

○東京都児童福祉施設の設備及び運営の基準に関する条例

○ Tokyo Metropolitan Government Ordinance on Standards for Equipment and
Operation of Child Welfare Facilities

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東京都児童福祉施設の設備及び運営の基準に関する条例を公布する。

The Tokyo Metropolitan Government Ordinance on Standards for Facilities and
Operation of Child Welfare Facilities is hereby promulgated.

東京都児童福祉施設の設備及び運営の基準に関する条例

Tokyo Metropolitan Government Ordinance on Standards for Facilities and

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第一章 総則

Chapter 1 General Provisions

(趣旨)

(Outline)

第一条 この条例は、児童福祉法(昭和二十二年法律第百六十四号。以下「法」という。)

第四十五条の規定に基づき、東京都における児童福祉施設の設備及び運営に関する基準(次条及び第四条において「最低基準」という。)を定めるものとする。

Article 1 This ordinance is to establish the standards for facilities and operation of child welfare facilities in Tokyo (referred to as "minimum standards" in the following Article and Article 4) based on the provisions of Article 45 of the Child Welfare Act (Act No. 164 of 1947; hereinafter referred to as the "Act").

(目的)

(Purpose)

第二条 この最低基準は、児童福祉施設の入所者が、明るく衛生的な環境において、素養があり、適切な訓練を受けた職員の指導により、心身ともに健やかに、かつ、社会に適応するように育成されることを保障するものとする。

Article 2 These minimum standards are to ensure that the residents of child welfare facilities are nurtured in a bright and sanitary environment, so as to be in good mental and physical health and adaptable to society, under the guidance of well-trained employees with a good background.

(用語の意義)

(Meaning of Terms)

第三条 この条例で使用する用語の意義は、法で使用する用語の例による。

Article 3 The meanings of terms used in this ordinance have the same meanings as the terms used in the Act.

(平二四条例一三八・一部改正)

(Partially amended by Ordinance No. 138 of 2012)

(最低基準の向上)

(Improvement of Minimum Standards)

第四条 知事は、最低基準を常に向上させるよう努めるとともに、その監督に属する児童福祉施設に対し、東京都児童福祉審議会の意見を聴いた上で、最低基準を超えて、設備及び運営を向上させるように勧告することができる。

Article 4 (1) The governor must endeavor to constantly improve the minimum standards, and may recommend child welfare facilities under the governor's supervision to improve their facilities and operation to exceed the minimum standards,

after hearing the opinion of the Tokyo Child Welfare Council.

2 児童福祉施設は、最低基準を超えて、常にその設備及び運営を向上させなければならない。

(2) A child welfare facility must constantly improve its facilities and operations to exceed the minimum standards.

3 最低基準を超えて設備を有し、又は運営する児童福祉施設は、最低基準を理由として、設備又は運営を低下させてはならない。

(3) A child welfare facility that has facilities or operations exceeding the minimum standards must not reduce its facilities or operations by reason of the minimum standards.

(児童福祉施設の一般原則)

(General Principles for Child Welfare Facilities)

第五条 児童福祉施設は、入所者の人権に十分配慮するとともに、一人一人の人格を尊重して、その運営を行わなければならない。

Article 5 (1) A child welfare facility must not only give full consideration to the human rights of the residents, but also respect the personality of each individual in the operation of the facility.

2 児童福祉施設は、地域社会との交流及び連携を図り、児童の保護者及び地域社会に対し、当該児童福祉施設の運営内容を適切に説明するよう努めるとともに、当該運営内容について評価を行い、結果を公表するよう努めなければならない。

(2) A child welfare facility must endeavor to promote exchange and coordination with the local community, to appropriately explain the operation of said child welfare facility to the child's custodian and the local community, and to conduct an evaluation of said operation and to make the results public.

3 児童福祉施設は、法に定めるそれぞれの施設の目的を達成するために必要な設備を設けるとともに、採光、換気その他の入所者の保健衛生及び入所者に対する危害防止に十分考慮した構造設備を設けなければならない。

(3) Child Welfare Facilities must be equipped with the facilities necessary to achieve the respective purposes of the facility as provided for in the Act, and must also have structural facilities that give sufficient consideration to lighting, ventilation, and other aspects of health and hygiene of the residents and prevention of harm to the residents.

(職員の一般的要件)

(General Requirements for Employees)

第六条 入所者の保護に従事する職員は、健全な心身を有し、豊かな人間性と倫理観を備えるとともに、児童福祉事業に熱意を有し、かつ、その理論及び実務について訓練を受けた者とする。

Article 6 Employees engaged in custodianship of residents must be of sound mind and body, possess a rich sense of humanity and ethics, be enthusiastic about child welfare services, and be trained in the theory and practice of such services.

(職員の知識及び技能の向上等)

(Improvement of Knowledge and Skills of Employees)

第七条 児童福祉施設の職員は、常に自己研_ニに励み、法に定めるそれぞれの施設の目的を達成するために必要な知識及び技能の修得、維持及び向上に努めなければならない。

Article 7 (1) Employees of child welfare facilities must always strive for self-improvement, and endeavor to acquire, maintain and improve the knowledge and skills necessary to achieve the purposes of their respective facilities as provided for in the Act.

2 児童福祉施設は、職員の資質向上のための研修の機会を確保しなければならない。

(2) A child welfare facility must ensure training opportunities to improve the qualifications of its employees.

(他の社会福祉施設を併せて設置するときの設備及び職員の基準)

(Standards for Facilities and Employees if other Social Welfare Facilities are also Established)

第八条 児童福祉施設は、他の社会福祉施設を併せて設置するときは、当該児童福祉施設の設備及び職員の一部を、併せて設置する社会福祉施設の設備及び職員として必要に応じ兼ねさせることができる。ただし、入所者の居室及び各施設に特有の設備並びに入所者の保護に直接従事する職員については、この限りでない。

Article 8 When a child welfare facility is established together with another social welfare facility, a part of the facilities and employees of that child welfare facility may double as the facilities and employees of the social welfare facility to be established together, as needed. However, this shall not apply to the rooms for children and the facilities specific to each facility and the employees directly engaged in the custodianship of the children.

(入所者への平等取扱原則)

(Principle of Equal Treatment of Residents)

第九条 児童福祉施設は、入所者の国籍、信条、社会的身分又は入所に要する費用負担によって、差別的な取扱いをしてはならない。

Article 9 A child welfare facility must not engage in discriminatory treatment on the basis of nationality, creed, social status, or expenses borne by the residents.

(虐待等の禁止)

(Prohibition of Abuse)

第十条 児童福祉施設の職員は、入所中の児童に対し、法第三十三条の十各号に掲げる行

為その他当該児童の心身に有害な影響を与える行為をしてはならない。

Article 10 An employee of a child welfare facility must not commit any act set forth in any of the items of Article 33-10 of the Act or any other act which has a harmful influence on the mental or physical condition of the referenced child while the child is admitted.

(懲戒に係る権限の濫用禁止)

(Prohibition of Abuse of Authority Pertaining to Disciplinary Action)

第十一条 児童福祉施設の長は、入所中の児童に対し、法第四十七条第一項本文の規定により親権を行う場合であって懲戒するとき又は同条第三項の規定により懲戒に関し当該児童の福祉のために必要な措置を講じるときは、身体的苦痛を与え、人格を辱める行為をするなどその権限を濫用してはならない。

Article 11 The director of a child welfare facility shall not abuse the director's authority, such as committing acts that cause physical pain and humiliation of the child's personality, if the director takes parental authority over a child placed in the facility pursuant to the provision of the main clause of Article 47, paragraph (1) of the Act and imposes disciplinary action or takes necessary measures for the welfare of that child in relation to disciplinary action pursuant to the provision of paragraph (3) of the same Article.

(令四条例四〇・一部改正)

(Partially amended by Ordinance No. 40 of 2022)

(業務継続計画の策定等)

(Formulation of Business Continuity Plans)

第十一条の二 障害児入所施設及び児童発達支援センター(以下この条、次条、第二十条及び第二十条の二において「障害児入所施設等」という。)は、感染症や非常災害の発生時において、利用者に対する障害児入所支援又は児童発達支援の提供を継続的に行い、及び非常時の体制で早期の業務再開を図るための計画(以下「業務継続計画」という。)を策定し、当該業務継続計画に従い必要な措置を講じなければならない。

Article 11-2 (1) Admission facilities for children with disabilities and child development support centers (hereinafter referred to as "admission facilities for children with disabilities, etc." in this Article, the immediately following Article, Article 20, and Article 20-2), in the event of an infectious disease or an extraordinary disaster, must continue to provide support for facility admission for children with disabilities or child development support to their users, and must establish a plan for early resumption of operations under an emergency system (hereinafter referred to as a "business continuity plan") when an infectious disease or emergency disaster strikes, and must take necessary measures in accordance with said business continuity plan.

2 障害児入所施設等は、職員に対し、業務継続計画について周知するとともに、必要な研

修及び訓練を定期的に実施しなければならない。

- (2) Admission facilities for children with disabilities, etc. must inform their employees about the business continuity plan, and periodically work on necessary training and drills.

3 障害児入所施設等は、定期的に業務継続計画の見直しを行い、必要に応じて業務継続計画の変更を行うものとする。

- (3) Admission facilities for children with disabilities, etc. must review their business continuity plans on a regular basis and modify their business continuity plans as necessary.

(令三条例三〇・追加)

(Added by Ordinance No. 30, 2021)

(衛生管理等)

(Hygiene Management)

第十二条 児童福祉施設は、入所者の使用する設備、食器等及び飲用に供する水について、衛生的な管理に努め、衛生上必要な措置を講じるとともに、必要な医薬品その他の医療品を備え、その管理を適正に行わなければならない。

Article 12 (1) A child welfare facility must endeavor to maintain sanitary administration of the equipment, tableware, etc. used by the residents and the water provided for drinking, take necessary measures for sanitation, keep necessary medicines and other medical supplies, and properly administer them.

2 児童福祉施設(障害児入所施設等を除く。)は、当該児童福祉施設における感染症又は食中毒の発生又はまん延を防止するため、必要な措置を講じるよう努めなければならない。

- (2) A child welfare facility (excluding admission facilities for children with disabilities, etc.) must endeavor to take necessary measures to prevent the occurrence or spread of infectious diseases or food poisoning in said child welfare facility.

3 障害児入所施設等は、当該障害児入所施設等における感染症又は食中毒の発生又はまん延を防止するため、規則で定める措置を講じなければならない。

- (3) An admission facility for children with disabilities, etc. must take measures specified by Regulations in order to prevent the occurrence or spread of infectious diseases or food poisoning in said admission facility for children with disabilities, etc.

4 児童福祉施設(助産施設、保育所及び児童厚生施設を除く。)は、入所者の希望等を勘案し、清潔を維持できるよう入浴させ、又は清しきしなければならない。

- (4) Child welfare facilities (excluding midwifery facilities, nursery schools, and child welfare institutions) must bathe or give a bed bath to the residents so that they can maintain cleanliness, taking into consideration their wishes, etc.

(令三条例三〇・一部改正)

(Partially amended by Ordinance No. 30 of 2021)

(食事)

(Meals)

第十三条 児童福祉施設(助産施設を除く。以下この項において同じ。)は、入所者に食事を提供するときは、当該児童福祉施設内で調理する方法(第八条の規定により、当該児童福祉施設の調理室を兼ねる他の社会福祉施設の調理室で調理する方法を含む。)により行わなければならない。

Article 13 (1) When a child welfare facility (excluding midwifery facilities; the same applies hereinafter in this paragraph) offers meals to its residents, it must do so by cooking them in said child welfare facility (including cooking them in the kitchen of another social welfare facility which also serves as the kitchen of said child welfare facility pursuant to the provision of Article 8).

2 児童福祉施設は、入所者に食事を提供するに当たっては、食品の種類及び調理方法について栄養並びに入所者の身体的状況及び好みを考慮するとともに、可能な限り変化に富み、入所者の健全な発育に必要な栄養量を含有する献立によらなければならない。

(2) In offering meals to the residents, a child welfare facility must consider nutrition and the physical conditions and preferences of the residents with regard to the types of food and cooking methods, and must prepare menus that are as varied as possible and contain the amount of nutrition necessary for the sound development of the residents.

3 調理は、あらかじめ作成された献立に従って行わなければならない。ただし、少数の児童を対象として家庭的な環境の下で調理する場合は、この限りでない。

(3) Cooking must be done according to a pre-prepared menu. However, this shall not apply if the food is prepared for a small number of children in a family-like environment.

4 児童福祉施設は、児童の健康な生活の基本としての食を営む力の育成に努めなければならない。

(4) Child welfare facilities must endeavor to foster children's ability to eat as the basis of a healthy life.

(入所者及び職員の健康診断)

(Medical Diagnosis of Residents and Employees)

第十四条 児童福祉施設(児童厚生施設及び児童家庭支援センターを除く。次項において同じ。)の長は、入所者に対する入所時の健康診断、少なくとも一年に二回の定期健康診断及び臨時の健康診断を、学校保健安全法(昭和三十三年法律第五十六号)第十一条、第十三条及び第十七条に規定する健康診断に準じて行わなければならない。ただし、規則で定める場合は、この限りでない。

Article 14 (1) The director of a child welfare facility (excluding child welfare institutions and child and family support centers; the same applies in the immediately

following paragraph.) must conduct medical examinations for the residents at the time of admission, regular medical examinations at least twice a year, and extraordinary medical examinations, in accordance with the provisions of Articles 11, 13 and 17 of the School Health and Safety Act (Act No. 56 of 1958) must be conducted in accordance with the following. However, this shall not apply if provided for in the Regulations.

- 2 前項に規定する入所者に対する健康診断を行った医師は、その結果について必要な事項を母子健康手帳又は入所者の健康を記録する表に記録するとともに、必要に応じ入所の措置又は助産の実施、母子保護の実施若しくは保育の提供若しくは法第二十四条第五項若しくは第六項の規定による措置の解除又は停止等必要な手続について、児童福祉施設の長に勧告しなければならない。

- (2) A physician who has conducted a medical examination of an admitted resident prescribed in the immediately preceding paragraph must record necessary matters concerning the results thereof in the maternal and child health handbook or the chart for recording the health of the admitted resident, and must also make recommendations to the director of the child welfare facility concerning necessary measures to be taken for the admission, the midwifery care work, the maternal and child protection work, or the childcare services, or the cancellation or suspension of measures pursuant to Article 24, paragraph (5) or paragraph (6) of the Act, as needed.

- 3 児童福祉施設の職員の健康診断に当たっては、入所者の食事を調理する者について、特に注意を払わなければならない。

- (3) In conducting health checks of employees of child welfare facilities, special attention must be paid to those who prepare meals for the residents.

(平二七条例九一・一部改正)

(Partially amended by Ordinance No. 91 of 2015)

(給付金として支払を受けた金銭の管理)

(Management of money paid as payment)

第十五条 乳児院、児童養護施設、障害児入所施設、児童心理治療施設及び児童自立支援施設は、当該施設の設置者が入所中の児童に係る厚生労働大臣が定める給付金(以下この条において「給付金」という。)の支給を受けたときは、給付金として支払を受けた金銭を規則に定めるところにより管理しなければならない。

Article 15 When an infant home, foster home, admission facility for children with disabilities, etc., child psychological treatment facility, and children's self-reliance support facility receives payment of the benefits (hereinafter referred to as "Benefits" in this Article) specified by the Minister of Health, Labour and Welfare pertaining to a child in the care of the establisher of said

facility, it must administer the money paid as the Benefits pursuant to the provisions of the Regulations.

(平二四条例一三八・平二九条例二四・一部改正)

(Partially amended by Ordinances No. 138 of 2012, No. 24 of 2017)

(規程)

(Rules)

第十六条 児童福祉施設(保育所を除く。)は、入所者の援助に関する事項その他施設の管理に関する重要事項について、規程を設けなければならない。

Article 16 (1) A child welfare facility (excluding nursery schools) must establish rules on matters concerning assistance for residents and other important matters concerning the administration of the facility.

2 保育所は、次の各号に掲げる施設の運営についての重要事項に関する規程を定めておかなければならない。

(2) A nursery school must establish rules concerning important matters regarding the operation of the facility set forth in each of the following items.

一 施設の目的及び運営の方針

(i) Purpose of the facility and management policy

二 提供する保育の内容

(ii) Details of childcare offered

三 職員の職種、員数及び職務の内容

(iii) The job title, number of employees, and duties of the employees

四 保育の提供を行う日及び時間並びに提供を行わない日

(iv) Days and hours of provision of childcare and days on which childcare is not provided)

五 保護者から受領する費用の種類、支払を求める理由及びその額

(v) The type of expenses to be received from custodians, the reason for requesting payment, and the amount thereof

六 乳児、満三歳に満たない幼児及び満三歳以上の幼児の区分ごとの利用定員

(vi) Capacity for infants, toddlers less than 3 years old, and toddlers 3 years old and over, by category

七 保育所の利用の開始及び終了に関する事項並びに利用に当たっての留意事項

(vii) Matters concerning the beginning and end of the use of the nursery school and matters to be noted when using the nursery school

八 緊急時等における対応方法

(viii) How to respond to emergencies, etc.

九 非常災害対策

(ix) Extraordinary disaster control measures

十 虐待の防止のための措置に関する事項

(x) Matters related to measures for the prevention of abuse

十一 保育所の運営に関する重要事項

(xi) Important matters concerning the operation of the nursery school

(平二七条例九一・一部改正)

(Partially amended by Ordinance No. 91 of 2015)

(帳簿の整備)

(Maintenance of Books)

第十七条 児童福祉施設は、職員、財産、収支及び入所者の処遇の状況を明らかにした帳簿を整備しなければならない。

Article 17 A child welfare facility must maintain books that clarify the status of its employees, property, income and expenditure, and the treatment of its residents.

