CAYMAN ISLANDS



Children Act

(2012 Revision)

CHILDREN'S HOMES REGULATIONS, 2026

PUBLISHING DETAILS

CAYMAN ISLANDS

Children Act

(2012 Revision)

CHILDREN'S HOMES REGULATIONS, 2026

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CAYMAN ISLANDS

Children Act

(2012 Revision)

CHILDREN'S HOMES REGULATIONS, 2026

In exercise of the powers conferred by sections 54O and 95 of the Children Act (2012 Revision), the Cabinet makes the following Regulations —

PART 1 - PRELIMINARY

Citation and commencement

1. (1) These Regulations may be cited as the Children's Homes Regulations, 2026.

(2) These Regulations come into force immediately after the *Children (Amendment) Act, 2024* comes into force.

Definitions

2. In these Regulations —

"**Chief Fire Officer**" has the meaning assigned by section 2 of the *Fire Brigade Act (2006 Revision)*;

"**independent visitor**" has the meaning assigned by regulation 2 of the *Children (Planning, Placement and Review) Regulations, 2026*;

"**medicinal product**" means any substance, article or device (including any instrument, apparatus or appliance) which is manufactured, sold, supplied or imported for use wholly or mainly as follows —

(a) for use by being administered to one or more human beings for a medicinal purpose; or

(b) for use as an ingredient in the preparation of a substance, article or device which is being administered to one or more human beings for a medicinal purpose;

"**person in charge**" means the person appointed by the responsible authority as the person in charge of the management of the children's home;

"**responsible authority**" means the person carrying on or intending to carry on the children's home; and

"**serious offence**" means an offence for which the maximum punishment is imprisonment for twelve months or more.

Application of Regulations

3. (1) These Regulations shall not apply to premises used only to accommodate children for the purpose of a holiday for periods of less than twenty-eight days at a time in the case of any one child.

(2) Subject to paragraph (3), these Regulations shall not apply to a home in which a child is cared for and accommodated by a person who is a departmental foster parent.

(3) Where a departmental foster parent is exempted from the usual fostering limit under section 25 of the Act, the conditions which may be imposed by the Department on that departmental foster parent under section 25(4E)(c) of the Act may include certain requirements under these Regulations.

PART 2 - CONDUCT OF CHILDREN'S HOMES AND WELFARE OF CHILDREN IN CHILDREN'S HOMES

Statement of purpose of children's homes and care provided by children's homes

4. (1) The responsible authority shall —

(a) within three months after the coming into force of these Regulations; or

(b) in the case of a children's home registered after the period referred to in subparagraph (a), within one month after the registration of the relevant children's home,

as applicable, compile, maintain and keep up to date, a written statement of the particulars referred to in Part 1 of Schedule 1 relating to the children's home.

(2) The statement referred to in paragraph (1) shall be made available for inspection by the persons referred to in Part 2 of Schedule 1, in addition to any other person who has a right under the Act to inspect the statement.

(3) The responsible authority shall ensure that the care provided to children in the children's home —

(a) is child-centred;

(b) is trauma-informed;

(c) is based on building an appropriate relationship with each child;

(d) is respectful of children's rights;

(e) is culturally responsive to each child's background, language and traditions and has regard to the cultural considerations of the diverse cultures in the Islands;

(f) is focused on the child's development; and

(g) as much as reasonably possible, mirrors a family-like environment.

Staffing of children's homes

5. (1) The responsible authority shall ensure that the number of staff in a children's home and the experience and qualifications of the staff are adequate to ensure that the welfare of the children in the children's home is safeguarded and promoted at all times.

(2) The responsible authority shall ensure that the particulars specified in Part 1 of Schedule 1 are brought to the notice of all staff in the children's home.

Accommodation for individual children's needs

6. (1) The responsible authority shall ensure that, insofar as is it is practicable, each child in a children's home is provided with an area within the children's home which is suitable for the child's needs.

(2) The area referred to in paragraph (1) shall be equipped with —

(a) the appropriate furnishings that would make the children's home habitable; and

(b) facilities that meet the needs of a child with a disability.

Provision of adequate conveniences

7. (1) The responsible authority shall ensure that the children's home is provided with wash basins, hot and cold water, showers and toilets.

(2) The responsible authority shall ensure that all parts of the children's home are —

(a) adequately lit and ventilated;

(b) kept in good structural repair;

(c) kept sanitary; and

(d) reasonably decorated and maintained.

