

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2013 No. 52.

THE CHILDREN (APPROVED HOMES) RULES, 2013.

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S T A T U T O R Y I N S T R U M E N T S

2013 No. 52.

The Children (Approved Homes) Rules, 2013.

(Under section 66 and 110 of the Children Act, Cap.59)

IN EXERCISE of the powers conferred upon the Minister responsible for Children's welfare by sections 66 and 110 of the Children Act, Cap. 59, these Rules are made this 21st day of November, 2013.

PART I—PRELIMINARY

1. Title.

These Rules may be cited as the Children (Approved Homes) Rules, 2013.

2. Interpretation.

In these Rules, unless the context otherwise requires—

“Act” means the Children Act;

“alternative care” means care for children who are without parental care, with a range of care options taking the form of—

- (a) informal care, where care is provided without a judicial order and consists of a private arrangement provided in a family environment. In this case a child is looked after on an ongoing or indefinite basis by relatives or friends or by others in their individual capacity, at the initiative of the child, his or her parents or other persons; or
- (b) formal care where care is provided with a judicial order and consists of care provided in a residential family environment as well as institutional care. It consists of kinship care, foster care, guardianship, other forms of family based placements, residential care, supervised independent living arrangements for children, domestic adoption and inter-country adoption;

“approved home” means a Government or non-governmental organisation or body corporate home approved by the Minister to provide substitute family care for a child and includes a babies’ approved home and children’s approved home which provide care and accommodation for children aged below six years and aged between three to under eighteen years respectively;

“authorised person” means an official or other person authorised expressly or impliedly to perform the Act in question;

“child” means a person below the age of 18 years;

“Commissioner” means the Commissioner responsible for children’s affairs;

“currency point” means the value specified in relation to a currency point in Schedule 1;

“guardian” means a person having parental responsibility for a child;

“LC III” means the Sub-County Local Council or in Kampala and in Municipalities, a Division Council;

“Minister” means the Minister responsible for children’s welfare;

“Ministry” means the Ministry responsible for children’s welfare;

“minor pleasure” means watching television, playing and visiting friends;

“non-governmental organisation” means an organisation established to provide voluntary services including religious, educational, literary, scientific, social or charitable, services to the community or any part of it;

“parent” means a biological mother or father or adoptive mother or father of a child;

“Permanent Secretary” means the Permanent Secretary of the Ministry responsible for children’s welfare;

“violence” means all forms of physical, psychological, emotional or mental injury or abuse, neglect, maltreatment, and exploitation, including sexual abuse and the intentional use of physical force or power, threatened or actual, against a child that either results in or has a high likelihood of resulting in injury, death, psychological harm or deprivation;

“warden” means any person designated by appointment to be in charge of an approved home.

3. Purpose of an approved home.

An approved home shall provide substitute family care for a child until such time as the parents of the child are able to provide adequate care to meet his or her basic needs or the child completes three years in the home or attains the age of eighteen years, whichever is earlier.

PART II—APPROVAL OF HOMES

4. Application for approval.

(1) A person shall not operate a home to care for children without the approval of the Minister.

(2) An application for approval to care for children in an approved home shall be made to the Minister as specified under Form 1, Schedule 2.

(3) A technical working committee at the Ministry shall review the application and advise the Minister through the Permanent Secretary to approve or reject the application.

(4) The Minister shall approve or reject the application under subrule (2) within 30 days after its submission.

(5) The Permanent Secretary shall ensure that the approval granted under subrule (4) is immediately published in the Gazette.

(6) Each approval shall be specific to a given home facility and period.

(7) The approval shall indicate the physical address of the approved home.

(8) The approval for a home shall not be transferable to another person to operate a home.

5. Requirements for Minister's approval.

(1) Subject to Rules 7 and 34, a person shall not operate a home, unless the person has been granted approval in writing by the Minister.

(2) The approval under subrule (1) shall not be granted unless—

- (a) the applicant is a body corporate with perpetual succession and a common seal or a non governmental organisation;
- (b) the Public Health Inspector has inspected the premises of the home and found that the home is in conformity with the requirements of rule 16;
- (c) the District Probation and Social Welfare Officer's report confirms a critical number of children in the area that require institutional care and protection, rather than alternative community care; and
- (d) a recommendation from the District Probation and Social Welfare Officer justifying the need to establish the approved home in the District, is given to the applicant.