(秘密保持等)

(Confidentiality)

第十八条 児童福祉施設の職員は、正当な理由なく、業務上知り得た利用者又はその家族の秘密を漏らしてはならない。

Article 18 (1) Employees of a child welfare facility must not divulge any secrets of users or their families that they have come to know in the course of their duties without justifiable cause.

2 児童福祉施設は、職員であった者が、正当な理由なく、業務上知り得た利用者又はその家族の秘密を漏らすことがないように、必要な措置を講じなければならない。

(2) A child welfare facility must take necessary measures to ensure that a person who has been an employee of the child welfare facility does not divulge, without justifiable cause, any secret of a user or a user's family that has come to the employee's knowledge in the course of the employee's duties.

(苦情への対応)

(Handling of Complaints)

第十九条 児童福祉施設は、入所者又はその保護者等からの援助に関する苦情に迅速かつ適切に対応するために、窓口の設置その他の必要な措置を講じなければならない。

Article 19 (1) A child welfare facility must take necessary measures such as establishing a contact point in order to promptly and appropriately respond to complaints concerning assistance from an admitted child or the child's custodian, etc.

2 乳児院、児童養護施設、障害児入所施設、児童発達支援センター、児童心理治療施設及び児童自立支援施設は、前項の必要な措置として、苦情の解決に当たって、当該施設の職員以外の者を関与させなければならない。

(2) An infant home, a foster home, an admission facility for children with disabilities, etc., a child development support center, a child psychological treatment facility, and a children's self-reliance support facility must, as necessary measures set forth in the preceding paragraph, involve persons other than employees of that facility in the resolution of complaints.

3 児童福祉施設は、都道府県又は特別区及び市町村(以下「区市町村」という。)から、当該施設を行った援助に関し当該措置又は助産の実施、母子保護の実施若しくは保育の提供若しくは法第二十四条第五項若しくは第六項の規定による措置に関し、指導又は助言を受けた場合は、当該指導又は助言に従って必要な改善を行わなければならない。

(3) When a child welfare facility receives guidance or advice from the prefecture or special wards and municipalities (hereinafter referred to as "wards and municipalities") with regard to assistance provided by said facility with regard to said measures or the implementation of midwifery care, maternal and child aid or provision of childcare or measures pursuant to the provisions of Article 24, paragraph (5) or (6) of the Act, it shall make necessary improvements in accordance with said guidance or advice.

4 児童福祉施設は、社会福祉法(昭和二十六年法律第四十五号)第八十三条に規定する運営適正化委員会が行う同法第八十五条第一項の規定による調査に協力するよう努めなければならない。

(4) A child welfare facility must endeavor to cooperate with an examination pursuant to the provision of Article 85, paragraph (1) of the Social Welfare Act (Act No. 45 of 1951) conducted by the committee on operational propriety prescribed in Article 83 of the same Act.

(平二四条例一三八・平二七条例九一・平二九条例二四・一部改正)

(Partially amended by Ordinances No. 138 of 2012, No. 91 of 2015, No. 24 of 2017)

(非常災害対策)

(Extraordinary Disaster Control Measures)

第二十条 児童福祉施設(障害児入所施設等を除く。)は、消火器等の消火用具、非常口その他非常災害に際して必要な設備を設けるとともに、非常災害に対する具体的計画を策定し、不断の注意を払い、訓練をするように努めなければならない。

Article 20 (1) Child welfare facilities (excluding admission facilities for children with disabilities, etc.) must endeavor to provide fire extinguishers and other fire extinguishing tools, emergency exits, and other equipment necessary in the event of an extraordinary disaster, as well as to formulate a specific plan for extraordinary disasters, pay constant attention, and conduct training.

2 前項の訓練のうち、避難訓練及び消火訓練は、規則で定めるところにより行わなければならない。

- (2) Of the drills in the immediately preceding paragraph, evacuation drills and fire drills must be conducted in accordance with the Regulations.

(令三条例三〇・一部改正)

(Partially amended by Ordinance No. 30 of 2021)

(障害児入所施設等における非常災害対策)

(Extraordinary Disaster Control Measures at Admission Facilities for Children with Disabilities. etc.)

第二十条の二 障害児入所施設等は、消火設備その他非常災害に際して必要な設備を設けるとともに、非常災害に対する具体的計画を策定し、非常災害の発生時の関係機関への通報及び連絡体制を整備し、それらを定期的に職員に周知しなければならない。

Article 20-2 (1) Admission facilities for children with disabilities, etc. must provide fire extinguishing equipment and other equipment necessary in the event of an emergency disaster, formulate a specific plan for an emergency disaster, establish a notification and communication system to the relevant organizations when an emergency disaster occurs, and regularly inform their employees of this system.

- 2 障害児入所施設等は、非常災害に備えるため、避難訓練、消火訓練、救出訓練その他必要な訓練を規則で定めるところにより行わなければならない。

(2) Admission facilities for children with disabilities, etc. must conduct evacuation drills, fire drills, rescue drills, and other necessary drills pursuant to the provisions of the Regulations in order to prepare for extraordinary disasters.

- 3 障害児入所施設等は、前項に規定する訓練の実施に当たって、地域住民の参加が得られるよう地域住民等との連携に努めなければならない。

(3) Admission facilities for children with disabilities, etc. must endeavor to coordinate with local residents, etc. in order to obtain their participation in the work of the training prescribed in the immediately preceding paragraph.

(令三条例三〇・追加)

(Added by Ordinance No. 30, 2021)

第二章 助産施設

Chapter 2 Midwifery Facilities

(種類)

(Types)

第二十一条 助産施設は、第一種助産施設(医療法(昭和二十三年法律第二百五号)第一条の五に規定する病院又は診療所であるものをいう。以下同じ。)及び第二種助産施設(同法第二条に規定する助産所であるものをいう。以下同じ。)とする。

Article 21 Midwifery facilities are Type 1 Midwifery Facilities (those that are hospitals or medical care centers as provided for in Article 1-5 of the Medical Care Act (Act No. 205

of 1948); the same applies hereinafter) and Type 2 Midwifery Facilities (those that are midwifery facilities as provided for in Article 2 of the same Act; the same applies hereinafter).

(入所させる妊産婦)

(Expectant and Nursing Mothers to be Admitted)

第二十二條 助産施設は、法第二十二條第一項に規定する妊産婦を入所させて、なお余裕のある場合に限り、その他の妊産婦を入所させることができる。

Article 22 A midwifery facility may admit other expectant and nursing mothers only if there is still room for them after admitting the expectant and nursing mothers provided for in of Article 22, paragraph (1) of the Act.

(第二種助産施設の職員)

(Employees of Type 2 Midwifery Facilities)

第二十三條 第二種助産施設は、医療法に規定する職員のほか、一人以上の専任又は嘱託の助産師を置かなければならない。

Article 23 (1) Type 2 Midwifery Facilities must have one or more full-time or temporary midwives in addition to the employees stipulated in the Medical Care Act.

2 第二種助産施設の嘱託医は、産婦人科の診療に相当の経験を有する者でなければならない。

(2) A commissioned doctor of a Type 2 Midwifery Facility must have substantial experience in obstetric and gynecological medical care.

(第二種助産施設と異常分べん)

(Type 2 Midwifery Facilities and Abnormal Delivery)

第二十四條 第二種助産施設に入所した妊婦が、産科手術を必要とする異常分べんをするおそれのある場合は、第二種助産施設の長は、速やかに当該妊婦を第一種助産施設その他適当な病院又は診療所に入所させ、又は入院させる手続をとらなければならない。ただし、応急の処置を要する場合は、この限りでない。

Article 24 If a pregnant woman admitted to a Type 2 Midwifery Facility is at risk of having an abnormal delivery requiring obstetric surgery, the director of the Type 2 Midwifery Facility must promptly take procedures to admit or admit that pregnant woman to a Type 1 Midwifery Facility or other appropriate hospital or clinic. However, this shall not apply if emergency treatment is required.

第三章 乳児院

Chapter 3 Infant Homes

(設備の基準)

(Equipment Standards)

第二十五条 乳児院の設備の基準は、次のとおりとする。

Article 25 The standards for the facilities of the infant home are as follows

一 乳児又は幼児(以下「乳幼児」という。)十人以上を入所させる乳児院にあつては寝室、観察室、診察室、病室、ほふく室、相談室、調理室、浴室及び便所を、乳幼児十人未満を入所させる乳児院にあつては乳幼児の養育のための専用の室及び相談室を設けること。

(i) In an infant home for 10 or more infants or toddlers (hereinafter referred to as "infants"), there must be a bedroom, observation room, examination room, sick room, crawling room, consultation room, cooking room, bathroom, and lavatory; in an infant home for less than 10 infants, there must be a dedicated room for the care of infants and a consultation room.

二 前号に掲げるもののほか、規則で定める基準を満たすこと。

(ii) In addition to those set forth in the preceding item, the standards specified in the Regulations shall be met.

(職員)

(Employees)

第二十六条 乳児院(乳幼児十人以上を入所させる乳児院に限る。)は、次に掲げる職員を置かなければならない。ただし、調理業務の全部を委託する施設にあつては、調理員を置かないことができる。

Article 26 (1) An infant home (limited to an infant home that admits 10 or more infants) must have the following employees. However, facilities that outsource all cooking operations may have no cook.

一 医師又は嘱託医(小児科の診療に相当の経験を有する者に限る。)

(i) Physician or commissioned doctor (limited to those with substantial experience in pediatric medical care)

二 看護師

(ii) Nurse

三 個別対応職員

(iii) Individual support staff

四 家庭支援専門相談員

(iv) Family support specialist counselor

五 栄養士

(v) Nutritionist

六 調理員

(vi) Cook

2 乳児院(乳幼児十人未満を入所させる乳児院に限る。)は、次に掲げる職員を置かなけれ

ばならない。

(2) An infant home (limited to infant homes admitting less than 10 infants) must have the following employees.

一 嘱託医

(i) Commissioned doctor

二 看護師

(ii) Nurse

三 家庭支援専門相談員

(iii) Family support specialist counselor

四 調理員又はこれに代わる者

(iv) Cooking staff or staff in lieu thereof

3 家庭支援専門相談員は、社会福祉士若しくは精神保健福祉士の資格を有する者、乳児院において乳幼児の養育に五年以上従事した者又は法第十三条第三項各号のいずれかに該当する者でなければならない。

(3) A family support specialist counselor must be a person who has a qualification as a certified social worker or mental health social worker, a person who has been engaged in the care of infants for five years or more in an infant home, or a person who falls under any of the items of Article 13, paragraph (3) of the Act.

4 乳児院は、心理療法を行う必要があると認められる乳幼児又はその保護者(合計して十人以上となる場合に限る。)に心理療法を行う場合は、心理療法担当職員を置かなければならない。

(4) An infant home must assign an employee in charge of psychotherapy if it provides psychotherapy to infants or their custodians (limited to a total of 10 or more persons) who are deemed to be in need of psychotherapy.

5 心理療法担当職員は、大学(学校教育法(昭和二十二年法律第二十六号)第一条の規定による大学をいう。以下同じ。)(短期大学を除く。))において、心理学を専修する学科若しくはこれに相当する課程を修めて卒業し、若しくは大学院(同法第九十七条の規定による大学院をいう。以下同じ。))において、心理学を専修する研究科若しくはこれに相当する課程を修了した者であって、個人及び集団心理療法の技術を有するもの又はこれと同等以上の能力を有すると認められる者でなければならない。

(5) The psychotherapy staff shall be persons who have graduated from a department specializing in psychology or a course equivalent thereto at a university (meaning a university under the provisions of Article 1 of the School Education Act (Law No. 26 of 1947); the same shall apply hereinafter) (excluding junior colleges), or who have completed a graduate course specializing in psychology or a course equivalent thereto at a graduate school (referring to graduate schools pursuant to the provisions of Article

97 of the same law; the same shall apply hereinafter), and who have individual and group psychotherapy skills or who are recognized to have abilities equivalent or superior to these.

6 前各項に規定するもののほか、乳児院の職員は、規則で定める基準を満たさなければならない。

(6) In addition to the provisions of the preceding paragraphs, employees of the infant home must meet the standards specified by the Regulations.

(平二四条例一三八・平二九条例二四・平三一条例五一・令三条例三〇・一部改正)

(Partially amended by Ordinances No. 138 of 2012, No. 24 of 2017, No. 51 of 2019, and No. 30 of 2021)

(乳児院の長の資格等)

(Qualifications of the Director of an Infant Home)

第二十七条 乳児院の長は、次のいずれかに該当し、かつ、厚生労働大臣が指定する者が行う乳児院の運営に必要な知識を習得するための研修を受講した者であって、人格が高潔で識見が高く、乳児院を適切に運営する能力を有するものでなければならない。

Article 27 (1) The director of an infant home must fall under any of the following, and must be a person who has undergone training to acquire the knowledge necessary for the operation of the infant home conducted by a person designated by the Minister of Health, Labour and Welfare, and must be of high character, highly insightful, and have the ability to properly operate the infant home.

一 医師(小児保健に関して学識経験を有する者に限る。)

(i) A physician (limited to those with relevant expertise in pediatric health)

二 社会福祉士の資格を有する者

(ii) A certified social welfare worker

三 乳児院の職員として三年以上勤務した者

(iii) A person who has worked as an employee of an infant home for at least three years

四 知事が前三号に掲げる者と同等以上の能力を有すると認める者であって、規則で定める基準を満たすもの

(iv) A person who is recognized by the governor as having abilities equal to or greater than those set forth in the preceding three items, and who meets the standards specified in the Regulations

2 乳児院の長は、二年に一回以上、厚生労働大臣が指定する者が行う資質向上のための研修を受講するものとする。

(2) At least once every two years, the director of an infant home is to attend a training course to improve the director's qualifications conducted by a person designated by the

Minister of Health, Labour and Welfare.

(養育)

(Foster Care)

第二十八条 乳児院における養育は、規則で定めるところにより、乳幼児の心身及び社会性の健全な発達を促進し、人格の形成に資するものでなければならない。

Article 28 (1) The foster care in an infant home must promote the sound development of the infant's mind, body, and social skills and contribute to the formation of the infant's personality, pursuant to the provisions of the Regulations.

2 乳児院は、入所している乳幼児の家庭環境の調整に当たっては、当該乳幼児の家庭の状況に応じ、親子関係の再構築等が図られるよう行わなければならない。

(2) In adjusting the family environment of an infant admitted to an infant's home, the infant home must not fail to take steps to rebuild the parent and child relationship in accordance with that infant's family situation.

(乳児の観察)

(Observation of Infants)

第二十九条 乳児院(乳幼児十人以上を入所させる乳児院に限る。)においては、乳児が入所した日から、医師又は嘱託医が適当と認めた期間、当該乳児を観察室に入室させ、心身の状況を観察しなければならない。

Article 29 In an infant home (limited to infant homes that admit 10 or more persons), from the day the infant is admitted, the physician or commissioned doctor must admit that infant to an observation room for a period of time deemed appropriate by the physician or commissioned doctor to observe the infant's physical and mental condition.

(自立支援計画の策定)

(Formulation of Self-reliance Support Plan)

第三十条 乳児院の長は、第二十八条の目的を達成するため、入所している個々の乳幼児について、当該乳幼児やその家庭の状況等を勘案し、自立を支援するための計画を策定しなければならない。

Article 30 In order to achieve the purpose of Article 28, the director of the infant home must formulate a plan for self-reliance support for each individual infant admitted to the home, taking into consideration the circumstances of that infant and the infant's family.

(業務の質の評価等)

(Evaluation of the Quality of Operations)

第三十一条 乳児院は、法第三十七条に規定する業務の質の評価を自ら行うとともに、定期的に外部の者による評価を受け、結果を公表し、常に改善を図らなければならない。

Article 31 Infant homes must evaluate the quality of their operations as provided for

in Article 37 of the Act on their own, and must undergo periodic evaluations by an outside party, publish the results, and constantly strive for improvement.

(関係機関との連携)

(Coordination with Related Organizations)

第三十二条 乳児院の長は、入所している乳幼児の養育及び家庭環境の調整に当たっては、常に児童相談所及び必要に応じ児童家庭支援センター、児童委員、保健所、区市町村保健センターその他の関係機関と連携を図らなければならない。

Article 32 The director of an infant home must always coordinate with the child guidance center and, as necessary, the child and family support center, commissioned child welfare volunteers, health centers, ward and municipal health centers, and other relevant organizations in taking care of the infant admitted there and in adjusting the family environment.

第四章 母子生活支援施設

Chapter 4 Maternal and Child Living Support Facilities

(設備の基準)

(Equipment Standards)

第三十三条 母子生活支援施設の設備の基準は、次のとおりとする。

Article 33 The standards for maternal and child living support facilities are as follows.

一 母子室、相談室及び集会、学習等を行う室を設けること。

(i) A room for mothers and children, a consultation room, and a room for meetings, study, etc. must be provided.

二 乳幼児を入所させる母子生活支援施設は、付近の保育所又は児童厚生施設が利用できない等の理由により必要がある場合は、保育所の設備に準ずる設備を設けること。

(ii) Maternal and child living support facilities admitting infants and toddlers must be equipped with facilities equivalent to those of nursery schools if necessary for reasons such as the nursery schools or child welfare institutions in the vicinity may not be available.