(3) The responsible authority shall provide adequate facilities in the children's home for a child to meet privately with —

(a) the child's parents;

(b) any person who has parental responsibility for the child;

(c) the child's relatives or friends;

(d) the child's attorney-at-law;

(e) the child's guardian *ad litem*;

(f) the child's independent visitor;

(g) any independent person appointed for the child pursuant to the *Representation Procedure (Children) Regulations, 2012*; and

(h) any person authorised in accordance with section 80 of the Act to conduct an inspection of the children's home.

(4) The responsible authority shall provide the children in the children's home with adequate laundry facilities and other grooming conveniences.

(5) The responsible authority shall provide adequate private telephone facilities for the use of the children in the children's home in accordance with the policies of the children's home.

Control and discipline

8. (1) The responsible authority shall apply disciplinary measures within the children's home that are approved by the Commissioner for Children and Young Persons.

(2) The following acts shall not be practised in a children's home —

(a) corporal punishment;

(b) deprivation of food or drink;

(c) restriction on visits to or by any child, unless it is in the best interest of the child;

(d) restriction on or delay in communications with —

(i) the child's parents, unless it is in the best interest of the child;

(ii) any person who has parental responsibility for the child, unless it is in the best interest of the child;

(iii) the child's relatives or friends, unless it is in the best interest of the child;

(iv) the child's attorney-at-law;

(v) the child's guardian *ad litem*;

(vi) the child's independent visitor;

(vii) an independent person appointed for the child pursuant to *Representation Procedure (Children) Regulations, 2012*;

(viii) a social worker assigned to the child; or

(ix) an officer of the Department assigned to the child by the Department;

(e) restriction on a child's access to any internet-based or telephone helpline providing counselling for children;

(f) any requirement that a child wear inappropriate clothes;

(g) the use or withholding of medication, or medical or dental treatment;

(h) the intentional deprivation of sleep;

(i) any intimate physical examination of a child by any person other than a registered practitioner;

(j) withholding aids or equipment needed by a child who is a person with a disability;

(k) a measure involving a child imposing any disciplinary measure against another child; and

(l) a measure involving punishing a group of children for the behaviour of an individual child.

(3) Where disciplinary action has been taken against a child in a children's home, within twenty-four hours of the disciplinary action being taken, the responsible authority shall record or cause to be recorded in writing full particulars of the disciplinary action taken.

(4) The particulars referred to in paragraph (3) shall include —

(a) the date on which the disciplinary action was taken;

(b) the reasons for the disciplinary action;

(c) the name of the child against whom the disciplinary action was taken;

(d) the person who enforced the disciplinary action; and

(e) the nature of the disciplinary action.

(5) Use of force in relation to a child in a children's home is only permitted —

(a) for the purpose of preventing —

(i) injury to a person, including the child;

(ii) significant harm being suffered by a child accommodated at the children's home, including the child;

(iii) serious damage to the property of a person, including the property of the child; or

(iv) a child who is accommodated in a children's home from absconding from the children's home; and

(b) if it is reasonable, necessary and proportionate.

Storage of medicinal products

9. (1) Subject to paragraph (2) —

(a) the responsible authority shall store or cause to be stored in a secure place a medicinal product that is kept in the children's home so as to prevent a child accommodated in the children's home from having access to the medicinal product otherwise than under the supervision of a member of staff of the children's home; and

(b) medicinal products that are kept in the children's home shall be administered by —

(i) a registered practitioner; or

(ii) a member of staff of the children's home acting on instructions received from a registered practitioner.

(2) Paragraph (1) shall not apply to a medicinal product that —

(a) is stored by the child for whom it is provided in such a way that others are denied access to it; and

(b) may safely be self-administered by that child.

Employment and education of older children

10. (1) The responsible authority shall assist with the making of arrangements for a child who is over the compulsory school age to pursue tertiary education, training or gainful employment.

(2) For the purposes of paragraph (1), "**compulsory school age**" and "**training**" have the respective meanings assigned by section 2 of the *Education Act (2024 Revision).*

Religious observance

11. The responsible authority shall enable each child accommodated in a children's home, insofar as it is practicable, to attend the services of, to receive instruction in, and to observe any requirement of, the religious persuasion to which the child belongs.

Food provided for child and cooking facilities

12. (1) The responsible authority shall ensure that a child accommodated in a children's home is provided with food that is properly prepared, nutritious and provided in adequate quantities to meet the needs of the child.