6. Grant or rejection of approval.

(1) Where the Minister is satisfied that the applicant has satisfied all the necessary requirements for the grant of the approval under rule 5, the Minister shall grant the approval specified in Form 2, Schedule 2.

(2) The Minister shall where he or she refuses to grant an approval under rule 5, give the applicant a statement of reasons for the refusal within thirty days.

7. Existing homes.

(1) A home that is in existence before the commencement of these Rules, shall within three months of the commencement of these Rules apply to the Minister for approval to care for children.

(2) The Minister shall consider the application in the manner referred to in rule 5.

(3) Where the Minister has rejected an application made under subrule (1) in respect of a home, the operation of that home shall be discontinued within three months after the application is rejected or within such further period as the Minister may, in writing, appoint.

8. Admission of children to an approved home.

An approved home shall only receive children in the following ways—

- (a) in an emergency situation from a police officer, a Probation and Social Welfare Officer or any other person for a maximum period of forty eight hours pending production of the child in court; or
- (b) on an interim care order or a care order.

PART III—MANAGEMENT OF APPROVED HOMES

9. Management Committee.

(1) An approved home shall have a Management Committee consisting of seven members.

(2) A Management Committee shall be responsible for the overall management of the approved home.

(3) The Management Committee of an approved home established by the Government shall include the following persons—

- (a) an LCIII member nominated by the LCIII chairperson;
- (b) the District Probation and Social Welfare Officer;
- (c) District Health Officer;
- (d) the Warden of the home;
- (e) three other members appointed by the Minister in consultation with the Permanent Secretary.

(4) The composition of the Management Committee an approved home established by a non governmental organisation or body corporate shall be—

(a) members enumerated in rule 9(3)(a)-(d);

(b) three other members appointed by the non governmental organisation or a body corporate.

10. Warden and staff.

(1) An approved home shall have a Warden who shall be the head of the approved home.

(2) A Warden shall be a person qualified in the field of social sciences at a degree or diploma level with practical experience relevant to the operation of an approved home.

(3) The particulars of the qualifications and experience of a person to be appointed a Warden of an approved home shall be submitted to the Permanent Secretary for approval.

(4) The Warden and staff of the approved home shall have parental responsibility for the children in an approved home.

(5) An adequate number of direct care givers with a ration of one to five (1:5) for babies and one to eight 1:8 for older children shall be employed in each approved home and the staff shall be given relevant training to facilitate the proper care of the children.

(6) Care in an approved home shall be on a twenty-four-hourly basis.

(7) Where an approved home caters for both male and female children of over six years of age, it shall have both female and male staff on duty.

(8) The staff of an approved home shall be paid and be granted time off as part of their conditions of service.

(9) An adequate number of staff shall be on duty at all times in proportion to the number and ages of the children.

(10) Where a person has doubt as far as the adequacy of staff employed or of the competence in training of the staff in an approved home, the matter shall be forwarded to the Permanent Secretary for him or her to make a decision.

(11) Where the person under subrule (10) is not satisfied with the decision of the Permanent Secretary, he or she may appeal to the Minister whose decision on the matter shall be final.

11. Health.

(1) An approved home shall employ the services of a registered nurse as a full time staff member or provide an alternative health care system.

(2) The alternative healthcare system shall be approved by the District Health Officer.

(3) The approval by the District Health Officer shall state the particulars of the arrangement in respect of which approval was given.

(4) The approved home shall ensure that the approval for the alternative healthcare system required under subrule (2) is submitted to the Permanent Secretary.

12. Medical care procedures.

(1) A child who is admitted to an approved home shall, within forty-eight hours after admission, be examined by a medical practitioner or other health personnel not below the rank of a registered nurse.

(2) An approved home shall ensure that they obtain the child's medical records and where possible, request the information from the child's last care taker.

(3) The approved home shall also obtain the record of immunisations carried out in respect of the child and where they are not available, the medical personnel referred to in subrule (1) shall state on the child's medical record the vaccinations that are immediately necessary.

(4) The approved home shall take the necessary steps required to cause the child to be vaccinated.

(5) An approved home shall ensure that all the children in the home are immunised in accordance with the latest Uganda National Immunisation Schedule prescribed by the Ministry responsible for health.

(6) An approved home shall display an annual menu card and budget, and it shall also provide an appropriate diet to all children on life long medication such as those on HIV and AIDS treatment.

