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STATUTORY INSTRUMENTS

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**2010 No. 959**

The Care Planning, Placement and Case  
Review (England) Regulations 2010

PART 1

General

**Citation and commencement**

1.—(1) These Regulations may be cited as the Care Planning, Placement and Case Review (England) Regulations 2010 and come into force on 1st April 2011.

(2) These Regulations apply in relation to England only.

**Interpretation**

2.—(1) In these Regulations—

“the 1989 Act” means the Children Act 1989;

“the 2002 Regulations” means the Fostering Services Regulations 2002(1);

“appropriate person” means—

(a) P, where C is to live, or lives, with P;

(b) F, where C is to be placed, or is placed, with F;

(c) where C is to be placed, or is placed, in a children’s home, the person who is registered under Part 2 of the Care Standards Act 2000(2) in respect of that home; or

(d) where C is to be placed, or is placed, in accordance with other arrangements under section 22C(6)(d), the person who will be responsible for C at the accommodation;

“area authority” means the local authority(3) for the area in which C is placed, or is to be placed, where this is different from the responsible authority;

“C” means a child who is looked after by the responsible authority(4);

“care plan” means the plan for the future care of C prepared in accordance with Part 2;

“case record” has the meaning given in regulation 49;

“connected person” has the meaning given in regulation 24;

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(1) S.I. 2002/57, amended by S.I. 2002/865, 2002/2469, 2004/664, 2006/1738, 2007/603, 2008/640, 2009/394 and 2009/1895.

(2) 2000 c.14.

(3) “Local authority” is defined in section 105(1) of the 1989 Act as, in relation to England, “the council of a county, a metropolitan district, a London Borough or the Common Council of the City of London”.

(4) For the meaning of a child who is “looked after” see section 22(1) of the 1989 Act, as amended by section 107 of, and paragraph 19 of Schedule 5 to, the Local Government Act 2000 (c.22), section 2 of the 2000 Act and by section 116(2) of the Adoption and Children Act 2002.

“director of children’s services” means the officer of the responsible authority appointed for the purposes of section 18 of the Children Act 2004(5);

“F” means a person who is approved as a local authority foster parent(6) and with whom it is proposed to place C or, as the case may be, with whom C is placed;

“fostering service provider” has the meaning given in regulation 2(1) of the 2002 Regulations;

“full assessment process” has the meaning given in regulation 24(2)(c);

“health plan” has the meaning given in regulation 5(b)(i);

“independent visitor” means the independent person appointed to be C’s visitor under section 23ZB;

“IRO” means the independent reviewing officer appointed for C’s case under section 25A(1);

“nominated officer” means a senior officer of the responsible authority nominated in writing by the director of children’s services for the purposes of these Regulations;

“P” means—

- (a) a person who is C’s parent;
- (b) a person who is not C’s parent but who has parental responsibility for C; or
- (c) where C is in the care of the responsible authority and there was a residence order in force with respect to C immediately before the care order was made, a person in whose favour the residence order was made(7);

“pathway plan” has the meaning given in section 23E(1)(a);

“personal adviser” means the personal adviser arranged for C under paragraph 19C(8) of Schedule 2 to the 1989 Act;

“personal education plan” has the meaning given in regulation 5(b)(ii);

“placement” means—

- (i) arrangements made by the responsible authority for C to live with P in accordance with section 22C(2), where C is in the care of the responsible authority, or
- (ii) arrangements made by the responsible authority to provide for C’s accommodation and maintenance by any of the means specified in section 22C(6);

“placement plan” has the meaning given in regulation 9(1)(a);

“R” means the representative of the responsible authority who is appointed to visit C in accordance with arrangements made by them under section 23ZA;

“responsible authority” means the local authority that looks after C;

“special educational needs” and “special educational provision” have the meanings given in section 312 of the Education Act 1996(9);

“temporary approval” has the meaning given in regulation 24(1); and

“working day” means any day other than—

- (a) a Saturday or a Sunday,

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(5) 2004 c.31.

(6) “Local authority foster parent” is defined in section 22C(12) of the 1989 Act as a person who is approved as a local authority foster parent in accordance with regulations made by virtue of paragraph 12F of Schedule 2 to that Act. The relevant Regulations are the 2002 Regulations.

(7) Any reference to a child who in the care of an authority means a child who is in their care by virtue of a care order, see section 105(1) of the 1989 Act.

(8) Paragraph 19C of Schedule 2 was inserted by section 1 of the 2000 Act.

(9) 1996 c.56. Section 312 was amended by paragraph 23 of Schedule 7, and Schedule 8, to the Education Act 1997 (c.44), paragraphs 57 and 71 of Schedule 30 to the School Standards and Framework Act 1998 (c.31), paragraph 56 of Schedule 9 to the Learning and Skills Act 2000 (c.21), paragraph 3 of Schedule 1 to the Education and Inspections Act 2006 (c.40).

- (b) Christmas day or Good Friday, or
- (c) a bank holiday in England and Wales under the [Banking and Financial Dealings Act 1971](#)<sup>(10)</sup>.

(2) In these Regulations any reference to any document or other record includes any such document or record that is kept or provided in a readily accessible form and includes copies of original documents and electronic methods of recording information.

(3) Save as otherwise appears—

- (a) any reference in these Regulations to a numbered section is a reference to that section in the 1989 Act; and
- (b) any reference in these Regulations to a numbered regulation, Part or Schedule is a reference to that regulation, Part or Schedule in these Regulations.

**3.** These Regulations do not apply in relation to any child who is looked after by a local authority and who has been placed for adoption under the Adoption and Children Act 2002<sup>(11)</sup>.

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<sup>(10)</sup> 1971 c.80.

<sup>(11)</sup> 2002 c.38.