(2) The responsible authority shall ensure, insofar as it is practicable, that a special dietary need of a child accommodated in the children's home is satisfied.

(3) The responsible authority shall provide within the children's home —

(a) suitable and sufficient catering equipment, crockery and cutlery;

(b) proper facilities for the refrigeration and storage of food; and

(c) insofar as it is practicable, adequate facilities to allow children the option to prepare their own food.

Purchase of clothes

13. (1) The responsible authority, insofar as it is practicable, shall enable each child accommodated in the children's home to purchase clothes according to the child's needs.

(2) The responsible authority, insofar as it is practicable, shall purchase clothes to meet the needs of a child, where the child, or the child's parent or guardian, is unable to purchase the clothes.

Fire precautions

14. (1) The responsible authority shall ensure that the Chief Fire Officer is notified in writing of the following particulars before a child is accommodated in a children's home and where there is a change in particulars during the period that child is accommodated in the children's home —

(a) the location of the children's home;

(b) the number of children accommodated or to be accommodated in the children's home;

(c) the age range of the children accommodated or to be accommodated in the children's home; and

(d) whether a child with a disability is accommodated or to be accommodated in the children's home.

(2) The responsible authority shall ensure that, in respect of the children's home —

(a) adequate precautions are taken against the risk of fire;

(b) adequate means of escape in the event of fire are provided;

(c) adequate arrangements are made for detecting, containing and extinguishing a fire;

(d) adequate arrangements are made for warning of an outbreak of a fire and for evacuation in the event of a fire; and

(e) adequate firefighting equipment is available.

(3) The responsible authority shall ensure that arrangements are made to familiarise the staff working in the children's home and the children accommodated in the children's home with the procedure to be followed in the event of a fire.

(4) The arrangements referred to in paragraph (3) shall include the evacuation procedure from the children's home, techniques of resuscitation and life-saving methods.

(5) The responsible authority shall establish a reporting system to ensure that reports on any outbreak of fire requiring an evacuation of children accommodated in the children's home are prepared by the person in charge and forwarded to the responsible authority immediately.

Privacy and access

15. The responsible authority shall ensure that —

(a) the privacy of children is appropriately protected;

(b) children can access all appropriate areas of the premises of the children's home; and

(c) a limitation placed on a child's privacy or access to an area of the premises of the children's home —

(i) is intended to safeguard each child accommodated in the children's home;

(ii) is necessary and proportionate;

(iii) is kept under review and, if necessary, revised; and

(iv) allows children as much freedom as is possible when balanced against the need to protect them and keep them safe.

Use of monitoring or surveillance in communal areas of children's homes

16. (1) For the purposes of ensuring the welfare of children who are accommodated in a children's home, the responsible authority may use devices for monitoring or surveillance only in communal areas of the children's home if —

(a) the conditions set out in paragraph (2) are met; and

(b) the responsible authority, prior to using any such devices, prepares and causes to be published in the *Gazette* a policy including the matters set out in paragraph (3).

(2) For the purposes of paragraph (1)(a), the conditions are as follows —

(a) the monitoring or surveillance is for the purposes of safeguarding and promoting the welfare of children;

(b) the children are informed in advance of the intention to carry out monitoring or surveillance; and

(c) the monitoring or surveillance is no more intrusive than necessary, having regard to each child's need for privacy.

(3) For the purposes of paragraph (1)(b), the policy shall include the following —

(a) the legitimate purpose and aim of the surveillance, with each purpose and activity individually addressed;

(b) how the surveillance will keep children safe and why surveillance is the best way of achieving a child's safety;

(c) how any data is processed and stored, and the security measures that are in place to safeguard against unauthorised access and use;

(d) the frequency with which the surveillance activity will be reviewed to ensure that it is still necessary;

(e) how other persons, such as visitors, are notified that they are being recorded; and

(f) the procedure by which a person may make a complaint about the surveillance monitoring.

(4) Data obtained under this regulation through the use of devices for monitoring or surveillance shall be processed in accordance with the *Data Protection Act (2021 Revision).*

(5) The responsible authority shall ensure that staff at the children's home are appropriately trained in and understand —

(a) the policy referred to in paragraph (1)(b); and

(b) the conditions set out in paragraph (2).