13. Records.

(1) An approved home shall in respect of each child maintain a file which shall contain the following records—

- (a) a child health card issued by the Ministry of Health;
- (b) a health record card;
- (c) a case record specified in Form 1, Schedule 3;
- (d) a care order;
- (e) school report where applicable;
- (f) social background report; and
- (g) any other records related to the welfare of the child.

(2) Once in every three months or as often as may appear necessary, the Warden shall cause to be prepared a child's progress information report specified in Form 2, Schedule 3.

(3) The report required under subrule (2) shall incorporate the child's progress on health, school, behavior and any other matter related to the development of the child as well as recommendations regarding the future welfare of the child.

(4) The child's case record shall be reviewed by the Warden and the District Probation and Social Welfare Officer once every twelve months and, they shall upon completion of the review, make such recommendations as they consider appropriate to the future welfare of the child.

(5) The recommendations made under subrule (4) shall be kept on the file referred to under rule 13(1).

(6) The file shall also contain a passport size photograph of the child which shall be replaced every three years.

14. Six monthly reports.

(1) A approved home shall, once in every six months, submit to the Permanent Secretary, a report in respect of the operation of the home in the form specified in Schedule 4.

(2) An approved home which contravenes the requirement under subrule (1) commits an offence and is liable on conviction to a fine of not less than fifty currency points or imprisonment for a term not exceeding two years or both.

(3) Where a person commits an offence under these Rules and is a person, who at the time of commission of the offence was responsible for the management of the affairs of the approved home or was assisting in such management—

- (a) may be charged severally or jointly in the same proceedings with the approved home;
- (b) shall be deemed to have committed an offence unless, having regard to the nature of his or her function in that capacity and to all circumstances, he or she proves—
 - (i) that the offence was committed without his or her knowledge, consent or connivance; and
 - (ii) he or she took all reasonable precautions and had exercised due diligence to prevent the commission of the offence.

15. Inspection of approved homes.

(1) An approved home shall be inspected at least once in every six months by the District Probation and Social Welfare Officer and the Public Health Inspector.

(2) After every inspection, the District Probation and Social Welfare Officer shall prepare a report stating whether in his or her opinion the approved home has complied with the provisions of these Rules.

(3) The Public Health Inspector, shall after every inspection, prepare a report stating whether in his or her opinion the approved home has complied with the provisions of these Rules as far as health matters are concerned, and the report shall be attached to the report of the District Probation and Social Welfare Officer.

(4) The District Probation and Social Welfare Officer shall submit his or her report together with the Public Health Inspector's report to the Permanent Secretary.

(5) The District Probation and Social Welfare Officer shall forward a copy of the report referred to in subrule (4) to the District Health Officer and the Warden.

(6) The District Probation and Social Welfare Officer as well as the Public Health Inspector shall use the guidelines specified in Schedule 5 for purposes of inspection of an approved home.

16. Buildings.

The buildings and sanitation of an approved home shall comply with the requirements of the Public Health (School Buildings) Rules in respect of boarding establishments, as if the home were a school and the children in the home were boarding pupils.

17. Sleeping facilities.

The Warden shall provide each child in the approved home with a separate bed.

18. Facilities and property not to be removed.

(1) The facilities and property of an approved home shall be exclusively for the use of the children in that approved home.

(2) Except with the written permission of the Management Committee of an approved home, a person shall not remove any facilities or property from the home.

19. Education.

An approved home shall ensure that each child in the approved home is given appropriate education for his or her age and ability.

20. Language and customs etc.

An approved home shall ensure that as far as practicable each child in the approved home is helped to learn the language, customs, traditions and obligations of his or her ethnic group.

21. Religion.

Where a child's religion and name is known, the approved home shall respect that religion and name as far as practicable, and the child shall be brought up in the knowledge and practice of that religion and name.

22. Finances.

(1) An approved home shall keep proper accounts of income, expenditure, donations and capital.

(2) The accounts shall be regularly audited.

23. Conduct of staff and children in an approved home.

(1) An approved home shall have rules regulating the conduct of persons within that home and in particular, regulating the discipline of staff and children in that home as specified in Form 1, Schedule 6.

(2) The rules of a home shall be approved by the Management Committee.

(3) An approved home shall administer simple punishments to the children for infringement of the approved homes rules.

(4) The punishments under subrule (3) shall include—

(a) depriving a child of minor pleasures;

(b) sending a child to bed early; and

(c) making a child do extra work commensurate with his or her age and ability.

(5) In case a child has serious behavioral problems, guidance shall be sought from the Management Committee.