三 乳幼児三十人未満を入所させる母子生活支援施設にあつては静養室を、乳幼児三十人以上を入所させる母子生活支援施設にあつては医務室及び静養室を設けること。

(iii) In the case of a maternal and child living support facility admitting less than 30 infants, a recuperation room must be provided; in the case of a maternal and child living support facility admitting 30 or more infants, a doctor's office and a recuperation room must be provided.

四 前三号に掲げるもののほか、規則で定める基準を満たすこと。

(iv) Standards specified by Regulations beyond what is set forth in the previous three

items must be met.

(職員)

(Employees)

第三十四条 母子生活支援施設は、次に掲げる職員を置かなければならない。

Article 34 (1) A maternal and child living support facility must have the following staff.

一 母子支援員(母子生活支援施設において母子の生活支援を行う者をいう。以下同じ。)

(i) Maternal and child support workers (meaning persons who provide support for mothers and children in maternal and child living support facilities; the same applies hereinafter.)

二 嘱託医

(ii) Commissioned doctor

三 少年を指導する職員

(iii) Employees providing guidance to juveniles

四 調理員又はこれに代わる者

(iv) Cooking staff or staff in lieu thereof

2 母子生活支援施設は、心理療法を行う必要があると認められる母子(合計して十人以上となる場合に限る。)に心理療法を行う場合は、心理療法担当職員を置かなければならない。この場合において、心理療法担当職員の資格については、第二十六条第五項の規定を準用する。

(2) A maternal and child living support facility must have employees in charge of psychotherapy if it provides psychotherapy to mothers and children who are deemed to be in need of psychotherapy (limited to if the total number of persons is 10 or more). In this case, the provisions of Article 26, paragraph (5) must apply mutatis mutandis to the qualifications of the employees in charge of psychotherapy.

3 母子生活支援施設は、配偶者からの暴力を受けたこと等により個別に特別な支援を行う必要があると認められる母子に当該支援を行う場合は、個別対応職員を置かなければならない。

(3) A maternal and child living support facility must appoint individual support staff if it provides that support to mothers and children for whom it is deemed necessary to provide individualized special support due to the fact that they have been subjected to spousal violence, etc.

4 母子支援員及び少年を指導する職員の員数については、規則で定める基準を満たさなければならない。

(4) The number of employees who provide guidance to mothers and juveniles must meet the standards specified in the Regulations.

(平二四条例一三八・一部改正)

(Partially amended by Ordinance No. 138 of 2012)

(母子生活支援施設の長の資格等)

(Qualifications of the Director of a Maternal and Child Living Support Facility)

第三十五条 母子生活支援施設の長は、次のいずれかに該当し、かつ、厚生労働大臣が指定する者が行う母子生活支援施設の運営に必要な知識を習得するための研修を受講した者であって、人格が高潔で識見が高く、母子生活支援施設を適切に運営する能力を有するものでなければならない。

Article 35 (1) The director of a maternal and child living support facility must fall under any of the following, and must be a person who has undergone training to acquire the knowledge necessary for the operation of the maternal and child living support facility conducted by a person designated by the Minister of Health, Labour and Welfare, and must be of high character, highly insightful, and have the ability to operate the maternal and child living support facility appropriately

一 医師(精神保健又は小児保健に関して学識経験を有する者に限る。)

(i) Physician (limited to those with relevant expertise in mental health or pediatric health)

二 社会福祉士の資格を有する者

(ii) A certified social welfare worker

三 母子生活支援施設の職員として三年以上勤務した者

(iii) Those who have worked as an employee of a maternal and child living support facility for at least three years

四 知事が前三号に掲げる者と同等以上の能力を有すると認める者であって、規則に定める基準を満たすもの

(iv) A person who is recognized by the governor as having abilities equal to or greater than those set forth in the preceding three items, and who meets the standards set forth in the Regulations

2 母子生活支援施設の長は、二年に一回以上、厚生労働大臣が指定する者が行う資質向上のための研修を受講するものとする。

(2) At least once every two years, the director of a maternal and child living support facility is to take a training course to improve the director's qualifications conducted by a person designated by the Minister of Health, Labour and Welfare.

(母子支援員の資格)

(Qualifications of Mother and Child Support Workers)

第三十六条 母子支援員は、次のいずれかに該当する者でなければならない。

Article 36 A mother and child support worker must fall under any of the following.

一 都道府県知事の指定する児童福祉施設の職員を養成する学校その他の養成施設を卒業した者(学校教育法の規定による専門職大学の前期課程を修了した者を含む。第五十条第二項第一号及び第五十六条第一項第一号において同じ。)

(i) A person who has graduated from a school or other training facility designated by the prefectural governor for training employees of child welfare facilities (including those who have completed the first half of a program at a professional university pursuant to the provisions of the School Education Act; the same applies in Article 50, paragraph (2), item (i) and Article 56, paragraph (1), item (i))

二 保育士の資格を有する者

(ii) A certified nursery teacher

三 社会福祉士の資格を有する者

(iii) A certified social welfare worker

四 精神保健福祉士の資格を有する者

(iv) A certified mental health social worker

五 高等学校(学校教育法第一条の規定による高等学校をいう。以下同じ。)若しくは中等教育学校(同条の規定による中等教育学校をいう。以下同じ。)を卒業した者、同法第九十条第二項の規定により大学への入学を認められた者若しくは通常の課程による十二年の学校教育を修了した者(通常の課程以外の課程によりこれに相当する学校教育を修了した者を含む。)又は文部科学大臣がこれと同等以上の資格を有すると認定した者であって、二年以上児童福祉事業に従事したもの

(v) Those who have graduated from high school (meaning high school pursuant to the provisions of Article 1 of the School Education Act; the same shall apply hereinafter) or secondary school (meaning secondary education school pursuant to the provisions of the same article; the same shall apply hereinafter); a person who has been admitted to a university pursuant to the provisions of Article 90, paragraph (2) of the same Act, or a person who has completed 12 years of school education through a regular course (includes those who have completed equivalent school education through a course other than the regular course.); or a person who has been certified by the Minister of Education, Culture, Sports, Science and Technology as having equivalent or higher qualifications and has been engaged in child welfare work for two years or more

(平二七条例九一・平三一条例五一・一部改正)

(Partially amended by Ordinances No. 91 of 2015 and No. 51 of 2019)

(生活支援)

(Living Support)

第三十七条 母子生活支援施設における生活支援は、母子ともに入所する施設の特性を生かしつつ、入所中の母子の自立の促進を目的とし、親子関係の再構築等及び退所後の生

活の安定が図られるよう、当該母子の家庭生活及び就業の状況に応じ、就労、家庭生活及び児童の養育に関する相談、助言及び指導並びに関係機関との連絡調整その他の支援により行わなければならない。

Article 37 Living support in maternal and child living support facilities must be provided by means of consultation, advice, and guidance concerning employment, family life, and child rearing, in accordance with the family life and employment status of the mother and child concerned, and by means of liaison and coordination with relevant organizations and other support, in order to promote the self-reliance of the mother and child during their stay in the facility, to rebuild parent-child relationships, and to stabilize their life after leaving the facility, while taking advantage of the characteristics of the facility where both mother and child are admitted.

(自立支援計画の策定及び業務の質の評価等)

(Formulation of Self-Reliance Support Plans and Evaluation of the Quality of Operations)

第三十八条 母子生活支援施設における自立支援計画の策定及び業務の質の評価等については、第三十条及び第三十一条の規定を準用する。この場合において、第三十条中「第二十八条」とあるのは「第三十七条」と、「乳幼児」とあるのは「母子」と、第三十一条中「第三十七条」とあるのは「第三十八条」と読み替えるものとする。

Article 38 The provisions of Article 30 and Article 31 must apply mutatis mutandis to the formulation of self-reliance support plans and evaluation of the quality of operations, etc. in maternal and child living support facilities. In this case, the term "Article 28" in Article 30 shall be read as "Article 37", the term "infant" as "mother and child", and the term "Article 37" in Article 31 as "Article 38".

(保育所に準ずる設備)

(Facilities Equivalent to a Nursery School)

第三十九条 第三十三条第二号の規定により、母子生活支援施設に保育所の設備に準ずる設備を設ける場合は、第五章(第四十三条第二項を除く。)の規定を準用する。この場合において、保育士の員数は、規則で定める基準によらなければならない。

Article 39 If facilities equivalent to those of a nursery school are provided in a maternal and child living support facility pursuant to the provisions of Article 33, item (ii), the provisions of Chapter 5 (excluding Article 43, paragraph (2)) must apply mutatis mutandis. In this case, the number of nursery teachers must be in accordance with the standards provided by the Regulations.

(関係機関との連携)

(Coordination with Related Organizations)

第四十条 母子生活支援施設の長は、入所している母子の保護及び生活支援に当たっては、常に福祉事務所、母子・父子自立支援員、児童の通学する学校、児童相談所、母子・父

子福祉団体及び公共職業安定所並びに必要な応じ児童家庭支援センター、婦人相談所その他の関係機関と連携を図らなければならない。

Article 40 The director of a maternal and child living support facility, in providing protection and livelihood support for the mother and child admitted there, must always coordinate with the Welfare Office, maternal and paternal self-reliance support personnel, schools attended by children, child guidance centers, maternal and paternal welfare organizations, and public employment security offices, as well as with child and family support centers, women's consultation offices and other relevant agencies as needed.

(平二六条例一一二・一部改正)

(Partially amended by Ordinance No. 112 of 2014)

第五章 保育所

Chapter 5 Nursery Schools

(設備の基準)

(Equipment Standards)

第四十一条 保育所(乳児又は満二歳に満たない幼児を入所させる保育所に限る。)は、次に掲げる基準を満たさなければならない。

Article 41 (1) Nursery schools (limited to nursery schools admitting infants or toddlers less than 2 years of age) must meet the following standards.

一 乳児室又はほふく室、医務室、調理室及び便所を設けること。

(i) An infant room or crawling room, a doctor's office, a kitchen, and a lavatory shall be provided.

二 乳児室又はほふく室は、保育に必要な用具を備えること。

(ii) The infant room or crawling room must be equipped with the necessary equipment for childcare.

三 乳児室又はほふく室の面積は、乳児又は満二歳に満たない幼児一人につき三・三平方メートル以上であること。

(iii) The area of the infant room or crawling room shall be 3.3 square meters or more for each infant or child under 2 years of age.

2 保育所(満二歳以上の幼児を入所させる保育所に限る。)は、次に掲げる基準を満たさなければならない。

(2) Nursery schools (limited to nursery schools admitting infants 2 years of age or older) must meet the following standards.

一 保育室又は遊戯室、屋外遊戯場(保育所の付近にある屋外遊戯場に代わるべき場所を含む。第三号において同じ。)、医務室、調理室及び便所を設けること。

(i) A nursery or playroom, an outdoor playground (including a place in lieu of an outdoor playground in the vicinity of the nursery; the same in item (iii)), a doctor's office, a

kitchen, and a lavatory shall be provided.

二 保育室又は遊戯室は、保育に必要な用具を備えること。

(ii) The nursery or playroom must be equipped with the necessary equipment for childcare.

三 満二歳以上の幼児一人につき、保育室又は遊戯室の面積にあつては一・九八平方メートル以上、屋外遊戯場の面積にあつては三・三平方メートル以上とすること。

(iii) The area of the nursery or play room shall be at least 1.98 square meters for each child 2 years of age or older, and the area of the outdoor play area shall be at least 3.3 square meters.

3 保育所は、乳児室若しくはほふく室又は保育室若しくは遊戯室(以下「保育室等」という。)を二階以上に設ける場合は、規則で定める基準を満たさなければならない。

(3) A nursery school must meet the standards specified by the Regulations if it has an infant room, a crawling room, nursery room or a play room (hereinafter referred to as "nursery rooms, etc.") on the second floor or higher.

(平二四条例一三八・一部改正)

(Partially amended by Ordinance No. 138 of 2012)

(保育所の設備の基準の特例)

(Special Provisions for Standards for Facilities of Nursery Schools)

第四十二条 第十三条第一項の規定にかかわらず、規則で定める基準を満たす保育所は、当該保育所に入所している満三歳以上の幼児に対する食事を当該保育所外で調理し、搬入する方法により提供することができる。ただし、当該保育所で行うべき調理のための加熱、保存等の調理機能を有する設備を備えなければならない。

Article 42 Notwithstanding the provision of paragraph (1) of Article 13, a nursery school meeting the standards specified by the Regulations may offer meals for infants aged 3 years or older admitted to said nursery school by having them prepared and delivered to said nursery school by an outside contractor. However, the nursery school must be equipped with facilities that have cooking functions such as heating and preservation for cooking to be performed in that nursery.

(職員)

(Employees)

第四十三条 保育所は、保育士、嘱託医及び調理員を置かなければならない。ただし、調理業務の全部を委託する施設にあつては、調理員を置かないことができる。

Article 43 (1) A nursery school must have a nursery teacher, a commissioned doctor, and a cook. However, facilities that outsource all cooking operations may have no cook.

2 保育士の員数は、規則で定める基準を満たさなければならない。

(2) The number of nursery teachers must meet the standards prescribed by the Regulations.

(保育時間等)

(Childcare Hours)

第四十四条 保育所における保育時間は、原則として一日につき八時間とし、入所している乳幼児の保護者の労働時間、家庭の状況等を考慮し、保育所の長がこれを定める。

Article 44 (1) The hours of childcare at a nursery must, in principle, be 8 hours per day, and must be determined by the director of the nursery in consideration of the working hours and family situation of the custodians of infants and toddlers admitted to the nursery.

2 保育所における開所時間は、規則に定める基準によるものとする。

(2) Opening hours at nursery schools are to be in accordance with the standards set forth in the Regulations.

(保育の内容)

(Details of Childcare)

第四十五条 保育所における保育は、養護及び教育を一体的に行うこととし、その内容については、厚生労働大臣が定める指針に従うものとする。

Article 45 Childcare in nursery schools is to provide protective care and education in an integrated manner, and the contents of such childcare are to follow the guidelines established by the Minister of Health, Labour and Welfare.

(保護者との連絡)

(Contact with Custodians)

第四十六条 保育所の長は、常に入所している乳幼児の保護者と密接な連絡をとるとともに、保育の内容等につき、当該保護者の理解及び協力を得るよう努めなければならない。

Article 46 The director of a nursery school must not only keep in close contact with the guardians of the admitted infants and toddlers at all times, but also endeavor to obtain the understanding and cooperation of such guardians with regard to the contents, etc. of the childcare services.

(自己評価)

(Self-evaluation)

第四十七条 保育所は、自らその行う法第三十九条に規定する業務の質の評価を行い、常にその改善を図らなければならない。

Article 47 A nursery school must evaluate by itself the quality of the operations it performs as provided in Article 39 of the Act and constantly strive to make improvement.

(平二七条例九一・全改)

(Fully amended by Ordinance No. 91 of 2015)

(第三者評価)

(Third-party Evaluation)

第四十八条 保育所は、定期的に外部の者による評価を受けて、それらの結果を公表し、常にその改善を図るよう努めなければならない。

Article 48 A nursery school must not only undergo periodic evaluations by an outside party and publish the results of those evaluations, but must endeavor to constantly improve upon them.

(平二七条例九一・全改)

(Fully amended by Ordinance No. 91 of 2015)

第六章 児童厚生施設

Chapter 6 Child Welfare Institutions

(設備の基準)

(Equipment Standards)

第四十九条 児童厚生施設の設備の基準は、次のとおりとする。

Article 49 The standards for facilities of child welfare institutions are as follows

一 屋外の児童厚生施設は、広場、遊具及び便所を設けること。

(i) Outdoor child welfare institutions must have an open space, playground equipment, and lavatory.

二 屋内の児童厚生施設は、集会室、遊戯室、図書室及び便所を設けること。

(ii) Indoor child welfare institutions must have a meeting room, playroom, library, and lavatory.

(職員)

(Employees)

第五十条 児童厚生施設は、児童の遊びを指導する者を置かなければならない。

Article 50 (1) Child welfare institutions must have a person to provide guidance for children's play.

2 児童の遊びを指導する者は、次のいずれかに該当する者でなければならない。

(2) A person who provides guidance for children's play must fall under any of the following.

一 都道府県知事の指定する児童福祉施設の職員を養成する学校その他の養成施設を卒業した者

(i) A person who has graduated from a school or other training facility for employees of child welfare facilities designated by the prefectural governor

二 保育士の資格を有する者

(ii) A certified nursery teacher

三 社会福祉士の資格を有する者

(iii) A certified social welfare worker

四 高等学校若しくは中等教育学校を卒業した者、学校教育法第九十条第二項の規定により大学への入学を認められた者若しくは通常の課程による十二年の学校教育を修了した者(通常の課程以外の課程によりこれに相当する学校教育を修了した者を含む。)又は文部科学大臣がこれと同等以上の資格を有すると認定した者であって、二年以上児童福祉事業に従事したもの

(iv) A person who has graduated from a high school or secondary education school, a person who has been admitted to a university pursuant to the provision of Article 90, paragraph (2) of the School Education Act, or a person who has completed 12 years of school education through a regular course (including those who have completed a school education equivalent to or higher than a regular course), or a person who has been certified by the Minister of Education, Culture, Sports, Science and Technology as having qualifications equivalent thereto or higher, and has been engaged in the child welfare business for 2 years or more

五 教育職員免許法(昭和二十四年法律第百四十七号)に規定する幼稚園、小学校、中学校、義務教育学校、高等学校又は中等教育学校の教諭の免許状を有する者

(v) Those with a license to teach in kindergartens, elementary schools, junior high schools, compulsory education schools, high schools or secondary education schools as provided for in the Education Personnel Certification Act (Act No. 147 of 1949).