PART 3 - ADMINISTRATION OF CHILDREN'S HOMES

Confidential records in relation to children in children's homes

17. (1) The responsible authority shall arrange for the keeping in each children's home of a written record on each child accommodated in the children's home and which shall insofar as it is practicable include the information specified in Schedule 2.

(2) The responsible authority shall keep the record referred to in paragraph (1) securely and shall treat it as confidential subject to —

(a) any provision under or by virtue of any Act under which access may be obtained or given to records and information concerning a child; or

(b) any court order, in respect of access to records and information concerning a child.

(3) The responsible authority shall retain the records referred to in paragraph (1) —

(a) for at least seventy-five years from the date of birth of the child to whom the records relate; or

(b) if the child dies before attaining the age of eighteen, for a period of fifteen years from the date of the child's death.

Access by guardians *ad litem* to records

18. The responsible authority shall provide a guardian *ad litem* of a child with access to all the records relating to the child in accordance with these Regulations, the *Data Protection Act (2021 Revision)* and any other applicable law.

Other records with respect to children in children's home

19. (1) The responsible authority shall —

(a) keep in each children's home the records specified in Schedule 3; and

(b) ensure that the details of those records are kept current.

(2) The records referred to in paragraph (1) shall be retained for at least fifteen years, except for records of menus which shall be kept for one year.

Availability of Regulations

20. The responsible authority shall keep a copy of these Regulations in the children's home and make it available to —

(a) each member of staff;

(b) every child accommodated in the children's home;

(c) the parents or guardians of any child accommodated in the children's home; and

(d) any person with parental responsibility for a child accommodated in the children's home.

Notification of significant events

21. (1) The responsible authority shall, insofar as it is practicable, immediately give written notification of —

(a) any of the events referred to in column 1 of the table in Schedule 4 to —

(i) the parents or guardians of any child concerned;

(ii) any person who has parental responsibility for a child in the children's home; and

(iii) any other person who has undertaken to meet any fees or expenses incurred in accommodating any child concerned at the children's home,

unless the Department determines that it would not be in the best interests of the child to give written notification to a person referred to in this subparagraph; and

(b) any of the events in column 1 of the table in Schedule 4 to the persons indicated in respect of the event in column 2 of the table.

(2) Any notification given with respect to the death of a child accommodated at the children's home shall contain all available details as to the circumstances of the death.

(3) Where the question of whether harm suffered by a child is significant turns on the child's health or development, the child's health or development shall be compared with that which could reasonably be expected of a similar child.

(4) The chief officer of the Ministry responsible for the Department, in accordance with paragraph (5), shall submit to the Cabinet a monthly report of all notifications received by the chief officer pursuant to this regulation.

(5) The report referred to in paragraph (4) shall be submitted to the Cabinet on or before the 15th day of the month immediately following the month to which the report relates.

(6) In this regulation —

"**development**" means physical, intellectual, emotional, social or behavioural development;

"**harm**" means ill-treatment or the impairment of health or development;

"**health**" means physical or mental health; and

"**ill-treatment**" includes sexual abuse and forms of ill-treatment which are not physical.

Absence of a child without authority

22. (1) The responsible authority shall stipulate and cause to be recorded in writing the procedure to be followed when a child accommodated in the children's home —

(a) leaves the children's home without permission;

(b) remains outside the children's home without permission; or

(c) fails to return to the children's home.

(2) The responsible authority shall ensure that the procedure referred to in paragraph (1) is brought to the attention of the children accommodated in the children's home and the members of staff of the children's home.

Absence of the person in charge

23. (1) Subject to paragraph (2), a person in charge of a children's home who proposes to be absent from the children's home for a continuous period of four weeks or more shall give written notice of that intention to the Commissioner for Children and Young Persons, the Department and the responsible authority at least four weeks before commencement of the absence.

(2) The Commissioner for Children and Young Persons may accept a shorter notice, where the circumstances make it impracticable to provide the period of notice referred to in paragraph (1).

(3) Where paragraph (1) applies, the person in charge shall inform the Commissioner for Children and Young Persons, the Department and the responsible authority at least seven days before the beginning of the absence of —

(a) its occurrence and anticipated duration;

(b) the reason for the absence;

(c) the number of children accommodated in the children's home when the information is given;

(d) the arrangements which have been made for the supervision of the children's home; and

(e) the name, address and qualifications of the person who will be in charge of the children's home.