(6) The Warden and staff of an approved home shall ensure that a child is not subjected to torture, any form of violence or other cruel and inhuman or degrading punishment.

(7) An approved home shall maintain a file with details of the discipline of children and staff as specified in Form 2, Schedule 6.

(8) Where the management Committee fails to offer the required guidance under subrule (5), the assistance of a technical person shall be sought.

24. Contact with parents and relatives.

(1) The approved home and the Probation and Social Welfare Officer shall maintain contact with the parents or relatives of a child in the home as well as maintain contact between the child and the parents or relatives of the child.

(2) A named person may be refused contact by an exclusion order made by the court during proceedings on an application for a care order, or later on the application of the child or the Probation and Social Welfare Officer to the court when such contact is not in the interest of the child.

(3) Any person refused contact with the child or the child himself or herself may apply to the court to have the order varied or discharged.

25. Authorisation to visit.

(1) A person may visit a child in an approved home if he or she is granted permission by the Warden.

(2) A visitor to an approved home who is interested in inspecting the approved home shall only do so if, they are authorised by the Warden or a member of staff of the approved home on the instructions of the Warden.

(3) A visitor to an approved home shall visit the child whom he or she is granted permission to visit in a specified place or room in the approved home, in the presence of a member of staff.

26. Visitation by parents.

(1) An approved home in collaboration with the District Probation and Social Welfare Officer shall encourage the parents and relatives of each child in that home to visit the child as often as possible, and to make arrangements for the child to spend time with the parents at home.

(2) In the absence of the parents of an approved child, a home shall in collaboration with the District Probation and Social Welfare Officer make every effort to immediately look for a foster parent for the child.

27. Escape from approved home or foster parent.

(1) A child who runs away from an approved home to which he or she has been committed or from a person in whose care he or she has been placed on emergency or committed by the court on a care order may, pending investigation—

- (a) be brought back to the approved home or the person from which or from whom he or she has run away; or
- (b) be put in an alternative approved home or place of safety.

(2) The child shall as soon as possible be interviewed by the Probation and Social Welfare Officer or an authorised person who shall also interview the Warden of the approved home or the person in whose care the child had been placed.

(3) The child may then be returned to where he or she had been placed or, if that is not in the child's best interests, he or she may be moved by the Probation and Social Welfare Officer under a care order or otherwise returned to court for variation or discharge of the order.

28. Reporting of missing children.

(1) Where a child goes missing from an approved home, the home shall immediately report the matter to the police.

(2) The approved home shall within forty eight hours also report the matter to the District Probation and Social Welfare Officer who shall in turn report it to the Commissioner.

PART IV—RECOVERY ORDER

29. Removal of a child.

(1) The District Probation and Social Welfare Officer or an authorised person may remove a child temporarily or permanently from an approved home for a just cause.

(2) A person authorised to remove a child from an approved home under subrule (1) shall, before doing so, inform the Management Committee of his or her intention of removing the child and the place to which the child is going to be taken.

(3) A parent or a person specified in subrule (1) may remove a child from an approved home with the written permission of the Warden in consultation with the District Probation and Social Welfare Officer.

(4) An application for permission to remove a child shall be made directly or through the District Probation and Social Welfare Officer who shall, in turn, inform the Warden or the Management Committee of the approved home, stating the reason for the intended removal.

(5) In this rule, “prime carer” means the parent, guardian or relative or other person for the time being responsible for the welfare of the child.

(6) Where the child is being taken away from the approved home for more than three days to another place other than the prime carer’s home, the Warden and the person taking the child away shall as soon as possible inform the prime care of the child’s removal, as well as the child's new address.

(7) A person who removes a child from an approved home without reasonable cause commits an offence.

30. Recovery order.

(1) When a court has been informed on information on oath that a child has been removed unlawfully from an approved home, it may make a recovery order.

(2) A recovery order may—

- (a) direct a person who is in possession of the child to produce him or her on request to any authorised person;
- (b) require removal of the child by any authorised person;
- (c) require any person who has information leading to the child's whereabouts to disclose it;
- (d) authorise search of any premises where the child is believed to be staying; and
- (e) specify the name of the child in question and the person who has the current main parental responsibility.

31. Application for a recovery order.

Any of the following persons may apply for a recovery order—

- (a) a person with responsibility for the child; or
- (b) the Probation and Social Welfare Officer.

PART V—COURT ORDERS

32. Court's power to order parent or guardian to contribute.

(1) Where an approved home has custody of a child who has a parent or guardian, the court may order the parent or guardian to contribute towards the child's maintenance.

