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STATUTORY INSTRUMENTS

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**2005 No. 2149**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

The Children and Young People's  
Plan (England) Regulations 2005

<i>Made</i>	- - - -	<i>1st August 2005</i>
<i>Laid before Parliament</i>		<i>10th August 2005</i>
<i>Coming into force</i>	- -	<i>1st September 2005</i>

In exercise of the powers conferred on the Secretary of State by sections 17 and 66 of the Children Act 2004<sup>(1)</sup>, the Secretary of State for Education and Skills hereby makes the following Regulations:

**Citation and Commencement**

1. These Regulations may be cited as the Children and Young People's Plan (England) Regulations 2005 and shall come into force on 1st September 2005.

**Interpretation**

2. In these Regulations—

“appropriate diocesan authority”, “Church of England School” and “Roman Catholic Church School” have the same meanings as in section 142(1) of the School Standards and Framework Act 1998<sup>(2)</sup>;

“authority” means a children's services authority in England;

“plan” means a children and young people's plan setting out the authority's strategy for discharging their functions in relation to children and relevant young persons;

“plan period” in relation to any plan means the period (determined by the authority) to which any plan relates;

“relevant partners” has the same meaning as in section 10;

“school organisation committee” has the same meaning as in section 24 of the School Standards and Framework Act 1998; and

“section 10” means section 10 of the Children Act 2004;

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(1) 2004 c. 31.

(2) 1998 c. 31; section 142(1) was amended by S.I.2003/2037.

### **Requirement to prepare and publish a plan**

3. Except as provided in regulation 9, each authority shall, in accordance with these Regulations, prepare and publish a plan.

### **Matters to be dealt with in the plan**

4.—(1) Each plan shall set out the improvements which the authority intend to make during the plan period to the well-being of children and relevant young persons so far as relating to—

- (a) physical and mental health and emotional well being;
- (b) protection from harm and neglect;
- (c) education, training and recreation;
- (d) the contribution made by them to society; and
- (e) social and economic well-being

(referred to in this regulation as the “outcomes”).

(2) Each plan shall in particular include—

- (a) a statement of the authority’s vision for children and relevant young persons;
- (b) a needs assessment against the outcomes;
- (c) an outline of the key actions planned to achieve the improvements so far as relating to the outcomes;
- (d) a statement as to how the authority’s budget will be used to contribute to those improvements; and
- (e) a statement as to how the plan relates to the authority’s performance management and review of services for children and relevant young persons.

(3) Each plan shall set out the arrangements which the authority propose (pursuant to section 10) to make for working during the plan period with the authority’s relevant partners and such other bodies as the authority consider appropriate.

### **Timing of publication of the plan**

5.—(1) Subject to regulations 9(2) and (3), the first plan shall be published on or before 1st April 2006.

(2) Each subsequent plan shall be published no later than 6 weeks after the end of the plan period for the previous plan.

### **Manner of publication of the plan**

6. The authority shall publish each plan by—

- (a) placing it on the authority’s website;
- (b) sending a copy of the plan to each of the persons and bodies with whom the authority have made arrangements under section 10; and
- (c) depositing sufficient copies of the plan to allow members of the public to take a copy in such public libraries and other places to which the public have access in the area of the authority as they consider appropriate.

### **Consultation during preparation of the plan**

7.—(1) During the preparation of each plan the authority shall consult—

- (a) such children, relevant young persons and families (including persons with parental responsibility for, or who have the care of children) in the area of the authority as the authority consider appropriate;
- (b) such persons or bodies representing children, relevant young persons or families as the authority consider appropriate;
- (c) the appropriate diocesan authority for any foundation or voluntary school situated in the authority's area which is a Church of England or Roman Catholic Church school;
- (d) the school organisation committee for the authority's area;
- (e) such persons or bodies providing voluntary services relating to children and relevant young persons in the area of the authority;
- (f) such groups of persons representing local communities as the authority consider appropriate;
- (g) the Local Safeguarding Children Board for the authority's area; and
- (h) each of the authority's relevant partners.

(2) If before the day on which these Regulations come into force any consultation was undertaken which if it had been undertaken after that day would to any extent have satisfied the requirements of paragraph (1), those requirements shall to that extent be taken to have been satisfied.

### **Review of the plan**

8.—(1) The authority shall review their plan in each year in which the authority is not required to publish a plan.

(2) During the conduct of such a review the authority shall consult such persons as they consider appropriate.

(3) The authority shall publish the result of the review in such manner as they consider appropriate.

### **Exception for “excellent” authorities**

9.—(1) Regulations 3 to 8 shall not apply to any children's services authority if, at the time when they would otherwise, by virtue of regulation 5, be required to publish a plan, they are categorised as excellent by reason of an order made by the Secretary of State under section 99(4) of the Local Government Act 2003(3).

(2) Paragraph (3) applies (instead of regulation 5(1)) where a children's services authority cease by reason of an order made by the Secretary of State under 99(4) of the Local Government Act 2003 to be categorised as excellent.

(3) Where this paragraph applies, the first plan to be prepared and published after the authority ceased to be categorised as excellent shall be published on or before 1<sup>st</sup> April in the second year after the authority ceased to be so categorised.

1 August 2005

*Beverley Hughes*  
Minister of State  
Department for Education and Skills

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

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## EXPLANATORY NOTE

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

These Regulations provide for children's services authorities to prepare, consult upon, publish and review a children and young people's plan.

Regulation 4 sets out the matters which must be dealt with in the plan.

Regulation 5 provides that the first plan is to be published by 1<sup>st</sup> April 2006 and thereafter each plan must be published no later than 6 weeks after the end of the last plan period.

Regulation 6 provides for the way in which the plan shall be published; regulation 7 provides for consultation during the preparation of the plan; and regulation 8 provides for the authority to review the plan in each year in which a new plan is not required to be published with provision made for further limited consultation.

Regulation 9 makes provision for exemption from the requirements under Regulations 3 to 8 for authorities categorised, by order made by the Secretary of State, as excellent under the Comprehensive Performance Assessment conducted annually by the Audit Commission.