
WELSH STATUTORY INSTRUMENTS

2018 No. 111 (W. 26)

CHILDREN AND YOUNG PERSONS, WALES

The Care Planning, Placement and Case Review
(Wales) (Amendment) Regulations 2018

<i>Made</i>	- - - -	29 January 2018
<i>Laid before the National Assembly for Wales</i>	- -	2 February 2018
<i>Coming into force</i>	- -	2 April 2018

The Welsh Ministers, in exercise of the powers conferred by sections 81(6)(d), 84(f), 87, 107(8) and 196(2) of the Social Services and Well-being (Wales) Act 2014(1), make the following Regulations:

Title and commencement

1.—(1) The title of these Regulations is the Care Planning, Placement and Case Review (Wales) (Amendment) Regulations 2018.

(2) These Regulations come into force on 2 April 2018.

Amendment of the Care Planning, Placement and Case Review (Wales) Regulations 2015

2.—(1) Regulation 12 (placement decision) of the Care Planning, Placement and Case Review (Wales) Regulations 2015(2) is amended in accordance with this regulation.

(2) In paragraph (6)(b) omit “not later than 5 working days after the placement is made”.

(3) In paragraph (8), for the definition of “notified” substitute—

““notified” (“*hysbysu*”) in paragraph (6)(b) means that the responsible authority must provide—

(a) not later than 24 hours after the placement is made—

(i) C’s name and date of birth,

(ii) confirmation of whether C is being looked after by the local authority on a voluntary basis(3) or under a care order(4),

(1) 2014 anaw 4.

(2) S.I. 2015/1818 (W. 261), to which there are amendments not relevant to these Regulations.

(3) See section 76 of the Social Services and Well-being (Wales) Act 2014.

(4) See section 31(11) of the Children Act 1989 (c. 41).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (iii) details of any of the following orders which have been made and remain in force in relation to C—
 - (aa) any order made under the Children Act 1989⁽⁵⁾,
 - (bb) a youth rehabilitation order, local authority residence requirement or youth rehabilitation order with fostering⁽⁶⁾,
 - (cc) a compulsory supervision order or interim compulsory supervision order⁽⁷⁾,
and
 - (iv) details of any significant child protection factors or risk factors which relate to C, including, but not limited to, any danger of child sexual exploitation, physical or mental health issues, history of absconding and/or involvement with youth justice agencies; and
- (b) not later than 5 working days after the placement is made—
- (i) details of its assessment of C’s needs and the reasons why the placement chosen is the most appropriate way of meeting C’s needs, and
 - (ii) a copy of C’s care and support plan if it has not already been provided;”.

Huw Irranca-Davies
Minister for Children and Social Care, under
authority of the Cabinet Secretary for Health and
Social Services, one of the Welsh Ministers

29 January 2018

⁽⁵⁾ 1989 c. 41.

⁽⁶⁾ See section 7 of the Criminal Justice and Immigration Act 2008 (c. 4).

⁽⁷⁾ See sections 83 and 86 of the Children’s Hearings (Scotland) Act 2011(asp 1).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Care Wales Planning, Placement and Case Review (Wales) Regulations 2015 (“the 2015 Regulations”).

Part 3 of the 2015 Regulations contains general provisions about the placement of a looked after child, with regulation 12 making specific provision in relation to out of area placements.

Regulation 2 of these Regulations adds to the information which must be notified by the responsible authority to the out of area local authority or the local authority in England in whose area the child has been placed under regulation 12(8) of the 2015 Regulations, and which must be supplied not later than 24 hours after the placement is made.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.