(2) The amount contributed shall be reasonable and within the means of the parent or guardian and may be varied by the court if there is a change in that person's circumstances.

(3) A contribution order made under this rule shall remain in force as long as the child is in the approved home, but a person contributing may, at any time, apply to the court for the order to be varied or discharged on the ground that his or her circumstances have changed since the order was made.

33. Court orders.

(1) A child shall not be kept in an approved home except in pursuance of an order of court under section 19(b) or section 57(a) and (b) of the Act.

(2) The care order shall be valid for three years.

(3) The approved home shall re-apply to court to care for a child or where necessary resettle the child with its parents or a guardian on expiry of the order.

(4) After an approved home has been closed down in accordance with rule 34(3), the District Probation and Social Welfare Officer together with the Ministry shall be responsible for ensuring provision of alternative care for the children in the approved home.

PART VI—MISCELLANEOUS

34. Closure of homes.

(1) The Minister may, in writing, revoke an approval granted by him or her under rule 5 and shall order the approved home to be closed down.

(2) The Minister shall not revoke an approval under subrule (1) unless the approved home has been given an opportunity to be heard by the Permanent Secretary.

(3) Where an approved home has been ordered to close down under subrule (1), the operation of the approved home shall be discontinued within three months after notice of the Minister's decision has been served on the Warden of the approved home or within such further period as the Minister may, in writing, permit.

35. General penal provision.

A person who contravenes any of the provisions of these Rules commits an offence and is liable on conviction to a fine not exceeding fifty currency points or imprisonment not exceeding two years or both.

SCHEDULES

Schedule 1

rules 2, 35

CURRENCY POINT

Currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

The Children (Approved Homes) Rules, 2013

FORM 1

rule 4 (2)

APPLICATION FOR APPROVAL TO CARE FOR CHILDREN IN A HOME
(Delete whichever is not applicable)

1. Name of proposed approved home
2. Address
3. Physical location.....
4. Names, title, position and contact of committee members—
 - (a) LC III Member
 - (b) District Probation and Social Welfare Officer
 - (c) District Health Officer
 - (d) Warden
 - (e) Other members—
 - (i)
 - (ii)
 - (iii)
5. Sponsoring agency:
 - (a) Name
 - (b) Address
 -
6. Name of Warden

- 7. (a) Details of experience
.....
.....
- (b) Qualification
.....
- 8. Number of staff and their qualifications
.....
.....
.....
.....
.....
.....(use extra paper if necessary)
- 9. Age range of children
- 10. State whether the children are female or male only or both
- 11. Number of children planned for malesfemales
- 12. Details of land tenure (nature of land title) (include copy of title or agreement)
.....
.....
.....
- 13. Likely income and expenditure
.....
.....
- 14. Details of projected expenditure category for the next 3 years—
 - (a) food
 - (b) clothes
 - (c) education.....

- (d) staff salaries.....
- (e) medical bills
- (f) electricity
- (g) water

15. Give details of medical arrangements, include a signed statement from the District Health Officer regarding medical care and immunisation arrangements

.....

.....

.....

16. Aims and objectives of the home and its sponsoring agency—

.....

.....

.....

17. Please attach a copy of the Probation and Social Welfare Officer's report, recommendation and a copy of the Public Health Inspector's report on your proposed establishment.

Full name of applicant

Date

.....

Signature

N.B. This form is to be submitted to the Permanent Secretary

SCHEDULE 2

The Children (Approved Homes) Rules, 2013

FORM 2

rule 6 (1)

GRANT OF APPROVAL BY THE MINISTER TO OPERATE A HOME
(Delete whichever is not applicable)

In exercise of the powers conferred upon the Minister by rule 6 of The Children (Approved Homes) Rules, 2013, approval is hereby granted for 5 years to

.....
(Name of approved Home)

of.....
(Address)

.....

The maximum number of children allowed to be accommodated in the approved home isboys:.....girls:.....

GIVEN thisday of....., 20.....

Name of Minister

Minister of

.....
Signature of the Minister

SCHEDULE 3

The Children (Approved Homes) Rules, 2013

rule 13(1)(c)

FORM 1

CHILD CASE RECORD

INITIAL RECORD

- (1) Name of Children's approved Home
- (2) Name of childtribenickname.....
- (3) Date of birth and agereligion.....
- (4) Date of admissionmale.....female.....
- (5) Type of court order or circumstances of admission
- (6) Father's namealive or dead.....
- (7) Occupationage.....
- (8) Mother's namealive or dead.....
- (9) Occupationage.....
- (10) Address of origin or if abandoned specify where picked from
.....
- (11) Name of brothers and sisters and where they live -
- (12) *Name* *Address*
.....
.....
.....
.....