(4) The responsible authority shall notify the Commissioner for Children and Young Persons and the Department —

(a) within seven days after the return of the person in charge; or

(b) of any continued period of absence of the person in charge beyond the period specified pursuant to paragraph (3)(a).

(5) If, in the case of a children's home, the person in charge is also the responsible authority, anything required to be done by or to the responsible authority shall be done by or to, as the case may require, the person for the time being in charge of the children's home.

Accountability and visiting on behalf of responsible authority

24. (1) If the responsible authority is an individual but is not the person in charge of the children's home, the responsible authority shall —

(a) visit the children's home once a month; or

(b) cause another person to do so on behalf of the responsible authority and to report to the responsible authority in writing on the management of the children's home.

(2) If the responsible authority is a body of persons, whether incorporated or not, the directors, or other persons responsible for the conduct of the body, shall cause one of their number to visit the children's home once a month and to report to the body in writing on the management of the children's home.

PART 4 - ADDITIONAL MATTERS CONCERNING CHILDREN'S HOMES

Limits on number of children accommodated

25. The Commissioner for Children and Young Persons may limit the number of children to be accommodated in a children's home to a number as the Commissioner for Children and Young Persons may specify by means of a condition imposed under section 54E of the Act.

Notification of changes

26. (1) The responsible authority shall notify the Commissioner for Children and Young Persons in writing of —

(a) changes since the previous visit to the children's home under section 54N of the Act; or

(b) where there has not been a visit under section 54N of the Act, changes in any of the particulars furnished in the making of the application to register the children's home since the making of that application.

(2) The responsible authority shall give at least one month's prior notice in writing to the Commissioner for Children and Young Persons of any proposal to change the person in charge and the notice shall contain the particulars referred to in Schedule 5.

Inspection of premises for children's home

27. (1) For the purposes of ensuring the welfare of children to be accommodated in a prospective children's home, where an application has been made for the registration of a children's home, the Commissioner for Children and Young Persons shall cause the premises in which children are to be accommodated to be inspected before deciding whether or not to approve the application.

(2) For the purposes of determining whether to cancel the registration of a children's home, the Commissioner for Children and Young Persons shall consider the report of an inspection of the children's home under the Act or these Regulations.

(3) The report of an inspection of the children's home under the Act or these Regulations may be used by the Commissioner for Children and Young Persons in the exercise of the power under section 54E(1) of the Act to vary or impose conditions in respect of a children's home.

Notice by responsible authority of intention to cease carrying on children's home

28. A notice for the cancellation of the registration of a children's home referred to in section 54F(3) of the Act shall —

(a) be made in writing; and

(b) include particulars of —

(i) the date on which the responsible authority wishes the cancellation of the registration of the children's home to take effect, being a date no earlier than ninety days after the date on which the application is made; and

(ii) the action that the responsible authority intends should be taken with regard to alternative accommodation for any child then accommodated in the children's home.

PART 5 - VISITS BY THE COMMISSIONER FOR CHILDREN AND YOUNG PERSONS

Circumstances necessitating a visit by the Commissioner for Children and Young Persons

29. (1) The Commissioner for Children and Young Persons shall arrange for an officer of the Office of the Commissioner for Children and Young Persons ("officer") to visit every child who is accommodated in a children's home in any of the following circumstances and within the periods specified —

(a) where the responsible authority makes representations to the Commissioner for Children and Young Persons that there are circumstances relating to the child which may require a visit, within fourteen days after receipt of those representations; and

(b) where the Commissioner for Children and Young Persons is informed that the welfare of a child is not safeguarded or promoted, within seven days after being so informed.

(2) The Commissioner for Children and Young Persons, on receiving a notification under paragraph (1), shall determine whether the accommodation provided by the children's home is in the best interest of the child.

Further visits

30. (1) After a first visit has been made under regulation 29, the Commissioner for Children and Young Persons shall —

(a) arrange for the further visits provided for by paragraphs (2) and (3); and

(b) arrange for any further visits to the child by an officer as appear to the Commissioner for Children and Young Persons to be necessary, whether in the light of a change of circumstances or not.

(2) The Commissioner for Children and Young Persons shall, within six months after the first visit, arrange for a further visit by an officer where the first visit

was made in the circumstances specified in regulation 29(1)(a) and the Commissioner for Children and Young Persons is satisfied following that first visit that the child's welfare is being safeguarded and promoted.

