
STATUTORY INSTRUMENTS

2002 No. 546

**Children Act (Miscellaneous
Amendments) (England) Regulations 2002**

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

2.—(1) The Arrangements for Placement of Children (General) Regulations 1991(1) shall be amended in accordance with the following provisions of this regulation.

(2) In regulations 1(2), 2(1), 5(1), 6, 10(2) and (3) and 11, and in paragraph 5 of Schedule 4, in each place in which they occur, for the words “registered children’s home”, substitute “private children’s home”.

(3) In regulation 1(2) (interpretation), in the definition of “placement”, in each of paragraphs (a) and (b), for “(b),(c),(d)” substitute “(aa)”(2).

(4) In regulation 2(2) (application of regulations), for the words after “voluntary organisation”, substitute “, in a school which is a children’s home within the meaning of section 1(6) of the Care Standards Act 2000.”.

(5) In regulation 5(1) (notification of arrangements)—

(a) for sub-paragraph (b) substitute—

“(b) the Primary Care Trust, or if there is no Primary Care Trust, the Health Authority, for the area in which the child is living and, if it is different, for the area in which the child is to be placed;”;

(b) in sub-paragraph (c), at the end, add “and, if it is different, for the area in which the child is to be placed;”;

(c) in sub-paragraph (d), at the end, add “and, where applicable, any registered medical practitioner with whom the child is to be registered following the placement;”.

(6) For regulation 7 (health requirements) substitute—

“Health assessments

7.—(1) Subject to paragraphs (3) and (4), a responsible authority shall—

(a) before making a placement, or if that is not reasonably practicable, as soon as reasonably practicable after a placement is made, make arrangements for a registered medical practitioner to conduct an assessment, which may include a physical examination, of the child’s state of health;

(b) require the registered medical practitioner who conducts the assessment to prepare a written report of the assessment which addresses the matters listed in Schedule 2; and

(c) having regard to the matters listed in Schedule 2 and, unless paragraph (4) applies, to the assessment report, prepare a plan for the future health care of the child if one is not already in existence.

(1) S.I.1991/890, as amended by S.I.1991/2033, S.I.1993/3069, S.I.1995/2015 and S.I. 1997/649.

(2) As substituted by section 116 of, and paragraph 14 (1), (3) and (8) of Schedule 4 to, the Care Standards Act 2000.

- (2) A responsible authority shall ensure that each child is provided during the placement with—
- (a) health care services, including medical and dental care and treatment; and
 - (b) advice and guidance on health, personal care and health promotion issues appropriate to his needs.
- (3) Paragraph (1) does not apply if within a period of three months immediately preceding the placement the child's health has been assessed, and a report of the assessment prepared in accordance with that paragraph.
- (4) Sub-paragraphs (a) and (b) of paragraph (1) do not apply if the child, being of sufficient understanding to do so, refuses to consent to the assessment.”.
- (7) In regulation 11 (access by guardians ad litem to records and register), and in the heading to that regulation, for “guardian ad litem” substitute “officer of the service”(3).
- (8) In Schedule 2 (health considerations to which responsible authorities are to have regard)—
- (a) in paragraph 1, at the end, add “including his physical, emotional and mental health.”;
 - (b) in paragraph 2, at the end, add “including, as far as practicable, his family health history.”; and
 - (c) in paragraph 6, at the end, add “and for advice and guidance on health, personal care and health promotion issues appropriate to the child's needs.”.
- (9) In Schedule 3 (educational considerations to which responsible authorities are to have regard), in paragraph 4—
- (a) for “Education Act 1981” substitute “Education Act 1996(4)”; and
 - (b) for “section 7” substitute “section 324”.

(3) Section 105(1) of the Children Act provides that “officer of the service” has the same meaning as in the Criminal Justice and Court Services Act 2000 (c. 43). See section 11(3) of that Act.

(4) 1996 c. 56.