(13) Other important relatives, foster parents, guardians—

Name

Relationship

Address

.....
.....
.....
.....
.....

(14) Child's former schoolclass.....

(15) Details of disability if any (specify)—

.....

.....

.....

.....

(16) Circumstances leading to admission to the home—

.....

.....

.....

.....

.....

.....

(17) Future plans regarding the child's welfare —

.....

.....

.....

.....

.....

.....

.....

.....

(18) Name and status of person completing the record—

.....
.....
.....
.....
.....

Signature Date.....

Warden..... Signature

..... Date.....

SCHEDULE 3

The Children (Approved Homes) Rules, 2013

FORM 2

rule 13(2)

CHILD'S PROGRESS AND INFORMATION REPORT

(Each entry to be signed and dated)

1. Name of the Children's Home
2. Name of child
- (a) Present or discharged (if discharged skip to (g)).....
- (b) Health status of the child.....
- (c) Progress at school.....
- (d) Weight height.....
- (e) Immunisations received.....
- (f) Discipline of the child
-
- (g) Details of the discharge.....
-
- (h) Any other comments.....
-
-
- (i) Recommendations
-
-
-

Name of the person completing the form

Date Signature.....

Warden.....Signature.....

Date.....

SCHEDULE 4
The Children (Approved Homes) Rules, 2013

rule 14

SIX MONTHLY HOME REPORT
(Report to be completed by the Warden)

1. Name of Home
2. Address
3. Date of Report..... Date of last report

Management Information

4. Warden's name.....
5. Names of Assistant Wardens
6. Name(s) of nurses employed by the Home
7. Name(s) of social workers employed by the Home
8. Name and place of work of qualified medical practitioner or other medical personnel used by the Home

Name place of work.....

9. How many times has the management committee met in the last six months?
.....
10. Give the name of any new member of the Home's management committee since the last report
11. Number of visits received from probation staff in the last six months
.....

12. Number of visits received from health personnel from outside the home in the last six months
13. How many children have a record file containing an immunisation report, health record and case record
14. (a) How many children were brought to the home on court order?
- (b) How many children have been disciplined in the last six months and what forms of discipline were used
16. List and explain the major problems the home has encountered over the last six months or since the last report was submitted
17. Maximum number of children allowed to be accommodated in the Home
18. Number of children at residentmale.....female.....
19. Age range of these children.....
20. Number of children leaving institutional care for family placement, disaggregated: family reunification, kinship care, foster care, guardianship, domestic adoption, inter-country adoption.
21. Number of children who have left in the last six months or since last report was submitted (delete whichever is not appropriate) under the following categories—
 - (i) were resettled.....male.....female.....
 - (ii) ran away.....male.....female.....
 - (iii) diedmale.....female.....
 - (iv) moved to another institutionmale.....female.....
 - (v) left for another reason (give reason and number)....male....female...
.....

22. Number of children who have arrived; in the last six months or since last report was submitted.....
23. State sub-county, county and district of new arrivals and the numbers from each sub-county (for any home that receives children country-wide give only districts and number of children per district)—

Name of sub-county	Number of children received		County/Division	District	Origin of child
	Male	Female			
.....
.....
.....
.....
.....
.....
.....

24. Indicate the number of children who were brought to the home by each category in the last six months or since the last report was submitted—
- ParentsPolice Guardian
- RelativesProbation and Social Welfare Officer
- Others

25. State the number of children who have been with you for six months and are still with you, who have been not visited by parents or relatives
-
-

Health

26. How many children have been immunised? (M/F)
-malefemale.....

27. Give the number of mentally and physically handicapped children resident and the nature of services and facilities offered for their incapacity?

- (a) Mentally handicappedmale.....female.....
- (b) Nature of services received.....
- (c) Physically handicapped.....male.....female.....
- (d) Nature of services received

28. Give the name of every child who has died as well as cause of death, by attaching a post-mortem, over the last six months or since last report was submitted.