六 前各号に掲げる者のほか、規則で定める基準を満たすもの

(vi) In addition to those listed in each of the preceding items, those who meet the criteria specified in the Regulations.

(平二七条例九一・平二八条例七四・平三一条例五一・一部改正)

(Partially amended by Ordinances No. 91 of 2015, No. 74 of 2016, No. 51 of 2019)

(遊びの指導を行うに当たって遵守すべき事項)

(Rules to be Observed when Providing Guidance in Play)

第五十一条 児童厚生施設における遊びの指導は、児童の自主性、社会性及び創造性を高め、地域における健全育成活動の推進を図るよう行うものとする。

Article 51 Guidance for play in child welfare institutions is to be provided in order to enhance the independence, sociality and creativity of children and to promote sound upbringing activities in the area.

(保護者との連絡)

(Contact with Custodians)

第五十二条 児童厚生施設の長は、必要に応じ児童の健康及び行動について、当該児童の保護者に連絡しなければならない。

Article 52 The director of a child welfare institution must inform the custodian of the child concerned about the child's health and behavior as necessary.

第七章 児童養護施設

Chapter 7 Foster Homes

(設備の基準)

(Equipment Standards)

第五十三条 児童養護施設の設備の基準は、次のとおりとする。

Article 53 The standards for facilities for foster homes must be as follows.

一 児童の居室、相談室、調理室、浴室及び便所を設けること。

(i) A child's room, a consultation room, a cooking room, a bathroom and a lavatory must be provided.

二 児童三十人以上を入所させる児童養護施設には、前号の設備に加えて、医務室及び静養室を設けること。

(ii) A foster home for 30 or more children must have, in addition to the facilities set forth in the preceding item, a doctor's office and a recuperation room.

三 入所している児童の年齢、適性等に応じた職業指導に必要な設備(以下「職業指導に必要な設備」という。)を設けること。

(iii) Facilities necessary for vocational guidance in accordance with the age, aptitude, etc. of children admitted to the center (hereinafter referred to as "facilities necessary for vocational guidance") must be provided.

四 前三号に掲げるもののほか、規則で定める基準を満たすこと。

(iv) Standards specified by Regulations beyond what is set forth in the previous three items must be met.

(平二四条例一三八・一部改正)

(Partially amended by Ordinance No. 138 of 2012)

(職員)

(Employees)

第五十四条 児童養護施設は、次に掲げる職員を置かなければならない。ただし、児童四十人以下を入所させる施設にあっては栄養士を、調理業務の全部を委託する施設にあっては調理員を置かないことができる。

Article 54 (1) A foster home must have the following employees. However, a facility that admits 40 or fewer children may have no nutritionist, and a facility that outsources all cooking operations may have no cook.

一 児童指導員(児童の生活指導を行う者をいう。以下同じ。)

(i) Child guidance counselor (a person who provides life guidance to children; the same applies hereinafter)

二 嘱託医

(ii) Commissioned doctor

三 保育士

(iii) Nursery teacher

四 個別対応職員

(iv) Individual support staff

五 家庭支援専門相談員

(v) Family support specialist counselor

六 栄養士

(vi) Nutritionist

七 調理員

(vii) Cook

八 看護師(乳児が入所している施設に限る。)

(viii) Nurse (limited to facilities where infants are admitted)

2 家庭支援専門相談員は、社会福祉士若しくは精神保健福祉士の資格を有する者、児童養護施設において児童の指導に五年以上従事した者又は法第十三条第三項各号のいずれかに該当する者でなければならない。

(2) A family support specialist counselor must be a person who is qualified as a certified social worker or mental health social worker, a person who has been engaged in guidance of children in a foster home for five years or more, or a person who falls under any of the items of Article 13, paragraph (3) of the Act.

3 児童養護施設は、心理療法を行う必要があると認められる児童十人以上に心理療法を行う場合は、心理療法担当職員を置かなければならない。この場合において、心理療法担当職員の資格については、第二十六条第五項の規定を準用する。

(3) A foster home must appoint an employee in charge of psychotherapy if it provides psychotherapy to 10 or more children who are deemed to be in need of psychotherapy. In this case, the provisions of Article 26, paragraph (5) must apply mutatis mutandis to the qualifications of the employees in charge of psychotherapy.

4 児童養護施設は、実習設備を設けて職業指導を行う場合は、職業指導員を置かなければならない。

(4) A foster home shall have a vocational guidance instructor if it provides vocational guidance with practical training facilities.

5 児童指導員、保育士及び看護師の員数は、規則で定める基準を満たさなければならない。

(5) The number of child guidance counselors, nursery teachers and nurses must meet the standards specified by the Regulations.

(平二四条例一三八・平二九条例二四・一部改正)

(Partially amended by Ordinances No. 138 of 2012, No. 24 of 2017)

(児童養護施設の長の資格等)

(Qualifications of the director of a foster home)

第五十五条 児童養護施設の長は、次のいずれかに該当し、かつ、厚生労働大臣が指定する者が行う児童養護施設の運営に必要な知識を習得するための研修を受講した者であつて、人格が高潔で識見が高く、児童養護施設を適切に運営する能力を有するものでなければならない。

Article 55 (1) The director of a foster home must fall under any of the following, and must be a person who has undergone training to acquire the knowledge necessary for the operation of the foster home conducted by a person designated by the Minister of Health, Labour and Welfare, and who is of high character, highly insightful, and has the ability to operate the foster home appropriately.

一 医師(精神保健又は小児保健に関して学識経験を有する者に限る。)

(i) Physician (limited to those with relevant expertise in mental health or pediatric health)

二 社会福祉士の資格を有する者

(ii) A certified social welfare worker

三 児童養護施設の職員として三年以上勤務した者

(iii) Those who have worked as an employee of a foster home for at least three years

四 知事が前三号に掲げる者と同等以上の能力を有すると認める者であつて、規則で定める基準を満たすもの

(iv) A person who is recognized by the governor as having abilities equal to or greater than those set forth in the preceding three items, and who meets the standards specified in the Regulations

2 児童養護施設の長は、二年に一回以上、厚生労働大臣が指定する者が行う資質向上のための研修を受講するものとする。

(2) At least once every two years, the director of a foster home is to take a training course to improve the director's qualifications, which is conducted by a person designated by the Minister of Health, Labour and Welfare.

(児童指導員の資格)

(Qualifications of Child Guidance Counselors)

第五十六条 児童指導員は、次のいずれかに該当する者でなければならない。

Article 56 (1) A child guidance counselor must fall under any of the following.

一 都道府県知事の指定する児童福祉施設の職員を養成する学校その他の養成施設を卒業した者

(i) A person who has graduated from a school or other training facility for employees of

child welfare facilities designated by the prefectural governor

二 社会福祉士の資格を有する者

(ii) A certified social welfare worker

三 精神保健福祉士の資格を有する者

(iii) A certified mental health social worker

四 大学(短期大学を除く。次号において同じ。)において、社会福祉学、心理学、教育学若しくは社会学を専修する学科又はこれらに相当する課程を卒業した者

(iv) A person who has graduated from a university (excluding junior college; the same applies in the next item) with a major in social welfare, psychology, education, or sociology, or a curriculum equivalent thereto.

五 大学において、社会福祉学、心理学、教育学又は社会学に関する科目の単位を優秀な成績で修得したことにより、学校教育法第百二条第二項の規定により大学院への入学を認められた者

(v) A person who has been admitted to a graduate university after earning credits for courses related to social welfare, psychology, pedagogy, or sociology with excellent grades, pursuant to the provisions of Article 102, paragraph (2) of the School Education Act.

六 大学院において、社会福祉学、心理学、教育学若しくは社会学を専攻する研究科又はこれらに相当する課程を卒業した者

(vi) A person who has graduated from a graduate school with a major in social welfare, psychology, education, or sociology, or a curriculum equivalent thereto.

七 外国の大学において、社会福祉学、心理学、教育学若しくは社会学を専修する学科又はこれらに相当する課程を卒業した者

(vii) A person who has graduated from a university in a foreign country with a major in social welfare, psychology, education, or sociology, or a curriculum equivalent thereto.

八 高等学校若しくは中等教育学校を卒業した者、学校教育法第九十条第二項の規定により大学への入学を認められた者若しくは通常の課程による十二年の学校教育を修了した者(通常の課程以外の課程によりこれに相当する学校教育を修了した者を含む。)又は文部科学大臣がこれと同等以上の資格を有すると認定した者であって、二年以上児童福祉事業に従事したもの

(viii) A person who has graduated from a high school or secondary education school, a person who has been admitted to a university pursuant to the provision of Article 90, paragraph (2) of the School Education Act, or a person who has completed 12 years of school education through a regular course (including those who have completed a school education equivalent to or higher than a regular course), or a person who has

been certified by the Minister of Education, Culture, Sports, Science and Technology as having qualifications equivalent thereto or higher, and has been engaged in the child welfare business for 2 years or more

九 教育職員免許法に規定する幼稚園、小学校、中学校、義務教育学校、高等学校又は中等教育学校の教諭の免許状を有する者であつて、知事が適当と認めたもの

(ix) A person who has a license to teach at kindergarten, elementary school, junior high school, compulsory education school, high school or secondary education school as stipulated in the Education Personnel Certification Act, and who is deemed appropriate by the governor.

十 三年以上児童福祉事業に従事した者で、知事が適当と認めたもの

(x) A person who has been engaged in child welfare business for more than 3 years and is to be deemed appropriate by the governor.

2 前項第一号の指定は、児童福祉法施行規則(昭和二十三年厚生省令第十一号)別表に定める教育内容に適合する学校又は施設について行うものとする。

(2) The designation set forth in item (i) of the immediately preceding paragraph shall be made for schools or facilities that conform to the educational content specified in the Appended Table of the Regulations for Enforcement of the Child Welfare Act (Ministry of Health and Welfare Ordinance No. 11 of 1948).

(平二七条例九一・平二八条例七四・平三一条例五一・令三条例三〇・一部改正)

(Partially amended by Ordinances No. 91 of 2015, No. 74 of 2016, No. 51 of 2019, No. 30 of 2021)

(養護)

(Protective Care)

第五十七条 児童養護施設における養護は、児童の安定した生活環境を整えるとともに、生活指導、学習指導、職業指導及び家庭環境の調整を行いつつ児童を養育することにより、児童の心身の健やかな成長と自立の支援を目的として行わなければならない。

Article 57 Protective care in a foster home must provide a stable living environment for children and foster children while providing them with life guidance, learning guidance, vocational guidance, and adjustment of the family environment, for the purpose of supporting their healthy physical and mental growth and self-reliance support.

(生活指導、学習指導、職業指導及び家庭環境の調整)

(Life guidance, learning guidance, vocational guidance and adjustment of the home environment)

第五十八条 児童養護施設における生活指導は、児童の自主性を尊重しつつ、基本的な生活習慣を確立するとともに、豊かな人間性及び社会性を養い、かつ、将来自立した生活を営むために必要な知識及び経験を得ることができるよう行わなければならない。

Article 58 (1) Life guidance in foster homes must be provided while respecting the independence of the children, so that they may establish basic lifestyle habits, develop a rich humanity and social life, and gain the knowledge and experience necessary for them to lead independent lives in the future.

2 児童養護施設における学習指導は、児童が適性、能力等に応じた学習を行うことができるよう、適切な相談、助言、情報の提供その他の支援により行わなければならない。

(2) Learning guidance in foster homes shall be provided through appropriate consultation, advice, provision of information, and other support so that children can learn in accordance with their aptitudes and abilities.

3 児童養護施設における職業指導は、勤労の基礎的な能力及び態度を育てるとともに、児童が適性、能力等に応じた職業選択を行うことができるよう、適切な相談、助言、情報の提供等及び実習、講習その他の支援により行わなければならない。

(3) Vocational guidance in foster homes shall be provided through appropriate consultation, advice, provision of information, etc., practical training, courses, and other support so that children can develop the basic abilities and attitudes for work and make vocational choices in accordance with their aptitudes and abilities.

4 児童養護施設における家庭環境の調整に当たっては、入所している児童の家庭の状況に応じ、親子関係の再構築等が図られるよう行わなければならない。

(4) In adjusting the family environment in a foster home, it must be so that the parent and child relationship can be reconstructed in accordance with the family situation of the children placed in the home.

(自立支援計画の策定及び業務の質の評価等)

(Formulation of Self-Reliance Support Plans and Evaluation of the Quality of Operations)

第五十九条 児童養護施設における自立支援計画の策定及び業務の質の評価等については、第三十条及び第三十一条の規定を準用する。この場合において、第三十条中「第二十八条」とあるのは「第五十七条」と、「乳幼児」とあるのは「児童」と、第三十一条中「第三十七条」とあるのは「第四十一条」と読み替えるものとする。

Article 59 The provisions of Articles 30 and 31 shall apply mutatis mutandis to the formulation of self-reliance support plans and evaluation of the quality of operations in foster homes. In this case, the term "Article 28" in Article 30 must be deemed to be replaced with "Article 57", the term "infant" with "child", and the term "Article 37" in Article 31 with "Article 41".

(児童と起居を共にする職員)

(Staff Who Live With Children)

第六十条 児童養護施設の長は、児童指導員又は保育士のうち少なくとも一人を児童と起居を共にさせなければならない。

Article 60 The director of a foster home must have at least one of the child guidance counselor or nursery school teachers live with the child.

(平二四条例一三八・一部改正)

(Partially amended by Ordinance No. 138 of 2012)

(関係機関との連携)

(Coordination with Related Organizations)

第六十一条 児童養護施設の長は、入所している児童の指導及び家庭環境の調整に当たっては、常に児童の通学する学校及び児童相談所並びに必要なに応じ児童家庭支援センター、児童委員、公共職業安定所その他の関係機関と連携を図らなくてはならない。

Article 61 The director of a foster home shall, in providing guidance and adjusting the family environment for children who are placed in the home, always coordinate with the school which the children attend, the child guidance center, and, as necessary, with the child and family support center, commissioned child welfare volunteers, public employment security offices, and other relevant organizations.

第八章 福祉型障害児入所施設

Chapter 8 Welfare Services Facility for Children with Disabilities

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(設備の基準)

(Equipment Standards)

第六十二条 福祉型障害児入所施設の設備の基準は、次のとおりとする。

Article 62 The standards for facilities of a welfare services facility for children with disabilities are as follows.

一 児童の居室、調理室、浴室、便所、医務室及び静養室を設けること。ただし、児童三十人未満を入所させる施設であって主として知的障害のある児童を入所させるものにあつては医務室を、児童三十人未満を入所させる施設であって主として盲児又はろうあ児(以下「盲ろうあ児」という。)を入所させるものにあつては医務室及び静養室を設けないことができる。

(i) A child's room, cooking room, bathroom, lavatory, doctor's office, and recuperation room must be provided. However, facilities that admit less than 30 children and mainly admit children with intellectual disabilities may not have a doctor's office, and facilities that admit less than 30 children and mainly admit children who are blind or deaf (hereinafter referred to as "children who are blind or deaf") may have no doctor's office or recuperation room.

二 主として知的障害のある児童を入所させる福祉型障害児入所施設には、職業指導に

必要な設備を設けること。

- (ii) Welfare services facility for children with disabilities, which mainly admit children with intellectual disabilities, must be equipped with the facilities necessary for vocational guidance.

三 主として盲児を入所させる福祉型障害児入所施設には、次の設備を設けること。

- (iii) Welfare services facility for children with disabilities that mainly admit children who are blind must be equipped with the following facilities

イ 遊戯室、訓練室、職業指導に必要な設備及び音楽に関する設備

- (a) Playrooms, training rooms, facilities necessary for vocational guidance and facilities related to music

ロ 浴室及び便所の手すり、特殊表示等身体の機能の不自由を助ける設備

- (b) Handrails in bathrooms and lavatories, special displays, and other equipment to assist the impairment of physical functions

四 主としてろうあ児を入所させる福祉型障害児入所施設には、遊戯室、訓練室、職業指導に必要な設備及び映像に関する設備を設けること。

- (iv) Welfare services facility for children with disabilities that mainly admit children who are deaf must be equipped with playrooms, training rooms, facilities necessary for vocational guidance, and facilities related to video images.

五 主として肢体不自由のある児童を入所させる福祉型障害児入所施設には、次の設備を設けること。

- (v) Welfare services facility for children with disabilities that admit mainly children with impaired physical functions must be equipped with the following facilities.

イ 訓練室及び屋外訓練場

- (a) Training room and outdoor training area

ロ 浴室及び便所の手すり等身体の機能の不自由を助ける設備

- (b) Handrails and other facilities to assist the impairment of physical functions in bathrooms and lavatories

六 主として盲児を入所させる福祉型障害児入所施設又は主として肢体不自由のある児童を入所させる福祉型障害児入所施設においては、階段の傾斜を緩やかにすること。

- (vi) In welfare services facility for children with disabilities where mainly children who are blind are admitted, or welfare services facility for children with disabilities where mainly children with impaired physical functions are admitted, the slope of the stairs must be gentle.

