

---

STATUTORY INSTRUMENTS

---

**1995 No. 2015**

**CHILDREN AND YOUNG PERSONS**

**The Children (Short-term Placements)  
(Miscellaneous Amendments) Regulations 1995**

<i>Made</i>	- - - -	<i>1st August 1995</i>
<i>Laid before Parliament</i>		<i>2nd August 1995</i>
<i>Coming into force</i>	- -	<i>25th August 1995</i>

The Secretary of State for Health, in exercise of the powers conferred by sections 23(2)(a) and (f) (ii), (5) and (9), 26(1) and (2)(c), 59(2), (3), (4)(a) and (5), 62(3)(a)(ii) and 104(4) of, and paragraphs 12(f) and (g), 13(e) and 14(b) of Schedule 2, 4(1)(a) and (2)(d) of Schedule 4, 7(1)(a) and (2)(g) of Schedule 5 and 10(1)(a) and (2)(f) and (1) of Schedule 6 to the Children Act 1989<sup>(1)</sup> and all other powers enabling him in that behalf hereby makes the following Regulations—

**Citation and commencement**

1. These Regulations may be cited as the Children (Short-term Placements) (Miscellaneous Amendments) Regulations 1995 and shall come into force on 25th August 1995.

**Amendment of the Foster Placement (Children) Regulations 1991**

2.—(1) The Foster Placement (Children) Regulations 1991<sup>(2)</sup> shall be amended in accordance with the following provisions of this regulation.

(2) For regulation 9 (short-term placements) there shall be substituted the following regulation—

“9.—(1) This regulation applies where a responsible authority has arranged to place a child in a series of short-term placements with the same foster parent and the arrangement is such that no single placement is to last for more than four weeks and the total duration of the placements is not to exceed 120 days in any period of 12 months.

(2) A series of short-term placements to which this regulation applies may be treated as a single placement for the purposes of this Part and Part IV of these Regulations but with the modifications set out in the following provisions of this regulation.

(3) Regulation 6(1)(a)(i) and (ii) shall apply as if it required arrangements to be made for visits to the child on a day when he is in fact placed (“a placement day”)—

---

(1) 1989 c. 41.  
(2) S.I.1991/910.

- (a) within the first seven placement days of a series of short-term placements, and
- (b) thereafter, if the series of placements continues, at intervals of not more than six months or, if the interval between placements exceeds six months, during the next placement.

(4) Regulation 15(1)(a) shall apply as if it required arrangements to be made for visits to the child on a placement day, within the first seven placement days of a series of short-term placements.”.

(3) In regulation 10 (placements outside England and Wales), for paragraph (1) there shall be substituted the following paragraph—

“**10.**—(1) A voluntary organisation may not place a child for whose placement it is responsible outside the British Islands<sup>(3)</sup> and notwithstanding regulation 8, a voluntary organisation may not place a child outside the British Islands on behalf of a local authority.”.

(4) In regulation 16 (requirements in respect of visits) the words “(but subject to regulation 9(2))” shall be omitted.

#### **Amendment of the Arrangements for Placement of Children (General) Regulations 1991**

**3.** For paragraph (1) of regulation 13 of the Arrangements for Placement of Children (General) Regulations 1991<sup>(4)</sup> (application of Regulations to short-term placements) there shall be substituted the following paragraph—

“(1) This regulation applies where a responsible authority has arranged to place a child in a series of short-term placements at the same place and the arrangement is such that no single placement is to last for more than four weeks and the total duration of the placements is not to exceed 120 days in any period of 12 months.”.

#### **Amendment of the Placement of Children with Parents etc Regulations 1991**

**4.** In regulation 13 of the Placement of Children with Parents etc Regulations 1991<sup>(5)</sup> (application of Regulations to short-term placements)—

(a) for paragraph (1) there shall be substituted the following paragraph—

“(1) This regulation applies where a local authority has arranged to place a child in a series of short-term placements with the same person and the arrangement is such that no single placement is to last for more than four weeks and the total duration of the placements is not to exceed 120 days in any period of 12 months.”; and

(b) for paragraph (3) there shall be substituted the following paragraph—

“(3) Regulation 9(1)(b) shall apply in relation to short-term placements to which this regulation applies as if for paragraphs (1)(b)(i) to (iii) of that regulation there were substituted—

- (i) on a day when the child is in fact placed (“a placement day”) within the first seven placement days of a series of short-term placements, and
- (ii) thereafter, if the series of short-term placements continues, on placement days falling at intervals of not more than six months or, if the interval between placements exceeds six months, during the next placement.”

---

(3) “British Islands” are defined in Schedule 1 to the Interpretation Act 1978 (c. 30) as meaning the United Kingdom, the Channel Islands and the Isle of Man.

(4) S.I. 1991/890.

(5) S.I. 1991/893.

## **Amendment of the Review of Children’s Cases Regulations 1991**

5. For regulation 11 of the Review of Children’s Cases Regulations 1991(6) (application of Regulations to short periods) there shall be substituted the following regulation—

“11.—(1) This regulation applies to cases in which a responsible authority has arranged that a child should be looked after or provided with accommodation for a series of short periods at the same place and the arrangement is such that no single period is to last for more than four weeks and the total duration of the periods is not to exceed 120 days in any period of 12 months.

(2) Regulation 3 shall not apply to a case to which this regulation applies, but instead—

- (a) each such case is first to be reviewed within three months of the beginning of the first of the short periods;
- (b) if the case continues, the second review shall be carried out not more than six months after the first; and
- (c) thereafter, if the case continues, subsequent reviews shall be carried out not more than six months after the date of the previous review.

(3) For the purposes of regulation 6, a child shall be treated as continuing to be looked after or provided with accommodation throughout the period that this regulation applies to his case.”

Signed by authority of the Secretary of State for Health

1st August 1995

*John Bowis*  
Parliamentary Under Secretary of State  
Department of Health

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

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Arrangements for Placement of Children (General) Regulations 1991, the Foster Placement (Children) Regulations 1991, the Placement of Children with Parents etc Regulations 1991 and the Review of Children's Cases Regulations 1991.

Regulation 2(3) amends the Foster Placement (Children) Regulations. It makes it clear that the prohibition in the Regulations on voluntary organisations placing a child outside the British Islands applies equally to cases where the voluntary organisation acts on behalf of a local authority as to cases where it is itself responsible for the child.

These Regulations also amend the provisions relating to short-term periods of care for children (which, under the Regulations amended, can be treated as one period for certain purposes). They make three changes in particular. Firstly, the total length of time for which a series of short-term placements may last and still be regarded as one placement for the purposes of certain requirements is extended (regulations 2(2), 3, 4(a) and 5). Secondly, amendments to the Foster Placement (Children) Regulations and the Placement of Children with Parents etc Regulations modify the requirements for visits to supervise a series of short-term placements (regulations 2(2) and 4 (b)). Thirdly, special provision is made in the Review of Children's Cases Regulations for review of cases where there is a series of short-term placements (regulation 5).