(3) Where the Commissioner for Children and Young Persons is not satisfied following the first visit that the child's welfare is being safeguarded and promoted but has decided that the child should continue to reside in the same accommodation, the Commissioner for Children and Young Persons shall arrange for a further visit by an officer within twenty-eight days after the first visit.

Requirements for visits

31. (1) The Commissioner for Children and Young Persons shall ensure that in the course of visits to which regulations 29 and 30 refer, the officer —

(a) sees the child alone, unless the officer considers it unnecessary;

(b) reads all relevant case papers and records concerning the child kept by the responsible authority and the Department, makes copies of them and signs and dates them to indicate they have been seen by the officer; and

(c) makes a written report of the officer's visit, a copy of which shall be forwarded to the responsible authority.

(2) The responsible authority shall provide suitable accommodation for a visit made under regulation 29 or 30.

PART 6 - DISQUALIFICATION FROM CARRYING ON CHILDREN'S HOMES

Disqualification in relation to children's homes

32. (1) Subject to paragraph (2), a person is disqualified from carrying on, being otherwise concerned in the management of, or having any financial interest in, a children's home if —

(a) the person is a parent of the child who at any time has been made the subject of an order under section 33(1)(a) of the Act;

(b) the following orders have been made at any time with respect to a child so as to remove the child from the person's care or prevent the child living with the person —

(i) an order under section 33(1)(b) of the Act; or

(ii) an interim order under section 40 of the Act;

(c) an order was made for the purposes of removing a child who was being kept, or was about to be received, by the person, under the *Adoption Act, 2024*;

(d) the person has been convicted of a serious offence within the period of five years immediately preceding a proposal to carry on, or to be otherwise concerned in the management of, or to have any financial interest in, a children's home;

(e) the person has been convicted of an offence which cannot be expunged in accordance with the *Criminal Records (Spent Convictions) Act (2018 Revision)*;

(f) the person is a person who carried on or was otherwise concerned with the management of or had any financial interest in a children's home and the registration of the children's home was cancelled pursuant to section 54F(1) of the Act; or

(g) the person is a person who has been convicted of an offence in Schedule 6.

(2) A person referred to in paragraph (1) may be permitted to carry on, be otherwise concerned in the management of, or have a financial interest in, a children's home if the person has —

(a) disclosed to the Commissioner for Children and Young Persons the fact that that person is so disqualified; and

(b) obtained the written authorisation of the Commissioner for Children and Young Persons.

(3) Where the Commissioner for Children and Young Persons refuses to give authorisation under this regulation, the Commissioner for Children and Young Persons shall inform the person by a written notice which states —

(a) the reason for the refusal; and

(b) the person's right to appeal against the refusal within fourteen days after the date on which the person appealing is notified of the refusal.

PART 7 - GENERAL

Repeal of Registered Children's Homes Regulations, 2012 and transitional provisions

33. (1) Subject to paragraph (2), the *Registered Children's Homes Regulations, 2012* are repealed.

(2) For the purposes of paragraph 17B of Schedule 10 to the Act, where, on the commencement of sections 44 and 50 of the *Children (Amendment) Act, 2024*, a person is caring for a child and providing a child with accommodation in a children's home registered under the *Children Act (2012 Revision)* prior to being amended by the *Children (Amendment) Act, 2024*, the *Registered Children's Homes Regulations, 2012* shall continue to apply until —

(a) where the person applies within one month of the commencement of those sections to be registered in accordance with Part 5A of the Act, until the determination of the application; and

(b) where the person does not apply within one month of the commencement of those sections to be registered in accordance with Part 5A of the Act, the expiration of the one month period after the commencement of those sections.

(3) The Department shall ensure that the relevant arrangements are made to ensure the welfare of a child whose accommodation in a children's home registered under the *Children Act (2012 Revision)* prior to being amended by the *Children (Amendment) Act, 2024* ceases pursuant to the application of paragraph (2).