七 前各号に掲げるもののほか、規則で定める基準を満たすこと。

- (vii) Standards specified by Regulations beyond what is set forth in the previous items must be met.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(職員)

(Employees)

第六十三条 主として知的障害のある児童(自閉症を主たる症状とする児童(以下「自閉症児」という。))を除く。次項において同じ。))を入所させる福祉型障害児入所施設は、次に掲げる職員を置かなければならない。ただし、児童四十人以下を入所させる施設にあつては栄養士を、調理業務の全部を委託する施設にあつては調理員を置かないことができる。

Article 63 (1) Welfare services facility for children with disabilities that admit children with intellectual disabilities (excluding children whose main symptom is autism (hereinafter referred to as "autistic children"); the same applies hereinafter in the following paragraph) must have the following employees. However, a facility that admits 40 or fewer children may have no nutritionist, and a facility that outsources all cooking operations may have no cook.

一 嘱託医

(i) Commissioned doctor

二 児童指導員

(ii) Child guidance counselor

三 保育士

(iii) Nursery teacher

四 栄養士

(iv) Nutritionist

五 調理員

(v) Cook

六 児童発達支援管理責任者(障害児通所支援又は障害児入所支援の提供の管理を行う者として厚生労働大臣が定めるものをいう。以下同じ。)

(vi) Child development support management supervisor (a person specified by the Minister of Health, Labour and Welfare as a person who manages the provision of outpatient support services for children with disabilities or support for facility admission for children with disabilities; the same applies hereinafter)

2 主として知的障害のある児童を入所させる福祉型障害児入所施設の嘱託医は、精神科又は小児科の診療に相当の経験を有する者でなければならない。

(2) A commissioned doctor of a welfare services facility for children with disabilities, which mainly admits children with intellectual disabilities, must be a person with considerable experience in medical care in psychiatry or pediatrics.

3 主として自閉症児を入所させる福祉型障害児入所施設は、第一項に規定する職員並びに医師及び看護職員(保健師、助産師、看護師又は准看護師をいう。以下この条及び第七十四条において同じ。)を置かなければならない。ただし、児童四十人以下を入所させる施設にあっては栄養士を、調理業務の全部を委託する施設にあっては調理員を置かないことができる。

(3) A welfare services facility for children with disabilities that mainly admits autistic children must have employees prescribed in paragraph (1), as well as doctors and nursing personnel (meaning public health nurses, midwives, nurses, or nursing assistants; the same applies hereinafter in this Article and Article 74). However, a facility that admits 40 or fewer children may have no nutritionist, and a facility that outsources all cooking operations may have no cook.

4 主として自閉症児を入所させる福祉型障害児入所施設の嘱託医については、第二項の規定を準用する。

(4) The provisions of paragraph (2) must apply mutatis mutandis to commissioned doctors of welfare services facilities for children with disabilities that admit mainly autistic children.

5 主として自閉症児を入所させる福祉型障害児入所施設の医師は、児童を対象とする精神科の診療に相当の経験を有する者でなければならない。

(5) A doctor of a welfare services facility for children with disabilities, which mainly admits autistic children, must be a person with considerable experience in psychiatric medical care for children.

6 主として盲ろうあ児を入所させる福祉型障害児入所施設については、第一項の規定を準用する。

(6) The provision of paragraph (1) must apply mutatis mutandis to welfare services facilities for children with disabilities that admit mainly children who are blind or deaf.

7 主として盲ろうあ児を入所させる福祉型障害児入所施設の嘱託医は、眼科又は耳鼻咽喉科の診療に相当の経験を有する者でなければならない。

(7) A commissioned doctor of a welfare services facility for children with disabilities who mainly admit children who are blind or deaf must be a person with considerable experience in medical care of ophthalmology or otorhinolaryngology.

8 主として肢体不自由のある児童を入所させる福祉型障害児入所施設は、第一項に規定する職員及び看護職員を置かなければならない。ただし、児童四十人以下を入所させる施設にあっては栄養士を、調理業務の全部を委託する施設にあっては調理員を置かないことができる。

(8) Welfare services facility for children with disabilities that admit mainly children with impaired physical functions must have employees and nursing staff as provided in

paragraph (1). However, a facility that admits 40 or fewer children may have no nutritionist, and a facility that outsources all cooking operations may have no cook.

- 9 福祉型障害児入所施設は、心理指導を行う必要があると認められる児童五人以上に心理指導を行う場合にあっては心理指導担当職員を、職業指導を行う場合にあっては職業指導員を置かなければならない。

- (9) A welfare services facility for children with disabilities must have employees in charge of psychological guidance if it provides psychological guidance to 5 or more children who are deemed to be in need of psychological guidance, and a vocational guidance instructor if it provides vocational guidance.

- 10 心理指導担当職員の資格については、第二十六条第五項の規定を準用する。

- (10) The provisions of Article 26, paragraph (5) must apply mutatis mutandis to the qualifications of the employees in charge of psychological guidance.

- 11 児童指導員、保育士及び看護職員の員数は、規則で定める基準を満たさなければならない。

- (11) The number of child guidance counselors, nursery and nursing employees must meet the standards specified by the Regulations.

(平二四条例一三八・追加、平三〇条例六〇・一部改正)

(Added by Ordinance No. 138 of 2012; Partially amended by Ordinance No. 60 of 2018)

(生活指導、学習指導及び職業指導)

(Life Guidance, Learning Guidance and Vocational Guidance)

第六十四条 福祉型障害児入所施設における生活指導は、児童が日常の起居の間に、当該福祉型障害児入所施設を退所した後、可能な限り社会に適応できるよう行わなければならない。

Article 64 (1) Life guidance in a welfare services facility for children with disabilities must be provided during the child's daily routine so that the child can adapt to society as much as possible after leaving that welfare services facility for children with disabilities.

- 2 福祉型障害児入所施設における学習指導については、第五十八条第二項の規定を準用する。

- (2) The provisions of Article 58 paragraph must apply mutatis mutandis to learning guidance in welfare services facilities for children with disabilities.

- 3 福祉型障害児入所施設における職業指導は、児童の適性に応じ、児童が将来可能な限り健全な社会生活を営むことができるよう行わなければならない。

- (3) Vocational guidance in welfare services facilities for children with disabilities must be provided in accordance with the aptitudes of the children so that they can lead a sound social life in the future as much as possible.

4 前項の規定によるもののほか、福祉型障害児入所施設における職業指導については、第五十八条第三項の規定を準用する。

(4) In addition to what is provided for in the immediately preceding paragraph, the provision of Article 58, paragraph (3) must apply mutatis mutandis to vocational guidance in welfare services facilities for children with disabilities.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(入所支援計画の作成)

(Creation of an Admission Support Plan)

第六十五条 福祉型障害児入所施設の長は、児童の保護者及び児童の意向、児童の適性、児童の障害の特性その他の事情を踏まえた計画を作成し、当該計画に基づき当該児童に対して障害児入所支援を提供するとともに、当該障害児入所支援の効果について継続的な評価を実施することその他の措置を講じることにより当該児童に対して適切かつ効果的に障害児入所支援を提供しなければならない。

Article 65 The head of a welfare services facility for children with disabilities shall prepare a plan based on the intentions of the child's custodian and the child, the child's aptitude, the characteristics of the child's disabilities, and other circumstances, and provide support for facility admission for the child with disabilities based on said plan, and shall provide appropriate and effective support for facility admission for children with disabilities to said children by working continuously to evaluate the effectiveness of said support for facility admission for children with disabilities, and by taking other measures.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(児童と起居を共にする職員)

(Staff Who Live With Children)

第六十六条 福祉型障害児入所施設(主として盲ろうあ児を入所させる福祉型障害児入所施設を除く。)については、第六十条の規定を準用する。

Article 66 The provisions of Article 60 must apply mutatis mutandis to welfare services facilities for children with disabilities (excluding welfare services facilities for children with disabilities that admit mainly children who are blind or deaf).

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(保護者等との連絡)

(Contact with Custodians)

第六十七条 福祉型障害児入所施設の長は、児童の保護者に当該児童の性質及び能力を説明するとともに、児童の通学する学校及び必要に応じ当該児童を担当した児童福祉司又は児童委員と常に密接な連絡をとり、当該児童の生活指導、学習指導及び職業指導につき、協力を求めなければならない。

Article 67 The director of a welfare services facility for children with disabilities shall explain to the child's custodian the nature and abilities of said child, and shall always maintain close contact with the school which the child attends and the Child Welfare Officer or commissioned child welfare volunteer in charge of said child, as necessary, and seek their cooperation in providing life guidance, learning and vocational guidance to said child.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(心理学的及び精神医学的診査)

(Psychological and Psychiatric Examination)

第六十八条 主として知的障害のある児童を入所させる福祉型障害児入所施設においては、入所している児童を適切に保護するため、随時心理学的及び精神医学的診査を行わなければならない。ただし、児童の福祉に有害な実験に及んではならない。

Article 68 Welfare services facilities for children with disabilities that admit children who have mainly intellectual disabilities must conduct psychological and psychiatric examinations from time to time in order to properly protect the children in the facility. However, they must not engage in experiments that are detrimental to the welfare of the child.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(入所した児童に対する健康診断)

(Medical Diagnosis for Children Admitted to the Facility)

第六十九条 主として盲ろうあ児を入所させる福祉型障害児入所施設においては、第十四条第一項に規定する入所時の健康診断に当たり、特に盲ろうあの原因及び機能障害の状況を精密に診断し、治療が可能な者については、可能な限り治療しなければならない。

Article 69 (1) Welfare services facilities for children with disabilities that admit mainly children who are blind or deaf must, when conducting medical examinations at the time of admission as provided for in Article 14, paragraph (1), make a particularly precise diagnosis of the cause of deafness or blindness and the status of functional disabilities, and treat those persons with disabilities that can be treated as much as possible.

2 主として肢体不自由のある児童を入所させる福祉型障害児入所施設においては、第十四条第一項に規定する入所時の健康診断に当たり、整形外科的診断により肢体の機能障害

の原因及びその状況を精密に診断し、入所の継続の必要性について考慮しなければならない。

(2) In welfare services facilities for children with disabilities where children with mainly impaired physical functions are admitted, a precise diagnosis of the cause of the limb dysfunction and its condition by orthopedic diagnosis must be made when conducting a medical examination at the time of admission as provided in Article 14, paragraph (1), and the necessity of continued admission must be considered.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

第九章 医療型障害児入所施設

Chapter 9 Medical Services Facility for Children with Disabilities

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(設備の基準)

(Equipment Standards)

第七十条 医療型障害児入所施設の設備の基準は、次のとおりとする。

Article 70 The standards for facilities for medical services facilities for children with disabilities are as follows.

一 医療法に規定する病院として必要な設備のほか、訓練室及び浴室を設けること。

(i) In addition to the facilities required for a hospital as provided in the Medical Care Act, there must be a training room and a bathroom.

二 主として自閉症児を入所させる医療型障害児入所施設には、静養室を設けること。

(ii) Medical services facilities for children with disabilities that admits mainly autistic children must have a recuperation room.

三 主として肢体不自由のある児童を入所させる医療型障害児入所施設には、屋外訓練場、ギブス室、特殊手工芸等の作業の指導に必要な設備、義肢装具を製作する設備を設けること。ただし、義肢装具を製作する設備は、他に適当な設備がある場合は、この限りでない。

(iii) Medical services facilities for children with disabilities that admits mainly children with impaired physical functions must be equipped with an outdoor training area, a casting room, facilities necessary for guidance in special handicrafts and other work, and facilities for making prosthetic limbs. However, this shall not apply to facilities for making prosthetic limbs if other suitable facilities are available.

四 主として肢体不自由のある児童を入所させる医療型障害児入所施設においては、階段の傾斜を緩やかにするほか、浴室及び便所の手すり等身体の機能の不自由を助ける設備を設けること。

- (iv) In medical services facilities for children with disabilities where children with impaired physical functions are mainly admitted, facilities must be provided to assist the impaired physical functions, such as gentle slopes of stairs, handrails in bathrooms and lavatories, etc.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(職員)

(Employees)

第七十一条 主として自閉症児を入所させる医療型障害児入所施設は、次に掲げる職員を置かなければならない。

Article 71 (1) A medical services facility for children with disabilities that admits mainly autistic children must have the following employees.

一 医療法に規定する病院として必要な職員

(i) Employees required as a hospital as provided for in the Medical Care Act

二 児童指導員

(ii) Child guidance counselor

三 保育士

(iii) Nursery teacher

四 児童発達支援管理責任者

(iv) Child development support management supervisor

2 主として肢体不自由のある児童を入所させる医療型障害児入所施設は、前項各号に掲げる職員及び理学療法士又は作業療法士を置かなければならない。

(2) A medical services facility for children with disabilities that admits mainly children with impaired physical functions must have the employees set forth in each item of the immediately preceding paragraph and a physical therapist or an occupational therapist.

3 主として肢体不自由のある児童を入所させる医療型障害児入所施設の長及び医師は、肢体の機能の不自由な者の療育に関して相当の経験を有する医師でなければならない。

(3) The director and physicians of a medical services facility for children with disabilities that admits mainly children with impaired physical functions must have considerable experience in the medical treatment and education of children with impaired physical functions.

4 主として重症心身障害児を入所させる医療型障害児入所施設は、第二項に規定する職員及び心理指導を担当する職員を置かなければならない。

(4) A medical services facility for children with disabilities that mainly admits children with severe mental or physical disabilities must have employees provided for in paragraph (2) and employees in charge of psychological guidance.

- 5 主として重症心身障害児を入所させる医療型障害児入所施設の長及び医師は、内科、精神科、医療法施行令(昭和二十三年政令第三百二十六号)第三条の二第一項第一号ハ及びニ(2)の規定により神経と組み合わせた名称を診療科名とする診療科、小児科、外科、整形外科又はリハビリテーション科の診療に相当の経験を有する医師でなければならない。

(5) The director and physicians of a medical services facility for children with disabilities who admit mainly children with severe mental or physical disabilities must have considerable experience in internal medicine, psychiatry, a medical department whose name is combined with neurology as provided in Article 3-2, paragraph (1), item (i) c and d(2) of the Enforcement Order of the Medical Care Act (Cabinet Order No. 326 of 1948), pediatrics, surgery, orthopedics, or rehabilitation medicine.

- 6 児童指導員及び保育士の員数は、規則で定める基準を満たさなければならない。

(6) The number of child guidance counselors and nursery teachers must meet the standards specified by the Regulations.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(準用)

(Application, Mutatis Mutandis)

第七十二条 第六十条、第六十四条及び第六十七条の規定は、医療型障害児入所施設(主として重症心身障害児を入所させる施設を除く。)について準用する。

Article 72 (1) The provisions of Articles 60, 64, and 67 must apply mutatis mutandis to medical services facility for children with disabilities (excluding facilities that admit mainly children with severe mental or physical disabilities).

- 2 第六十五条の規定は、医療型障害児入所施設について準用する。

(2) The provisions of Article 65 must apply mutatis mutandis to medical services facilities for children with disabilities.

- 3 第六十八条の規定は、主として自閉症児を入所させる医療型障害児入所施設について準用する。

(3) The provisions of Article 68 must apply mutatis mutandis to medical services facility for children with disabilities that admit mainly autistic children.

- 4 第六十九条第二項の規定は、主として肢体不自由のある児童を入所させる医療型障害児入所施設について準用する。

(4) The provisions of Article 69, paragraph (2) must apply mutatis mutandis to medical services facilities for children with disabilities, which mainly admit children with impaired physical functions.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

第十章 福祉型児童発達支援センター

Chapter 10 Welfare Services Child Development Support Center

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(設備の基準)

(Equipment Standards)

第七十三条 福祉型児童発達支援センターの設備の基準は、次のとおりとする。

Article 73 The standards for facilities of welfare services child development support centers are as follows.

一 福祉型児童発達支援センター(主として重症心身障害児を通所させる福祉型児童発達支援センターを除く。以下この号において同じ。)には、指導訓練室、遊戯室、屋外遊戯場(福祉型児童発達支援センターの付近にある屋外遊戯場に代わるべき場所を含む。)、医務室、相談室、調理室、便所並びに児童発達支援の提供に必要な設備及び備品を設けること。

(i) The welfare services child development support center (excluding welfare services child development support centers mainly for children with severe mental or physical disabilities; the same applies hereinafter in this item) shall be equipped with guidance and training rooms, play rooms, outdoor play areas (including a place in lieu of an outdoor playground in the vicinity of the welfare services child development support center), medical offices, consultation rooms, cooking rooms, lavatories, and facilities and equipment necessary for providing child development support.

二 主として知的障害のある児童を通所させる福祉型児童発達支援センターには、静養室を設けること。

(ii) Welfare services child development support centers that mainly allow children with intellectual disabilities to attend must have a recuperation room.

三 主として難聴児を通所させる福祉型児童発達支援センターには、聴力検査室を設けること。

(iii) Welfare services child development support centers that mainly allow children with hearing loss to attend must have a hearing inspection room.

四 主として重症心身障害児を通所させる福祉型児童発達支援センターには、指導訓練室、調理室、便所並びに児童発達支援の提供に必要な設備及び備品を設けること。

(iv) Welfare services child development support centers that mainly allow children with severe mental and physical disabilities to attend must be equipped with guidance and training rooms, cooking rooms, lavatories, and facilities and equipment necessary for offering child development support.

