
STATUTORY INSTRUMENTS

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;

[^{F1}“the 2012 Act” means the Legal Aid, Sentencing and Punishment of Offenders Act 2012;]

“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 ^{M1}[^{F2}or, who is registered as the service provider under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016,] 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 ^{M2} 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 ^{M3};

“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;

[^{F3}“connected person” has the meaning given in regulation 24;]

[^{F1}“detention placement plan” has the meaning given in regulation 47C;

“director” means the person in charge of a secure training centre;]

“director of children's services” means the officer of the responsible authority appointed for the purposes of section 18 of the Children Act 2004 ^{M4};

“F” means a person who is approved as a local authority foster parent ^{M5} 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 [^{F4}the Fostering Services Regulations];

[^{F5}“the Fostering Services Regulations” means the Fostering Services (England) Regulations 2011;]

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

[^{F1}“governor” means the person in charge of a young offender institution;]

“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);

[^{F6}“long term foster placement” means an arrangement made by the responsible authority for C to be placed with F where—

- (a) C's plan for permanence is foster care,
- (b) F has agreed to act as C's foster parent until C ceases to be looked after, and
- (c) the responsible authority has confirmed the nature of the arrangement to F, P and C, and any reference to the responsible authority placing C in such a placement includes, where C is already placed with F, leaving C with F in a long term foster placement;]

“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) [^{F7}where C is in the care of the responsible authority and there was a child arrangements order which regulated C's living arrangements in force immediately before the care order was made, a person named in the child arrangements order as a person with whom C was to live];

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

“personal adviser” means the personal adviser arranged for C under paragraph 19C ^{M6} 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);

[^{F6}“plan for permanence” has the meaning given in regulation 5(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;

[^{F1}“registered manager” means the person who is registered under Part 2 of the Care Standards Act 2000 [^{F8}or with Social Care Wales] as a manager of a secure children’s home;

“remand to local authority accommodation” has the meaning given in section 91(3) of the 2012 Act;

“remand to youth detention accommodation” has the meaning given in section 91(4) of the 2012 Act;]

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

[^{F1}“secure children’s home” has the meaning given in section 102(11) of the 2012 Act;

“secure training centre” has the meaning given in section 43(1)(d) of the Prison Act 1952;]

“special educational needs” and “special educational provision” have the meanings given in [^{F9}section 579] of the Education Act 1996 ^{M7};

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

“working day” means any day other than—

- (a) a Saturday or a Sunday,
- (b) Christmas day or Good Friday, or
- (c) a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971 ^{M8}; and

[^{F1}“young offender institution” has the meaning given in section 43(1)(aa) of the Prison Act 1952.]

(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.

F1	Words in reg. 2(1) inserted (19.4.2013) by The Care Planning, Placement and Case Review (England) (Miscellaneous Amendments) Regulations 2013 (S.I. 2013/706) , regs. 1, 3 (with reg. 14)
F2	Words in reg. 2(1) inserted (2.4.2018) by The Regulation and Inspection of Social Care (Wales) Act 2016 (Consequential Amendments to Secondary Legislation) Regulations 2018 (S.I. 2018/48) , reg. 1(2), Sch. 1 para. 21(2)(a)
F3	Words in reg. 2 omitted (temp.) (24.4.2020) by virtue of The Adoption and Children (Coronavirus) (Amendment) Regulations 2020 (S.I. 2020/445) , regs. 1(2), 8(2) (with Pts. 12, 13)
F4	Words in reg. 2(1) substituted (1.4.2011) by The Fostering Services (England) Regulations 2011 (S.I. 2011/581) , regs. 1(1), 43(3)(i) (with reg. 45)
F5	Words in reg. 2(1) substituted (1.4.2011) by The Fostering Services (England) Regulations 2011 (S.I. 2011/581) , regs. 1(1), 43(2) (with reg. 45)
F6	Words in reg. 2(1) inserted (1.4.2015) by The Care Planning and Fostering (Miscellaneous Amendments) (England) Regulations 2015 (S.I. 2015/495) , regs. 1, 3
F7	Words in reg. 2(1) substituted (22.4.2014) by The Child Arrangements Order (Consequential Amendments to Subordinate Legislation) Order 2014 (S.I. 2014/852) , arts. 1, 18
F8	Words in reg. 2(1) inserted (2.4.2018) by The Regulation and Inspection of Social Care (Wales) Act 2016 (Consequential Amendments to Secondary Legislation) Regulations 2018 (S.I. 2018/48) , reg. 1(2), Sch. 1 para. 21(2)(b)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Care Planning, Placement and Case Review (England) Regulations 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F9 Words in reg. 2(1) substituted (1.9.2014) by [The Special Educational Needs \(Consequential Amendments to Subordinate Legislation\) Order 2014 \(S.I. 2014/2103\)](#), arts. 1, **33**

Marginal Citations

M1 [2000 c.14](#).

M2 “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”.

M3 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.

M4 [2004 c.31](#).

M5 “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.

M6 Paragraph 19C of Schedule 2 was inserted by section 1 of the 2000 Act.

M7 [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 \(c.40\)](#).

M8 [1971 c.80](#).

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 ^{M9}[^{F10}unless the child falls within regulation 47A].

F10 Words in reg. 3 inserted (19.4.2013) by [The Care Planning, Placement and Case Review \(England\) \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/706\)](#), regs. 1, **4** (with reg. 14)

Marginal Citations

M9 [2002 c.38](#).

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Changes and effects yet to be applied to :

- Regulations words substituted by [S.I. 2022/634 Sch. para. 1\(1\)\(3\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 27A27B inserted by [S.I. 2021/161 reg. 4](#)
- reg. 27C inserted by [S.I. 2023/416 reg. 36\(3\)](#)
- reg. 28(1A)-(1E) inserted (temp.) by [S.I. 2020/909 reg. 4\(2\)](#)
- reg. 48(4)-(8) inserted (temp.) by [S.I. 2020/909 reg. 4\(3\)\(c\)](#)