SCHEDULE 1

(regulations 4 and 5)

Statement to be kept relating to children's homes

PART 1

Particulars to be included in statement

1. The purpose for which the children's home is established and the objectives to be attained with regard to children accommodation in the children's home.
2. The name and address of the person in charge of the children's home.
3. The following details about the children for whom it is intended that accommodation should be provided —
   (a) age range;
   (b) sex; and
   (c) the number of children.
4. Whether a child is selected by reference to criteria other than age or sex and if so, those criteria.
5. The organisational structure of the children's home.
6. The number of staff employed in the children's home.
7. The qualification and experience of the persons in charge of the children's home, including the members of staff of the children's home.
8. The facilities and services to be provided within the children's home.
9. The arrangements made to protect and promote the health of the children.
10. The arrangements for the safe handling of medicinal products.
11. The fire precautions and associated emergency procedures.
12. The arrangements made for religious observance by any child.
13. The arrangements made for contact between a child and the child's parents, a person who has parental responsibility for the child and the child's relatives and friends.
14. The disciplinary measures in place.
15. The procedure for dealing with any unauthorised absence of a child from the children's home.

16. The arrangements for dealing with complaints against persons in the children's home.
17. The arrangements for the education of any child in the children's home.
18 The arrangements for dealing with reviews under section 28 of the Act of the cases of every child.

PART 2

Persons to whom statement is to be made available for inspection

1. The person in charge of the children's home.
2. The staff of the children's home.
3. The children accommodated in the children's home.
4. The parent or guardian of any child accommodated in the children's home.
5. Any person who is not a parent or guardian of a child accommodated in the children's home, but who has parental responsibility for such a child.
6. The Department.

SCHEDULE 2

(regulation 17(1))

Information to be included in confidential records concerning children in children's homes

1. The child's name and any name by which the child has previously been known other than a name used by the child prior to adoption.
2. The child's sex and date of birth.
3. The child's religious persuasion, if any.
4. A description of the child's racial origin and the child's cultural and linguistic background.
5. The living arrangements of the child before being placed in the children's home.
6. The person under whose authority the child is provided with care and accommodation in the children's home and the Act which authorises its provision.
7. The name, address, telephone number and the religious persuasion, if any, of —
   (a) the child's parents or guardians; and
   (b) any person who has parental responsibility for the child.
8. The name, address and telephone number of any officer of the Department assigned to the child by the Department.
9. The name, address and telephone number of any social worker assigned to the child.
10. The date and circumstances of any absence of the child from the children's home.
11. The date and circumstances of any visit to the child whilst in the children's home by any of the persons referred to in regulation 8(2)(d).
12. A copy of any statement of special educational needs maintained in relation to the child.
13. The name and address of any educational institution attended by the child and of any employer of the child.
14. Every school report received by the child while accommodated in the children's home.
15. The date and circumstances of any disciplinary measures imposed against the child.
16. Any special dietary or health needs of the child.

17. Arrangements for, including any restrictions on, contact between the child and —
    (a) the child's parents or guardians; and
    (b) any person who has parental responsibility for the child.
18. The date and result of any review of the child's case.
19. The name and address of the registered practitioner with whom the child is registered.
20. Details of any accident involving the child.
21. Details of any immunisation, illness, allergy or medical examination of the child and of any dental need of the child.
22 Details of any health examination or development test conducted with respect to the child at or in connection with the child's educational institution.
23. Details of all medicinal products taken by the child while in the children's home and by whom they were administered, including those which the child is permitted to administer to himself or herself.
24. The date on which —
    (a) any money or valuables are deposited by or on behalf of a child for safekeeping;
    (b) such money is withdrawn; and
    (c) any valuables are returned.
25. The arrangements for accommodation of the child when the child's accommodation in the children's home ceases.

SCHEDULE 3

(regulation 19(1))

Information to be included in other records concerning children in children's homes

1. A record showing —
   (a) the date on which each child was first accommodated in the children's home;
   (b) the date on which a child ceased to be accommodated in the children's home;
   (c) where each child came from before the child commenced occupancy of the children's home;
   (d) the new accommodation of each child who has ceased to be accommodated in the children's home;
   (e) the identity of the person, authority or organisation responsible for the child being placed in the children's home; and
   (f) which, if any, child accommodated in the children's home was being looked after, or in the care of, any other home or facility providing child care.
2. A record showing —
   (a) the full name, the sex, the date of birth and the qualifications relevant to and experience of work involving children, of every person who —
      (i) is employed at the children's home;
      (ii) works at the children's home; or
      (iii) is intended, by the responsible authority, to work at the children's home; and
   (b) whether such persons work at the children's home full-time or part-time, whether paid or not and, if part-time, the average number of hours worked per week and whether or not they reside at the children's home or intend to do so.
3. A record of all persons resident at the children's home, other than the persons referred to in paragraph 2 of this Schedule and the children accommodated in the children's home.
4. A record of accidents occurring in the children's home.
5. A record of any medicinal product administered to any child in the children's home, including the date and circumstances of its administration and by whom

it was administered, including medicinal products which the child is permitted to administer to himself or herself.