五 前各号に掲げるもののほか、規則で定める基準を満たすこと。

(v) Standards specified by Regulations beyond what is set forth in the previous items must be met.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(職員)

(Employees)

第七十四条 福祉型児童発達支援センター(主として難聴児を通所させる福祉型児童発達支援センター及び主として重症心身障害児を通所させる福祉型児童発達支援センターを除く。)は、次に掲げる職員を置かなければならない。ただし、児童四十人以下を通所させる施設にあつては栄養士を、調理業務の全部を委託する施設にあつては調理員を、医療機関等との連携により看護職員を当該福祉型児童発達支援センターに訪問させ、当該看護職員が障害児に対して医療的ケア(人工呼吸器による呼吸管理、_吸引その他厚生労働大臣が定める医療行為をいう。以下同じ。)を行うとき、当該福祉型児童発達支援センター(社会福祉士及び介護福祉士法(昭和六十二年法律第三十号)第四十八条の三第一項の登録に係る事業所である場合に限る。))において、医療的ケアのうち_吸引等(同法第二条第二項に規定する喀痰吸引等をいう。)のみを必要とする障害児に対し、当該登録を受けた者が自らの事業又はその一環として_吸引等業務(同法第四十八条の三第一項に規定する喀痰吸引等業務をいう。)を行うとき及び当該福祉型児童発達支援センター(同法附則第二十七条第一項の登録に係る事業所である場合に限る。))において、医療的ケアのうち特定行為(同法附則第十条第一項に規定する特定行為をいう。)のみを必要とする障害児に対し、当該登録を受けた者が自らの事業又はその一環として特定行為業務(同法附則第二十七条第一項に規定する特定行為業務をいう。)を行うときにあつては看護職員を置かないことができる。

Article 74 (1) A welfare services child development support center (excluding welfare services child development support centers mainly for children with hearing impairment and welfare services child development support centers mainly for children with severe mental and physical disabilities) must have the following employees. However, a facility that serves 40 or fewer children may have no dietician; a facility that requests entrustment of all cooking operations may have no cook; and a facility when nursing staff is sent to said welfare services child development support center in coordination with a medical institution, etc., and said nursing personnel provides medical care (meaning respiratory administration with a ventilator, sputum suction, and other medical acts specified by the Minister of Health, Labour and Welfare; the same applies hereinafter) to a child with disabilities, when a person registered in said welfare services child development support center (limited to the case where the business office is registered under Article 48-3, paragraph (1)

of the Certified Social Worker and Certified Care Worker Act (Act No. 30 of 1987)) performs sputum suction services (referring to sputum suctioning services prescribed in Article 48-3 paragraph (1) of the same Act) for children with disabilities who require only sputum suction (referring to sputum suction, etc. as prescribed in Article 2, paragraph (2) of the same Act), etc., as part of medical care, as his/her own services or as a part of such services; and when a person registered in said welfare services child development support center (limited to the case where the place of business is a place of business pertaining to registration under Article 27, Paragraph 1 of the Supplementary Provisions of the same Act) performs specified conduct services for children with disabilities who require only specified conduct services as part of medical care (meaning the specified conduct services prescribed in Article 10, paragraph 1 of the Supplementary Provisions of the said Act), as his/her own services or as a part of such services (meaning the specified conduct service prescribed in Article 27, paragraph 1 of the Supplementary Provisions of the said Act), may have no nursing staff assigned.

一 嘱託医

(i) Commissioned doctor

二 児童指導員

(ii) Child guidance counselor

三 保育士

(iii) Nursery teacher

四 栄養士

(iv) Nutritionist

五 調理員

(v) Cook

六 児童発達支援管理責任者

(vi) Child development support management supervisor

七 機能訓練担当職員(日常生活を営むのに必要な機能訓練を担当する職員をいう。以下同じ。)(日常生活を営むのに必要な機能訓練を行う場合に限る。)

(vii) Employees in charge of functional training (meaning employees in charge of functional training necessary for daily living; the same applies hereinafter) (limited to if they provide functional training necessary for daily living)

八 看護職員(日常生活及び社会生活を営むために医療的ケアを恒常的に受けることが不可欠である障害児に医療的ケアを行う場合に限る。)

(viii) Nursing employees (limited to if they provide medical care to children with disabilities for whom constant medical care is essential for their daily and social life)

2 主として知的障害のある児童を通所させる福祉型児童発達支援センターの嘱託医は、精神科又は小児科の診療に相当の経験を有する者でなければならない。

(2) A commissioned doctor of a welfare services child development support center that mainly allows children with intellectual disabilities to attend the center must be a person with considerable experience in psychiatric or pediatric medical care.

3 主として難聴児を通所させる福祉型児童発達支援センターは、第一項各号に掲げる職員及び言語聴覚士を置かなければならない。ただし、第一項ただし書に規定する施設及び場合にあつては、それぞれ同項ただし書に規定する職員を置かないことができる。

(3) A welfare services child development support center that mainly allows children with hearing difficulties to attend the center must have employees set forth in each item of paragraph (1) and a speech-language pathologist. However, in the case of facilities and cases provided for in the proviso of paragraph (1), there may be no employee provided for in the proviso of the same paragraph, respectively.

4 主として難聴児を通所させる福祉型児童発達支援センターの嘱託医は、眼科又は耳鼻咽喉科の診療に相当の経験を有する者でなければならない。

(4) A commissioned doctor of a welfare services child development support center that mainly allows children with hearing difficulties to attend the center must be a person who has considerable experience in ophthalmology or otorhinolaryngology medical care.

5 主として重症心身障害児を通所させる福祉型児童発達支援センターは、第一項第一号から第七号までに掲げる職員及び看護職員を置かなければならない。ただし、児童四十人以下を通所させる施設にあつては栄養士を、調理業務の全部を委託する施設にあつては調理員を置かないことができる。

(5) A welfare services child development support center that mainly allows children with severe mental or physical disabilities to attend the center must have employees and nursing staff set forth in items (i) to (vii) inclusive of paragraph (1). However, in the case of a facility for 40 or fewer children, there may be no dietitian assigned, and in the case of a facility requesting entrustment of all cooking operations, there may be no cook assigned.

6 主として重症心身障害児を通所させる福祉型児童発達支援センターの嘱託医は、内科、精神科、医療法施行令第三条の二第一項第一号ハ及びニ(2)の規定により神経と組み合わせた名称を診療科名とする診療科、小児科、外科、整形外科又はリハビリテーション科の診療に相当の経験を有する者でなければならない。

(6) A commissioned doctor of a welfare services child development support center that admits mainly children with severe mental or physical disabilities to attend the center must have considerable experience in medical care in internal medicine,

psychiatry, a medical department whose name is combined with neurology as provided in Article 3-2, paragraph (1), item (i) c and d(2) of the Enforcement Order of the Medical Care Act, pediatrics, surgery, orthopedics, or rehabilitation medicine.

7 児童指導員、保育士、機能訓練担当職員、言語聴覚士及び看護職員の員数は、規則で定める基準を満たさなければならない。

(7) The number of child guidance counselors, employees in charge of nursery teacher functional training, speech-language pathologists, and nursing personnel must meet the standards specified by the Regulations.

(平二四条例一三八・追加、平三〇条例六〇・令三条例三〇・令三条例六六・令四条例四〇・一部改正)

(Added by Ordinance No. 138 of 2012; Partially amended by Ordinances No. 60 of 2018, No. 30 of 2021, No. 66 of 2021, No. 40 of 2022)

(保護者等との連絡)

(Contact with Custodians)

第七十五条 福祉型児童発達支援センターの長は、児童の保護者に当該児童の性質及び能力を説明するとともに、必要に応じ当該児童を担当した児童福祉司又は児童委員と常に密接な連絡をとり、当該児童の生活指導につき、協力を求めなければならない。

Article 75 The director of a welfare services child development support center must explain the nature and ability of said child to the child's custodian, and must always maintain close contact with the child welfare officer or commissioned child welfare volunteer in charge of said child, as necessary, and seek their cooperation in providing life guidance for said child.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(準用)

(Application, Mutatis Mutandis)

第七十六条 第六十四条第一項及び第六十五条の規定は、福祉型児童発達支援センターについて準用する。この場合において、第六十五条中「障害児入所支援」とあるのは、「障害児通所支援」と読み替えるものとする。

Article 76 (1) The provisions of Article 64 paragraph (1) and Article 65 must apply mutatis mutandis to welfare services child development support center. In this case, the term "support for facility admission for children with disabilities" in Article 65 is to be read as "outpatient support services for children with disabilities".

2 第六十八条の規定は、主として知的障害のある児童を通所させる福祉型児童発達支援センターについて準用する。

(2) The provisions of Article 68 must apply mutatis mutandis to welfare services child

development support center that mainly admits children with intellectual disabilities.

- 3 第六十九条第一項の規定は、主として難聴児を通所させる福祉型児童発達支援センターについて準用する。この場合において、同項中「盲ろうあの原因」とあるのは、「難聴の原因」と読み替えるものとする。

(3) The provisions of Article 69 paragraph (1) must apply mutatis mutandis to welfare services child development support centers that mainly admits children with hearing difficulties. In this case, the term "cause of deafness or blindness" in the said paragraph is to be read as "cause of deafness".

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

第十一章 医療型児童発達支援センター

Chapter 11 Medical Services Child Developmental Support Centers

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(設備の基準)

(Equipment Standards)

第七十七条 医療型児童発達支援センターの設備の基準は、次のとおりとする。

Article 77 The standards for medical services child developmental support centers are as follows.

一 医療法に規定する診療所として必要な設備のほか、指導訓練室、屋外訓練場、相談室及び調理室を設けること。

(i) In addition to the facilities required for a clinic as stipulated in the Medical Care Act, there must be a guidance and training room, an outdoor training area, a consultation room, and a cooking room.

二 階段の傾斜を緩やかにするほか、浴室及び便所の手すり等身体の機能の不自由を助ける設備を設けること。

(ii) In addition to gradual slopes of stairways, facilities to assist the impairment of physical functions, such as handrails in bathrooms and lavatories, must be provided.

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(職員)

(Employees)

第七十八条 医療型児童発達支援センターは、次に掲げる職員を置かなければならない。

Article 78 A medical services child developmental support center must have the following employees.

一 医療法に規定する診療所として必要な職員

(i) Employees required as a clinic as stipulated in the Medical Care Act

二 児童指導員

(ii) Child guidance counselor

三 保育士

(iii) Nursery teacher

四 看護師

(iv) Nurse

五 理学療法士又は作業療法士

(v) Physical or Occupational Therapist

六 児童発達支援管理責任者

(vi) Child development support management supervisor

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

(準用)

(Application, Mutatis Mutandis)

第七十九条 第六十四条第一項、第六十五条、第六十九条第二項及び第七十五条の規定は、医療型児童発達支援センターについて準用する。この場合において、第六十五条中「障害児入所支援」とあるのは、「障害児通所支援」と読み替えるものとする。

Article 79 The provisions of Article 64 paragraph (1), Article 65, Article 69 paragraph (2) and Article 75 must apply mutatis mutandis to medical services child developmental support centers. In this case, the term "support for facility admission for children with disabilities" in Article 65 is to be read as "outpatient support services for children with disabilities".

(平二四条例一三八・追加)

(Added by Ordinance No. 138 of 2012)

第十二章 児童心理治療施設

Chapter 12 Child Psychological Treatment Facilities

(平二四条例一三八・旧第八章繰下、平二九条例二四・改称)

(Former Chapter 8 moved down by Ordinance No. 138 of 2012; Renamed by Ordinance No. 24 of 2017)

(設備の基準)

(Equipment Standards)

第八十条 児童心理治療施設は、児童の居室、医務室、静養室、遊戯室、観察室、心理検査室、相談室、工作室、調理室、浴室及び便所を設けるとともに、規則に定める設備に係る基準を満たさなければならない。

Article 80 A child psychological treatment facility must have rooms for

children, a doctor's office, a recuperation room, a play room, an observation room, a psychological inspection room, a consultation room, a craft room, a cooking room, a bathroom, and a lavatory, and must meet the standards pertaining to facilities specified in the Regulations.

(平二四条例一三八・旧第六十二条繰下、平二九条例二四・一部改正)

(Former Article 62 moved down by Ordinance No. 138 of 2012; Partially amended by Ordinance No. 24 of 2017)

(職員)

(Employees)

第八十一条 児童心理治療施設は、次に掲げる職員を置かなければならない。ただし、調理業務の全部を委託する施設にあつては、調理員を置かないことができる。

Article 81 (1) A child psychological treatment facility must have the following employees. However, facilities that outsource all cooking operations may have no cook.

一 医師

(i) Physician

二 心理療法担当職員

(ii) Employee in charge of psychotherapy

三 児童指導員

(iii) Child guidance counselor

四 保育士

(iv) Nursery teacher

五 看護師

(v) Nurse

六 個別対応職員

(vi) Individual support staff

七 家庭支援専門相談員

(vii) Family support specialist counselor

八 栄養士

(viii) Nutritionist

九 調理員

(ix) Cook

2 医師は、精神科又は小児科の診療に相当の経験を有する者でなければならない。

(2) The physician must have substantial experience in psychiatric or pediatric medical care.

3 心理療法担当職員は、大学(短期大学を除く。)において、心理学を専修する学科若しく

はこれに相当する課程を修めて卒業し、若しくは大学院において、心理学を専修する研究科若しくはこれに相当する課程を修了した者又は心理学に関する科目の単位を優秀な成績で修得したことにより、学校教育法第百二条第二項の規定により大学院への入学を認められた者であって、個人及び集団に対する心理療法の技術を有し、かつ、心理療法に関する一年以上の経験を有するものでなければならない。

- (3) Psychotherapy staff shall be those who have graduated from a department specializing in psychology or a course equivalent thereto at a university (excluding junior colleges), or who have completed a graduate course specializing in psychology or a course equivalent thereto at a graduate school, or who have been admitted to a graduate school pursuant to Article 102, paragraph 2 of the School Education Law after earning credits in psychology-related subjects with excellent grades, and must possess skills in psychotherapy for individuals and groups, and must have at least one year of experience in psychotherapy.

- 4 家庭支援専門相談員は、社会福祉士若しくは精神保健福祉士の資格を有する者、児童心理治療施設において児童の指導に五年以上従事した者又は法第十三条第三項各号のいずれかに該当する者でなければならない。

- (4) A family support specialist counselor must be a person who has qualifications as a certified social welfare worker or mental health social worker, a person who has been engaged in guidance for children in a child psychological treatment facility for five years or more, or a person who falls under any of the items of Article 13, paragraph (3) of the Act.

- 5 心理療法担当職員、児童指導員及び保育士の員数は、規則で定める基準を満たさなければならない。

- (5) The number of employees in charge of psychotherapy, child guidance counselors and childcare workers must meet the standards specified by the Regulations.

(平二四条例一三八・旧第六十三条繰下、平二九条例二四・平三一条例五一・令三条例三〇・一部改正)

(Former Article 63 moved down by Ordinance No. 138 of 2012; Partially amended by Ordinances No. 24 of 2017, No. 51 of 2019, No. 30 of 2021)

(児童心理治療施設の長の資格等)

(Qualifications of the director of a child psychological treatment facility)

第八十二条 児童心理治療施設の長は、次のいずれかに該当し、かつ、厚生労働大臣が指定する者が行う児童心理治療施設の運営に必要な知識を習得するための研修を受講した者で、人格が高潔で識見が高く、児童心理治療施設を適切に運営する能力を有するものでなければならない。

Article 82 (1) The director of a child psychological treatment facility must fall under

any of the following, and must be a person of high character, highly insightful, who has undergone training to acquire the ability in appropriate operation of a child psychological treatment facility conducted by a person designated by the Minister of Health, Labour and Welfare, and must be capable of appropriately operating the child psychological treatment facility.

一 医師(精神保健又は小児保健に関して学識経験を有する者に限る。)

(i) Physician (limited to those with relevant expertise in mental health or pediatric health)

二 社会福祉士の資格を有する者

(ii) A certified social welfare worker

三 児童心理治療施設の職員として三年以上勤務した者

(iii) Persons who have worked as employees of a child psychological treatment facility for at least three years

四 知事が前三号に掲げる者と同等以上の能力を有すると認める者であって、規則で定める基準を満たすもの

(iv) A person who is recognized by the governor as having abilities equal to or greater than those set forth in the preceding three items, and who meets the standards specified in the Regulations

2 児童心理治療施設の長は、二年に一回以上、厚生労働大臣が指定する者が行う資質向上のための研修を受講するものとする。

(2) At least once every two years, the director of a child psychological treatment facility is to attend a training course for the improvement of qualifications conducted by a person designated by the Minister of Health, Labour and Welfare.

(平二四条例一三八・旧第六十四条繰下、平二九条例二四・一部改正)

(Former Article 64 moved down by Ordinance No. 138 of 2012; Partially amended by Ordinance No. 24 of 2017)

(心理療法、生活指導及び家庭環境の調整)

(Psychotherapy, Life guidance and Adjustment of the Home Environment)

第八十三条 児童心理治療施設における心理療法及び生活指導は、児童が社会に適応できるようその能力の回復を図り、当該児童が、当該児童心理治療施設を退所した後、健全な社会生活を営むことができるようにすることを目的として行わなければならない。

Article 83 (1) Psychotherapy and life guidance in a child psychological treatment facility must be provided for the purpose of restoring the child's ability to adapt to society and allow said child to lead a sound social life after leaving said child psychological treatment facility.

2 児童心理治療施設における家庭環境の調整に当たっては、入所している児童の保護者に当該児童の状態及び能力を説明するとともに、当該児童の家庭の状況に応じ、親子関係の再構築等が図られるよう行わなければならない。

(2) In adjusting the family environment in a child psychological treatment facility, the relevant person's condition and abilities must not only be explained to the custodian of the child admitted to the facility, but also the parent and child relationship must be reconstructed in accordance with the situation of the child's family.