<i>No.</i>	<i>Name</i>	<i>M</i>	<i>F</i>	<i>Cause of death</i>	<i>How ascertained</i>

29. Give the name of every child who has visited a health unit over the last six months or since the last report was submitted, name the Health Unit and state why they went, how long they stayed and the result of the visit—

<i>Name of the child</i>	<i>Name of health unit</i>	<i>Reason for visit</i>	<i>Result of visit</i>
.....	
.....	
.....	
.....	

Facilities

30. State in brackets number of pit-latrines (), flush toilets (), bathrooms (*delete if not applicable*).

31. Does each child have its own bed? (state yes or no).....

32. If “No”, how many do not?
33. Do children obtain their water from taps, springs, wells, streams, rivers, boreholes? Circle what is applicable and indicate if more than one is used, state the distance of home from the water supply

Education

34. Give the number of children attending school and state the level of education attained—
- (a) Nursery (b) Primary
- (c) Secondary (d) Tertiary institution
- Attending vocational training classes at home

List the leisure activities that take place at your home -

.....

Projects

35. List the projects the home has undertaken in the last six months or since the last report was submitted and name of sponsoring agency-
- (i)
- (ii)
- (iii)
36. List the projects the home is planning to undertake in the next six months and the name of agency that will sponsor the project
- (i)
- (ii)
- (iii)

Finance

- 37. List the home's sources of funding over the last six months
 - (i)
 - (ii)
 - (iii)

- 38. Has the funding you have received over the last six months covered your expenses (state Yes or No)

- 39. Will the same sources of funding be available over the next six months?
(State Yes or No)

- 40. If the funding available is not sufficient to cover your costs, what are your plans for sourcing for more funds
.....
.....

Author of the report (Warden)

Signature

Date

SCHEDULE 5

rule 15

The Children (Approved Homes) Rules, 2013

GUIDELINES FOR INSPECTION BY THE PROBATION AND SOCIAL WELFARE OFFICER AND PUBLIC HEALTH INSPECTOR

1. Name of Home
2. Physical Address
3. Legal Status:
4. Certificate (Attach)
 - (a) approval to operate a home
 - (b) Non Governmental Organisation or other body corporate.
5. Number of children in the home disaggregated by sex.
 - (a) Number of children in the home at the time of the assessment, disaggregated by sex.
 - (b) Approved number of children meant to be in the home, disaggregated by sex.
 - (c) Number of children with care orders, disaggregated by sex.
 - (d) Age range of children in the home.
6. Property of the home.
7. Management of the home

(a) Management Committee

	<i>Names</i>	<i>Title</i>	<i>Position in Committee</i>
(a)			
(b)			
(c)			
(d)			
(e)			
(f)			
(g)			
(h)			

(b) Issues raised in the last three management meetings (provide copies)

8. Staffing of the home

(a) Staff positions and qualifications of persons filling these

<i>Staff position</i>	<i>Qualification of incumbent</i>

positions.

(b) Ratio of care givers to children

(c) Are case files kept for each child? Yes or No.

(d) Others (specify)

	<i>Facility</i>	<i>Comment</i>
(a)	Beds (shared or not)	
(b)	Dormitories, separate for boys and girls	
(c)	Toilets, stances, separate for boys and girls	
(d)	Stores	
(e)	Dining hall or room	
(f)	Bathrooms	
(g)	Child play spaces	
(h)	Recreational facilities	
(i)	Clinic or sick bay	
(j)	Waste disposal arrangement	
(k)	Study room	
(l)	Asset register or inventory	
(m)	Others (specify)	

9. Available facilities

10. Circumstances that led to children being admitted into the home (tick appropriate and specify number of children)—

- (a) abandoned;
- (b) poverty;
- (c) orphaned; or
- (d) others.

11. Conversation or discussion with children—

- (a) Probe issues around meals (number of meals per day; presence of a meal menu or diet etc);
- (b) What the children do during their free time?

- (c) What form of disciplinary action is subjected to them?
 - (d) Contact with family members and with the surrounding community.
12. Conversation or discussion with care givers—
- (a) Probe for working conditions and challenges.
- (Questions 11 and 12 can be filled in an annex paper)*
13. Finance:
- (a) Approved budget (date of approval and approving authority);
 - (b) Annual or quarterly work plan;
 - (c) Current source and level of funding.
14. Mode of fostering and adoption from the home.
- (a) Number of children adopted, disaggregated by sex;
 - (b) Number of children fostered, disaggregated by sex.
15. Resettlement plan
- (a) How many children have been resettled since the inception of the home?