6. A record of every fire drill or fire alarm test conducted, with details of any deficiency in either the procedure or the equipment concerned, together with details of the steps taken to remedy that deficiency.
7. A record of all money deposited by a child for safekeeping, together with the date on which that money was withdrawn, or the date of its deposit.
8. A record of all valuables deposited by a child and the date of return.
9. Records of all accounts kept in the children's home.
10. A record of menus.
11. A record of every disciplinary measure imposed, giving the information required by regulation 8(4).
12. Records of duty rosters.
13. A daily log of events occurring in the children's home, including the names of visitors to any child accommodated in the children's home.

SCHEDULE 4

(regulation 21(1))

Events and Notifications

Column 1	Column 2					
Event:	**To be notified to:**					
	Department	**Cabinet**	**Royal Cayman Islands Police Service**	**Health Services Authority**	**Commissioner for Children and Young Persons**	**Chief Officer of the Ministry responsible for the Department**
Death of a child accommodated at the children's home.	Yes	Yes	Yes	Yes	Yes	Yes
Serious illness or serious incident involving a child accommodated at the children's home.	Yes			Yes	Yes	Yes
Outbreak at children's home of any notifiable infectious disease to which the Public Health Act (2026 Revision) or regulations made under that Act	Yes	Yes		Yes	Yes	Yes

Column 1	Column 2					
Event:	**To be notified to:**					
	Department	**Cabinet**	**Royal Cayman Islands Police Service**	**Health Services Authority**	**Commissioner for Children and Young Persons**	**Chief Officer of the Ministry responsible for the Department**
applies.						
Allegation that either a child accommodated at the children's home or the responsible authority or person in charge of the children's home has committed a serious offence.	Yes		Yes		Yes	Yes
Involvement or suspected involvement of a child accommodated at a children's home in prostitution.	Yes		Yes		Yes	Yes
Serious incident relating to a child accommodated at a children's home necessitating calling a police officer to the	Yes				Yes	Yes

Column 1	**Column 2**					
Event:	**To be notified to:**					
	Department	**Cabinet**	**Royal Cayman Islands Police Service**	**Health Services Authority**	**Commissioner for Children and Young Persons**	**Chief Officer of the Ministry responsible for the Department**
children's home.						
Absconding by a child accommodated at a children's home.	Yes		Yes			Yes
Any serious complaint about the responsible authority, the person in charge or a member of staff of the children's home.	Yes				Yes	Yes
Investigation and outcome of any child protection enquiry involving a child accommodated at the children's home.	Yes				Yes	Yes

SCHEDULE 5

(regulation 26(2))

Particulars of change of identity of person proposed to be in charge of a children's home

1. The name, date of birth, address and telephone number of the person who is proposed to be in charge ("the proposed person").
2. The qualifications and experience held by the proposed person which are relevant to the proposed person's suitability to carry on the children's home.
3. The names and addresses of any person by whom the proposed person is, or has at any time in the preceding ten years been, employed.
4. The names and addresses of two persons, in addition to those referred to in paragraph 3, who are willing and able to give a reference as to the suitability of the proposed person to be in charge of a children's home.
5. A report, where the Commissioner for Children and Young Persons considers it necessary, by a registered practitioner as to the physical and mental health of the proposed person.
6. A police record on the proposed person covering the last ten years or such longer period as the Commissioner for Children and Young Persons may determine.

SCHEDULE 6

(regulation 32(1))

Offences

1. Murder.
2. Manslaughter.
3. Attempted murder.
4. Offences relating to children under the *Penal Code (2026 Revision)*, under any other legislation in the Islands, or under the law of another jurisdiction.
5. Offences of a sexual or indecent nature under the *Penal Code (2026 Revision)*, under any other legislation in the Islands, or under the law of another jurisdiction.
6. The offence of trafficking in persons under the *Trafficking in Persons (Prevention and Suppression) Act (2015 Revision)*.

Made in Cabinet the 9 September **day of , 2026.**

Clerk of the Cabinet

Laid in the Parliament the day of , 2026 in accordance with section 95(2) of the *Children Act (2012 Revision)*.

Clerk of the Parliament