(平二四条例一三八・旧第六十五条繰下、平二九条例二四・一部改正)

(Former Article 65 moved down by Ordinance No. 138 of 2012; Partially amended by Ordinance No. 24 of 2017)

(自立支援計画の策定及び業務の質の評価等)

(Formulation of Self-Reliance Support Plans and Evaluation of the Quality of Operations)

第八十四条 児童心理治療施設における自立支援計画の策定及び業務の質の評価等については、第三十条及び第三十一条の規定を準用する。この場合において、第三十条中「第二十八条」とあるのは「第八十三条第一項」と、「乳幼児」とあるのは「児童」と、第三十一条中「第三十七条」とあるのは「第四十三条の五」と読み替えるものとする。

Article 84 The provisions of Articles 30 and 31 must apply mutatis mutandis to the formulation of self-reliance support plans and the evaluation of the quality of operations in child psychological treatment facilities. In this case, the term "Article 28" in Article 30 is to be read as "Article 83, paragraph (1)", the term "infant" as "child", and the term "Article 37" in Article 31 as "Article 43-5".

(平二四条例一三八・旧第六十六条繰下・一部改正、平二九条例二四・一部改正)

(Partially amended by, and Former Article 66 moved down by, Ordinance No. 138 of 2012; Partially amended by Ordinance No. 24 of 2017)

(児童と起居をともにする職員)

(Staff Who Live With Children)

第八十五条 児童心理治療施設における児童と起居をともにする職員については、第六十条の規定を準用する。

Article 85 The provisions of Article 60 must apply mutatis mutandis to employees who live with children in child psychological treatment facilities.

(平二四条例一三八・旧第六十七条繰下、平二九条例二四・一部改正)

(Former Article 67 moved down by Ordinance No. 138 of 2012; Partially amended by Ordinance No. 24 of 2017)

(関係機関との連携)

(Coordination with Related Organizations)

第八十六条 児童心理治療施設の長は、入所している児童の指導及び家庭環境の調整に当

たっては、常に児童の通学する学校及び児童相談所並びに必要な応じ児童家庭支援センター、児童委員、保健所、区市町村保健センターその他の関係機関と連携を図らなくてはならない。

Article 86 The director of a child psychological treatment facility must not fail to coordinate with the school which the child attends, the child guidance center and, where necessary, the child and family support center, the commissioned child welfare volunteer, the public health center, the ward or municipal health center and other relevant organizations, in providing guidance to a child admitted there and in adjusting the family environment.

(平二四条例一三八・旧第六十八条繰下、平二九条例二四・一部改正)

(Former Article 68 moved down by Ordinance No. 138 of 2012; Partially amended by Ordinance No. 24 of 2017)

第十三章 児童自立支援施設

Chapter 13 Children's Self-reliance Support Facility

(平二四条例一三八・旧第九章繰下)

(Former Chapter 9, moved down by Ordinance No. 138 of 2012)

(設備の基準)

(Equipment Standards)

第八十七条 児童自立支援施設の学科指導に関する設備の基準については、学校教育法第三条の規定による小学校、中学校又は特別支援学校の設置基準における設備に係る規定を準用する。ただし、学科指導を行わない場合は、この限りでない。

Article 87 (1) With regard to the standards for facilities related to academic guidance in children's self-reliance support facilities, the provisions pertaining to facilities in the standards for establishment of elementary schools, junior high schools, or special support schools pursuant to the provisions of Article 3 of the School Education Act must apply mutatis mutandis. However, this shall not apply if no academic guidance is provided.

2 前項に規定する学科指導に関する設備以外の設備については、第五十三条第一号から第三号までの規定を準用するほか、規則で定める基準を満たさなければならない。

(2) Facilities other than those related to academic guidance as stipulated in the immediately preceding paragraph must meet the standards specified by the Regulations, in addition to applying mutatis mutandis the provisions of Article 53, items (i) through (iii).

(平二四条例一三八・旧第六十九条繰下)

(Former Article 69 moved down by Ordinance No. 138 of 2012)

(職員)

(Employees)

第八十八条 児童自立支援施設は、次に掲げる職員を置かなければならない。ただし、児童四十人以下を入所させる施設にあつては栄養士を、調理業務の全部を委託する施設にあつては調理員を置かないことができる。

Article 88 A children's self-reliance support facility must have the following employees. However, a facility that admits 40 or fewer children may have no nutritionist, and a facility that outsources all cooking operations may have no cook.

一 児童自立支援専門員(児童自立支援施設において児童の自立支援を行う者をいう。以下同じ。)

(i) Specialist for children's self-reliance support (refers to persons who provide children's self-reliance support at children's self-reliance support facilities; the same applies hereinafter)

二 児童生活支援員(児童自立支援施設において児童の生活支援を行う者をいう。以下同じ。)

(ii) Child living support worker (refers to persons who provide children's self-reliance support at children's living support facilities; the same applies hereinafter)

三 嘱託医

(iii) Commissioned doctor

四 医師又は嘱託医(精神科の診療に相当の経験を有する者に限る。)

(iv) Physician or commissioned doctor (limited to those with considerable experience in psychiatric medical care)

五 個別対応職員

(v) Individual support staff

六 家庭支援専門相談員

(vi) Family support specialist counselor

七 栄養士

(vii) Nutritionist

八 調理員

(viii) Cook

2 家庭支援専門相談員は、社会福祉士若しくは精神保健福祉士の資格を有する者、児童自立支援施設において児童の指導に五年以上従事した者又は法第十三条第三項各号のいずれかに該当する者でなければならない。

(2) A family support specialist counselor must be a person who is qualified as a certified social welfare worker or mental health social worker, a person who has been engaged in guidance of children in a children's self-reliance support facility for 5 years or more, or a person who falls under any of the items of Article 13, paragraph (3) of the

Act.

- 3 児童自立支援施設は、心理療法を行う必要があると認められる児童十人以上に心理療法を行う場合は、心理療法担当職員を置かなければならない。この場合において、心理療法担当職員の資格については、第八十一条第三項の規定を準用する。

(3) A children's self-reliance support facility must place employees in charge of psychotherapy if it provides psychotherapy to 10 or more children who are deemed to be in need of psychotherapy. In this case, the provisions of Article 81, paragraph (3) must apply mutatis mutandis to the qualifications of the employees in charge of psychotherapy.

- 4 児童自立支援施設は、実習設備を設けて職業指導を行う場合は、職業指導員を置かなければならない。

(4) A children's self-reliance support facility must have a vocational guidance instructor if it provides vocational guidance by setting up practical training facilities.

- 5 児童自立支援専門員及び児童生活支援員の員数は、規則で定める基準を満たさなければならない。

(5) The number of children's self-reliance support specialists and children's living support workers must meet the standards prescribed by the Regulations.

(平二四条例一三八・旧第七十条繰下、平二九条例二四・令三条例三〇・一部改正)

(Former Article 70 moved down by Ordinance No. 138 of 2012; Partially amended by Ordinances No. 24 of 2017 and No. 30 of 2021)

(児童自立支援施設の長の資格)

(Qualifications of the Director of a Children's Self-Reliance Support Facility)

第八十九条 児童自立支援施設の長は、次のいずれかに該当し、かつ、厚生労働省組織規則(平成十三年厚生労働省令第一号)第六百二十二条に規定する児童自立支援専門員養成所(以下「養成所」という。)が行う児童自立支援施設の運営に関し必要な知識を習得するための研修又はこれに相当する研修を受けた者であつて、人格が高潔で識見が高く、児童自立支援施設を適切に運営する能力を有するものでなければならない。

Article 89 (1) The director of a children's self-reliance support facility shall be a person who falls under any of the following conditions, who has received training to acquire the knowledge necessary for the operation of a children's self-reliance support facility conducted by a training school for children's self-reliance support specialists (hereinafter referred to as "training school") provided in Article 622 of the Rules on Organization of the Ministry of Health, Labour and Welfare (MHLW Ordinance No. 1 of 2001) or training equivalent thereto, who is of high character, highly insightful, and has the ability to appropriately operate a children's self-reliance support facility.

一 医師(精神保健に関して学識経験を有する者に限る。)

(i) Physician (limited to persons with relevant expertise in mental health.)

二 社会福祉士の資格を有する者

(ii) A certified social welfare worker

三 児童自立支援専門員の職にあった者等児童自立支援事業に五年以上(養成所が行う児童自立支援専門員として必要な知識及び技能を習得させるための講習の課程を修了した者にあつては、三年以上)従事した者

(iii) A person who has been engaged in the children's self-reliance support business for 5 years or more (3 years or more in the case of a person that has completed a course to acquire the knowledge and skills necessary for a children's self-reliance support specialist conducted by a training school), such as a person who used to work as a children's self-reliance support specialist.

四 知事が前三号に掲げる者と同等以上の能力を有すると認める者であつて、規則で定める基準を満たすもの

(iv) A person who is recognized by the governor as having abilities equal to or greater than those set forth in the preceding three items, and who meets the standards specified in the Regulations

2 児童自立支援施設の長は、二年に一回以上、厚生労働大臣が指定する者が行う資質向上のための研修を受講するものとする。

(2) At least once every two years, the director of a children's self-reliance support facility is to take a training course to improve his/her qualifications and skills conducted by a person designated by the Minister of Health, Labour and Welfare.

(平二四条例一三八・旧第七十一条繰下)

(Former Article 71 moved down by Ordinance No. 138 of 2012)

(児童自立支援専門員の資格)

(Qualification of Child Self-reliance Support Specialist)

第九十条 児童自立支援専門員は、次のいずれかに該当する者でなければならない。

Article 90 (1) A child self-reliance support specialist must fall under any of the following.

一 医師(精神保健に関して学識経験を有する者に限る。)

(i) Physician (limited to persons with relevant expertise in mental health.)

二 社会福祉士の資格を有する者

(ii) A certified social welfare worker

三 都道府県知事の指定する児童自立支援専門員を養成する学校その他の養成施設を卒業した者(学校教育法の規定による専門職大学の前期課程を修了した者を含む。)

(iii) A person who has graduated from a school or other training facility designated by the prefectural governor for training specialists for services and supports for children with disabilities (including those who have completed the first half of a program at a professional university pursuant to the provisions of the School Education Act.)

四 教育職員免許法に規定する小学校、中学校、義務教育学校、高等学校又は中等教育学校の教諭の免許状を有する者であつて、一年以上児童自立支援事業に従事したもの又は二年以上教員としてその職務に従事したもの

(iv) A person who has a teaching license for elementary school, junior high school, compulsory education school, high school or secondary education school as stipulated in the Education Personnel Certification Act and has been engaged in the self-reliance support business for children for at least one year or has been engaged in such duties as a teacher for at least two years

五 その他規則で定める基準を満たす者

(v) Those who meet the other standards set forth in the Regulations.

2 前項第三号の指定については、第五十六条第二項の規定を準用する。

(2) The provisions of Article 56, paragraph (2) must apply mutatis mutandis to the designation of item (iii) of the immediately preceding paragraph.

(平二四条例一三八・旧第七十二条繰下、平二七条例九一・平二八条例七四・平三一条例五一・一部改正)

(Former Article 72 moved down by Ordinance No. 138 of 2012; Partially amended by Ordinances No. 91 of 2015, No. 74 of 2016, No. 51 of 2019)

(児童生活支援員の資格)

(Qualifications of Child Living Support Workers)

第九十一条 児童生活支援員は、次のいずれかに該当する者でなければならない。

Article 91 A child living support worker must fall under any of the following

一 保育士の資格を有する者

(i) A certified nursery teacher

二 社会福祉士の資格を有する者

(ii) A certified social welfare worker

三 三年以上児童自立支援事業に従事した者

(iii) A person that has been engaged in a child self-reliance support business for more than 3 years

(平二四条例一三八・旧第七十三条繰下)

(Former Article 73 moved down by Ordinance No. 138 of 2012)

(生活指導、職業指導、学科指導及び家庭環境の調整)

(Life Guidance, Vocational Guidance, Academic Guidance and Adjustment of the Home)

Environment)

第九十二条 児童自立支援施設における生活指導及び職業指導は、入所している児童が適性及び能力に応じて、自立した社会人として健全な社会生活を営むことができるよう支援することを目的として行わなければならない。

Article 92 (1) Life guidance and vocational guidance in children's self-reliance support facilities must be provided for the purpose of helping children admitted to the facilities to lead a sound social life as independent social persons in accordance with their aptitudes and abilities.

2 児童自立支援施設における学科指導については、学校教育法に規定する学習指導要領を準用する。ただし、学科指導を行わない場合は、この限りでない。

(2) For learning guidance in children's self-reliance support facilities, the courses of study stipulated in the School Education Act must apply mutatis mutandis. However, this shall not apply if no academic guidance is provided.

3 児童自立支援施設における生活指導、職業指導及び家庭環境の調整については、第五十八条(第二項を除く。)の規定を準用する。

(3) The provisions of Article 58 (except paragraph (2)) must apply mutatis mutandis to life guidance, vocational guidance and adjustment of the family environment in a children's self-reliance support facility.

(平二四条例一三八・旧第七十四条繰下)

(Former Article 74 moved down by Ordinance No. 138 of 2012)

(自立支援計画の策定及び業務の質の評価等)

(Formulation of Self-Reliance Support Plans and Evaluation of the Quality of Operations)

第九十三条 児童自立支援施設における自立支援計画の策定及び業務の質の評価等については、第三十条及び第三十一条の規定を準用する。この場合において、第三十条中「第二十八条」とあるのは「第九十二条第一項」と、「乳幼児」とあるのは「児童」と、第三十一条中「第三十七条」とあるのは「第四十四条」と読み替えるものとする。

Article 93 The provisions of Article 30 and Article 31 must apply mutatis mutandis to the formulation of self-reliance support plans and evaluation of the quality of operations in children's self-reliance support facilities. In this case, the term "Article 28" in Article 30 is to be read as "Article 92, paragraph (1)", the term "infant" as "child", and the term "Article 37" in Article 31 as "Article 44".

(平二四条例一三八・旧第七十五条繰下・一部改正)

(Partially amended by, and former Article 75 moved down by, Ordinance No. 138 of 2012)

(児童と起居を共にする職員)

(Staff Who Live With Children)

第九十四条 児童自立支援施設の長は、児童自立支援専門員又は児童生活支援員のうち少なくとも一人を児童と起居を共にさせなければならない。

Article 94 The director of a children's self-reliance support facility must have at least one of the children's self-reliance support specialists or children's living support workers stay with the children.

(平二四条例一三八・旧第七十六条繰下・一部改正)

(Partially amended by, and former Article 76 moved down by, Ordinance No. 138 of 2012)

(関係機関との連携)

(Coordination with Related Organizations)

第九十五条 児童自立支援施設の長と関係機関との連携については、第六十一条の規定を準用する。

Article 95 The provisions of Article 61 must apply mutatis mutandis to coordination between the director of a children's self-reliance support facility and relevant organizations.

(平二四条例一三八・旧第七十七条繰下)

(Former Article 77 moved down by Ordinance No. 138 of 2012)

(心理学的及び精神医学的診査等)

(Psychological and Psychiatric Examinations)

第九十六条 児童自立支援施設においては、入所している児童の自立支援のため、心理学的及び精神医学的な観点からの診査並びに教育評価(学科指導を行う場合に限る。)を行わなければならない。

Article 96 In children's self-reliance support facilities, medical examinations from psychological and psychiatric viewpoints and educational evaluations (limited to cases where academic guidance is provided) must be conducted in order to support the self-reliance of children admitted there.

(平二四条例一三八・旧第七十八条繰下)

(Former Article 78 moved down by Ordinance No. 138 of 2012)

第十四章 児童家庭支援センター

Chapter 14 Child and Family Support Center

(平二四条例一三八・旧第十章繰下)

(Former Chapter 10 moved down by Ordinance No. 138 of 2012)

(設備の基準)

(Equipment Standards)

第九十七条 児童家庭支援センターは、相談室を設けなければならない。

Article 97 A child and family support center must establish a consultation

room.

(平二四条例一三八・旧第七十九条繰下)

(Former Article 79 moved down by Ordinance No. 138 of 2012)

(職員)

(Employees)

第九十八条 児童家庭支援センターは、法第十三条第三項各号のいずれかに該当する者を、法第四十四条の二第一項に規定する業務(次条において「支援業務」という。)を担当する職員として置かなければならない。

Article 98 A child and family support center must appoint a person who falls under any of the items of Article 13 paragraph (3) of the Act as an employee in charge of the operations provided in Article 44-2 paragraph (1) of the Act (referred to as "support operations" immediately following Article).

(平二四条例一三八・旧第八十条繰下、平二九条例二四・一部改正)

(Former Article 80 moved down by Ordinance No. 138 of 2012; Partially amended by Ordinance No. 24 of 2017)

(支援を行うに当たって遵守すべき事項)

(Rules to be Observed when Providing Assistance)

第九十九条 児童家庭支援センターは、児童、保護者等の意向の把握に努めなければならない。

Article 99 (1) Child and family support centers must endeavor to understand the intentions of children, custodians, etc.

2 児童家庭支援センターは、児童相談所、福祉事務所、児童福祉施設、民生委員、児童委員、母子・父子自立支援員、母子・父子福祉団体、公共職業安定所、婦人相談員、保健所、区市町村保健センター、精神保健福祉センター、学校等との連絡調整を行うに当たっては、支援業務を迅速かつ的確に行うことができるよう円滑にこれを行わなければならない。

(2) The child and family support center coordinates with child guidance centers, welfare offices, child welfare facilities, welfare commissioners, commissioned child welfare volunteers, maternal and child welfare organizations, maternal and child welfare organizations, public employment security offices, women's counselors, health centers, ward and municipal health centers, mental health and welfare centers, and schools, etc., and the liaison and coordination must be carried out smoothly so that support operations can be carried out promptly and accurately.