Boys:	Girls:
-------	--------
 - (b) What is the criteria for resettlement?
 - (c) How many children are due for resettlement?

Boys:	Girls:
-------	--------
 - (d) How is resettlement carried out? (Probe for involvement of District Probation and Social Welfare Officers)
 - (e) What resettlement and after resettlement support is provided to the children?

16. How many children are leaving institutional care for family placement, including reunification?
17. Have there been any deaths in the last six months? Yes or No.
 - (a) If Yes, how many and what was the cause?
 - (b) Where was the burial?
 - (c) Was the child's family informed and involved? (Attach names and details)
18. Health
 - (a) Provide names and detailed information on every child who has visited a health unit over the last six months on an attached form;
 - (b) Are there children with disability in the home? Yes or No
If Yes, tick the appropriate category -
 - (i) physical disability;
 - (ii) blind;
 - (iii) dumb;
 - (iv) deaf;
 - (v) epileptic;
 - (vi) others (specify)
 - (c) Are care givers trained to deal with children with special needs? If Yes, what specific training?
19. How often do children interact with neighbouring communities? State reasons for the interaction and what form of interaction they are engaged in.
20. List any success stories or lessons learnt or good practices noted among the children regarding any sphere of their lives.
21. List challenges faced by the institution.
22. General comments

Signature and name of the Principle respondent:

Signature and name of the Supervisor or Inspector

SCHEDULE 6

rule 23(1)

FORM 1

STAFF CODE OF CONDUCT AND FORMS OF DISCIPLINE

Staff Code of Conduct

1. The staff of a home shall—
 - (a) treat children with respect regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, disability, special needs, birth or other status;
 - (b) not use language or behavior towards children that is inappropriate, harassing, violent, demeaning or culturally inappropriate;
 - (c) not engage children in any form of sexual activity or acts;
 - (d) whenever possible, ensure that at least two adults are present in the home;
 - (e) not invite unaccompanied children to their personal homes without authorisation, unless the children or child is in immediate risk of injury or physical danger;
 - (f) shall not share a bed with children without express authorisation;
 - (g) immediately report acts or allegations of child abuse, exploitation and violence in accordance with appropriate procedures;
 - (h) ensure that the children are not photographed by anybody except with express authorisation from the management of the home;
 - (i) not participate in any activities that are in conflict with The Children (Approved Homes) Rules, 2013; and
 - (j) maintain all information associated with the children in the home as private and confidential.

2. Forms of discipline not permitted in a home

- (1) The following forms of discipline are not permitted in homes—

- (a) corporal punishment including smacking, slapping, caning and all other humiliating forms of treatment or punishment;
 - (b) demeaning or humiliating language directed at a child;
 - (c) denying food or drink to a child;
 - (d) locking up a child in a manner that deprives him or her freedom of movement and association; and
 - (e) any form of violence against a child.
- (2) The staff of a home shall in simple language explain to a child that has infringed the home rules, the consequences of inappropriate or unacceptable behavior.
 - (3) The measures applied to correct a child that has infringed the home rules by the staff of a home, shall be relevant to the incident, reasonable, and shall be carried out as close to the time of the incident as possible.

3. Acceptable forms of discipline

- (1) Simple punishments that shall include—
 - (a) depriving a child of minor pleasures;
 - (b) sending a child to bed early; and
 - (c) making a child do extra work commensurate with his or her age and ability.
- (2) Isolation may be used to restore order and to enable the child to reflect upon their behavior.
- (3) In cases where physical restraint is considered necessary to prevent behavior that is harmful to the child, it shall be carried out by trained staff.

SCHEDULE 6

rule 23(7)

FORM 2

DETAILS OF DISCIPLINE OF STAFF AND CHILDREN IN A HOME

1. Name of Children's Home
2. Address
3. Warden responsible for management of Home
(Person accountable for Homes compliance with policies and procedures)
4. Details of rules on the discipline of children, including strict prohibition against all forms of violence against children and the allowance of simple punishments in accordance with Rule 23(3) and 23(4) (attach).
.....
.....
.....
5. Details of written staff disciplinary procedures, including processes and mechanisms for reporting incidences as well as sanctions (attach).....
.....
.....
6. Details of documented child friendly complaints, reporting and management procedures, with emphasis of anonymity and confidentiality.
.....
7. Details of staff orientation, regular trainings and performance review criteria in relation to staff conduct and discipline (attach)
.....
.....

MARY KAROORO OKURUT (MP),
Minister of Gender, Labour and Social Development.