as a result of the dissolution of the Regional Health and Social Care Board, and the consequent transfer of social care and children functions to Health and Social Care Trusts by way of provisions in the Health and Personal Social Services (Northern Ireland) Order 1991, as amended by Health and Social Care Act 2022.

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£4.90

http://www.legislation.gov.uk/id/nisr/2022/161

ISBN 978-0-33-801945-5