3 児童家庭支援センターは、附置されている施設との緊密な連携を図るとともに、その支援業務を円滑に行えるよう必要な措置を講じなければならない。

(3) Child and family support centers must maintain close coordination with attached

facilities and take necessary measures to facilitate their support operations.

(平二四条例一三八・旧第八十一条繰下、平二六条例一一二・一部改正)

(Former Article 81 moved down by Ordinance No. 138 of 2012; Partially amended by Ordinance No. 112 of 2014)

第十五章 雑則

Chapter 15 Miscellaneous Provisions

(平二四条例一三八・旧第十一章繰下)

(Former Chapter 11 moved down by Ordinance No. 138 of 2012)

(電磁的記録)

(Electronic or Magnetic Records)

第百条 児童福祉施設及びその職員は、記録、作成その他これらに類するもののうち、この条例において書面(書面、書類、文書、謄本、抄本、正本、副本、複本その他文字、図形等人の知覚によって認識することができる情報が記載された紙その他の有体物をいう。以下この条において同じ。)で行うことが規定されている又は想定されるものについては、書面に代えて、当該書面に係る電磁的記録(電子的方式、磁気的方式その他人の知覚によっては認識することができない方式で作られる記録であって、電子計算機による情報処理の用に供されるものをいう。)により行うことができる。

Article 100 A child welfare facility and its employees may, with respect to records, preparation and other similar matters which are provided for or assumed to be made in writing under this ordinance (meaning a written document, document, transcript, extract, original, duplicate, extra copy, or other paper or other tangible object on which information that may be recognized by a person's perception, such as letters, figures, etc., is written; the same applies hereinafter in this Article), make such records by electronic or magnetic records (meaning records made by electronic form, magnetic form, or any other form that may not be recognizable to human perception, which are used for information processing by computers) pertaining to such written documents instead of written documents.

(令三条例六六・追加)

(Added by Ordinance No. 66 of 2021)

(適用除外)

(Exceptions)

第百一条 この条例の規定は、八王子市の区域における助産施設、母子生活支援施設及び保育所(当該区域に存する東京都が設置する助産施設、母子生活支援施設及び保育所を除く。)並びに法第五十九条の四第一項の児童相談所設置市の区域における児童福祉施設(当該区域に存する東京都が設置する児童福祉施設を除く。)については、適用しない。

Article 101 The provisions of this ordinance shall not apply to midwifery

homes, maternal and child living support facilities, and nursery schools in the area of Hachioji City (excluding midwifery homes, maternal and child living support facilities, and nursery schools established by the Tokyo Metropolitan Government in the said area) and child welfare facilities in the area of cities establishing child guidance centers set forth in Article 59-4, paragraph (1) of the Act.

(平二六条例一七〇・追加、令元条例八二・一部改正、令三条例六六・旧第百条繰下)

(Added by Ordinance No. 170 of 2014; Partially amended by Ordinance No. 82 of 2019; Former Article 100 moved down by Ordinance No. 66 of 2021)

(委任)

(Delegation)

第百二条 この条例に定めるもののほか、この条例の施行について必要な事項は、規則で定める。

Article 102 In addition to those stipulated in this ordinance, any matters which may be necessary for the enforcement of this ordinance must be stipulated in the Regulations.

(平二四条例一三八・旧第八十二条繰下、平二六条例一七〇・旧第百条繰下、令三条例六六・旧第百一条繰下)

(Former Article 82 moved down by Ordinance No. 138 of 2012; Former Article 100 moved down by Ordinance No. 170 of 2014; Former Article 101 moved down by Ordinance No. 66 of 2021)

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

1 この条例は、平成二十四年四月一日から施行する。

(1) This ordinance comes into effect as of April 1, 2012.

2 地域の自主性及び自立性を高めるための改革の推進を図るための関係法律の整備に関する法律(平成二十三年法律第三十七号)附則第四条の規定による厚生労働大臣が指定する地域における第四十一条第一項第三号の規定の適用については、平成三十五年三月三十一日までの間、同号中「あること。」とあるのは、「あること。ただし、年度の途中に満二歳に満たない乳幼児の年齢別定員の合計を超えて入所させる場合は、満二歳に満たない乳幼児一人につき二・五平方メートル以上とすることができる。」と読み替えるものとする。

(2) Regarding the application of the provisions of Article 41, paragraph (1), item (iii),

in areas designated by the Minister of Health, Labour and Welfare pursuant to the provisions of Article 4 of the Supplementary Provisions of the Act Pertaining Establishment of Related Acts to Promote Reform to Enhance Regional Autonomy and Independence (Act No. 37 of 2011), until March 31, 2023, said item shall be deemed to include the proviso “However, if the number of infants less than 2 years of age is exceeded in the middle of the fiscal year, 2.5 square meters or more per person may be used.” shall be added to said item.

(平二七条例九一・平三一条例五一・一部改正)

(Partially amended by Ordinances No. 91 of 2015 and No. 51 of 2019)

(経過措置)

(Transitional measures)

3 第三十六条第五号、第五十条第二項第四号及び第五十六条第八号に規定する高等学校は中等学校令(昭和十八年勅令第三十六号)第一条の規定による中等学校を含み、第二十六条第五項(第三十四条第二項、第五十四条第三項において準用する場合を含む。)、第五十六条第四号及び第五号並びに第八十一条第三項に規定する大学は大学令(大正七年勅令第三百八十八号)第一条の規定による大学を含むものとする。

(3) High schools as defined in Article 36, item (v), Article 50, paragraph (2), item (iv) and Article 56, item (viii) are to include secondary schools as defined in Article 1 of the Secondary School Order (Imperial Cabinet Order No. 36 of 1943), and universities as defined in Article 26, paragraph (5) (including if it applies mutatis mutandis to Article 34, paragraph (2) and Article 54, paragraph (3)), Article 56, items (iv) and (v) and Article 81, paragraph (3) are to include universities as defined in Article 1 of the University Cabinet Order (Imperial Cabinet Order No. 388 of 1918).

(平二四条例一三八・一部改正)

(Partially amended by Ordinance No. 138 of 2012)

4 児童福祉施設最低基準等の一部を改正する省令(平成十年厚生省令第十五号)による改正前の児童福祉施設最低基準(昭和二十三年厚生省令第六十三号)第八十一条から第八十三条までに規定する児童の教護事業に従事した期間は、第八十九条から第九十一条までに規定する児童自立支援事業に従事した期間とみなす。

(4) The period of time during which a child welfare facility is engaged in the child guidance and care services provided in Articles 81 to 83 of the Minimum Standards for Child Welfare Facilities (Ministry of Health and Welfare Cabinet Order No. 63 of 1948) prior to the partial amendment by the Ministerial Order Revising the Minimum Standards for Child Welfare Facilities (Ministry of Health and Welfare, Ordinance No. 15 of 1998) shall be deemed as the period of time during which a child welfare facility is engaged in the child self-reliance support services provided in Articles 89 to 91.

(平二四条例一三八・一部改正)

(Partially amended by Ordinance No. 138 of 2012)

- 5 第八十九条から第九十一条までの規定にかかわらず、平成十九年四月一日前から児童福祉施設最低基準の一部を改正する省令(平成十九年厚生労働省令第二十九号)による改正前の児童福祉施設最低基準第八十一条から第八十三条までに規定する児童自立支援施設の長、児童自立支援専門員又は児童生活支援員である者については、第八十九条から第九十一条までに規定する児童自立支援施設の長、児童自立支援専門員又は児童生活支援員とみなす。

(5) Notwithstanding the provisions of Articles 89 through 91, a person who is a director of a children's self-reliance support facility, a children's self-reliance support specialist or a children's living support worker prescribed in Articles 81 to 83 of the Minimum Standards for Child Welfare Facilities prior to the amendment by the Ministerial Order Revising the Minimum Standards for Child Welfare Facilities (MHLW Ministerial Ordinance No. 29 of 2007) from April 1, 2007 shall be deemed as a head of a children's self-reliance support facility, a children's self-reliance support specialist or a children's living support worker prescribed in Articles 89 to 91.

(平二四条例一三八・一部改正)

(Partially amended by Ordinance No. 138 of 2012)

- 6 平成二十三年六月十七日前から存する乳児院、母子生活支援施設、児童養護施設又は児童自立支援施設(同日において建築中のものを含み、同日後に全面的に改築されたものを除く。)における第二十五条第一号若しくは第二号、第三十三条第一号又は第五十三条第一号(第八十七条第二項において準用する場合を含む。)の規定の適用については、第二十五条第一号中「ほふく室、相談室」とあるのは「ほふく室」と、同条第二号中「室及び相談室」とあるのは「室」と、第三十三条第一号中「相談室及び集会、学習等を行う室を設けること」とあるのは「集会、学習等を行う室、調理場、浴室及び便所を設けること。ただし、付近に公衆浴場等があるときは、浴室を設けないことができる」と、第五十三条第一号中「居室、相談室」とあるのは「居室」と読み替えるものとする。

(6) With regard to application of the provisions of Article 25, item (i) or item (ii), Article 33, item (i), or Article 53, item (i) (including the cases where it is applied mutatis mutandis pursuant to Article 87, paragraph (2)) in infant homes, maternal and child living support facilities, foster homes, or self-reliance support facilities for children (including those under construction on the same day, excluding those completely reconstructed after the same day) that existed before June 17, 2011, the phrase "the crawling room and consultation room" in Article 25, item (i), is to be read as "the crawling room"; the phrase "room and consultation room" in the same Article, item (ii), as "room"; the phrase "a consultation room and a room for meetings, study, etc., must be provided" in Article 33,

item (i), as "a room for meetings, study, etc., a cooking area, a bathroom, and a lavatory must be provided. However, if there is a public bathhouse, etc. nearby, there may be no bathroom provided"; and "living room, consultation room" in Article 53, item (i), as "living room."

(平二四条例一三八・一部改正)

(Partially amended by Ordinance No. 138 of 2012)

7 平成二十三年六月十七日前から乳児院、児童養護施設、情緒障害児短期治療施設又は児童自立支援施設(以下この項において「乳児院等」という。)に置かれている家庭支援専門相談員に相当する者は、第二十六条第三項、第五十四条第二項、第八十一条第四項又は第八十八条第二項の規定にかかわらず、当該乳児院等における家庭支援専門相談員とすることができる。

(7) A person equivalent to a family support counselor placed in an infant home, foster home, short-term therapeutic facility for emotionally disturbed children or self-reliance support facility for persons with disabilities (hereinafter in this paragraph referred to as "infant home, etc.") from before June 17, 2011, notwithstanding the provisions of Article 26 paragraph (3), Article 54 paragraph (2), Article 81 paragraph (4) or Article 88 paragraph (2), may be a family support specialist counselor in that infant home, etc.

(平二四条例一三八・一部改正)

(Partially amended by Ordinance No. 138 of 2012)

8 平成二十三年九月一日前から乳児院、母子生活支援施設、児童養護施設又は情緒障害児短期治療施設の長である者については、第二十七条第一項、第三十五条第一項、第五十五条第一項又は第八十二条第一項の規定にかかわらず、当該施設の長である者とみなす。

(8) With regard to a person who has been the director of an infant home, a maternal and child living support facility, a foster home, or a short-term therapeutic institution for emotionally disturbed children since before September 1, 2011, the person must be deemed to be the director of that facility, notwithstanding the provisions of Article 27, paragraph (1), Article 35, paragraph (1), Article 55, paragraph (1) or Article 82, paragraph (1).

(平二四条例一三八・一部改正)

(Partially amended by Ordinance No. 138 of 2012)

附 則(平成二四年条例第一三八号)

Supplementary Provisions (Ordinance No. 138 of 2012)

この条例は、平成二十五年一月一日から施行する。ただし、第二十六条及び第三十四条の改正規定は、同年四月一日から施行する。

This ordinance comes into effect as of January 1, 2013. However, the provisions amending Articles 26 and 34 come into effect as of April 1 of the same year.

附 則(平成二六年条例第一一二号)

Supplementary Provisions (Ordinance No. 112 of 2014)

この条例は、平成二十六年十月一日から施行する。

This ordinance comes into effect as of October 1, 2014.

附 則(平成二六年条例第一七〇号)

Supplementary Provisions (Ordinance No. 170 of 2014)

この条例は、平成二十七年四月一日から施行する。

This ordinance comes into effect as of April 1, 2015.

附 則(平成二七年条例第九一号)

Supplementary Provisions (Ordinance No. 91 of 2015)

1 この条例は、平成二十七年四月一日から施行する。ただし、附則第二項の改正規定は、公布の日から施行する。

(1) **This ordinance comes into effect as of April 1, 2015. However, the provisions amending paragraph (2) of the supplementary provisions must come into effect as of the date of the promulgation.**

2 この条例の施行前に、この条例による改正前の東京都児童福祉施設の設備及び運営の基準に関する条例第五十六条第一号に規定する地方厚生局長等の指定する学校その他の養成施設であったものは、この条例による改正後の東京都児童福祉施設の設備及び運営の基準に関する条例第五十六条第一号に規定する知事の指定する学校その他の養成施設とみなす。

(2) **A school or other training facility which, prior to the enforcement of this ordinance, was a school or other training facility designated by the Director-General of the Local Welfare Bureau, etc., as provided in Article 56, item (i) of the Tokyo Metropolitan Government Ordinance on Standards for Facilities and Operation of Child Welfare Facilities prior to amendment by this ordinance, shall be deemed to be a school or other training facility designated by the governor as stipulated in Article 56, item (i) of the Tokyo Metropolitan Government Ordinance on Standards for Facilities and Operation of Child Welfare Facilities as amended by this ordinance.**

附 則(平成二八年条例第七四号)

Supplementary Provisions (Ordinance No. 74 of 2016)

この条例は、平成二十八年四月一日から施行する。

This ordinance comes into effect as of April 1, 2016.

附 則(平成二九年条例第二四号)

Supplementary Provisions (Ordinance No. 24 of 2017)

この条例は、平成二十九年四月一日から施行する。

This ordinance comes into effect as of April 1, 2017.

附 則(平成三〇年条例第六〇号)

Supplementary Provisions (Ordinance No. 60 of 2018)

この条例は、平成三十年四月一日から施行する。

This ordinance comes into effect as of April 1, 2018.

附 則(平成三十一年条例第五一号)

Supplementary Provisions (Ordinance No. 51 of 2019)

この条例は、平成三十一年四月一日から施行する。ただし、附則第二項の改正規定は、公布の日から施行する。

This ordinance comes into effect as of April 1, 2019. However, the provisions amending paragraph (2) of the supplementary provisions must come into effect as of the date of the promulgation.

附 則(令和元年条例第八二号)

Supplementary Provisions (Ordinance No. 82 of 2019)

この条例は、公布の日から施行する。

This ordinance comes into effect as of the date of the promulgation.

附 則(令和三年条例第三〇号)

Supplementary Provisions (Ordinance No. 30 of 2021)

(施行期日)

(Effective Date)

1 この条例は、令和三年四月一日(以下「施行日」という。)から施行する。

(1) This ordinance comes into effect as of April 1, 2021 (hereinafter referred to as the "effective date").

(経過措置)

(Transitional measures)

2 施行日から令和六年三月三十一日までの間、この条例による改正後の東京都児童福祉施設の設備及び運営の基準に関する条例(以下「改正後の条例」という。)第十一条の二の規定の適用については、同条第一項中「講じなければならない」とあるのは「講じるよう努めなければならない」と、同条第二項中「実施しなければならない」とあるのは「実施するよう努めなければならない」と、同条第三項中「行う」とあるのは「行うよう努める」とする。

(2) During the period from the effective date to March 31, 2024, with regard to the application of Article 11-2 of the Tokyo Metropolitan Government Ordinance on Standards for Facilities and Operation of Child Welfare Facilities as amended by this ordinance (hereinafter referred to as the "Amended Ordinance"), the terms "must continue", "must establish" and "must take" in paragraph (1) of the same Article must

be deemed to be replaced with "must endeavor to continue", "must endeavor to establish" and "must endeavor to take"; the term "must inform" in paragraph (2) of the same Article must be deemed to be replaced with "must endeavor to inform"; and the term "must review" in paragraph (3) of the same Article must be deemed to be replaced with "must endeavor to review."

- 3 施行日から令和六年三月三十一日までの間、改正後の条例第十二条第三項の規定の適用については、同項中「講じなければならない」とあるのは「講じるよう努めなければならない」とする。

(3) During the period from the effective date to March 31, 2024, with regard to the provision of Article 12, paragraph (3) of the Amended Ordinance, the term "must take" in the same paragraph must be replaced with "must endeavor to take".

附 則(令和三年条例第六六号)

Supplementary Provisions (Ordinance No. 66 of 2021)

この条例は、令和三年七月一日から施行する。ただし、第七十四条第三項ただし書の改正規定は、公布の日から施行する。

This Ordinance comes into effect as of July 1, 2021. However, the provision to amend the proviso of paragraph (3) of Article 74 comes into effect as of the date of the promulgation.

附 則(令和四年条例第四〇号)

Supplementary Provisions (Ordinance No. 40 of 2022)

この条例は、令和四年四月一日から施行する。

This Ordinance comes into effect as of April 1, 2022.