
STATUTORY INSTRUMENTS

2010 No. 959

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

PART 5

Visits by the responsible authority's representative etc.

Frequency of visits

28.—(1) As part of their arrangements for supervising C's welfare, the responsible authority must ensure that their representative (“R”) visits C in accordance with this regulation, wherever C is living.

[^{F1}(1A) Any visit required by this regulation may be conducted by telephone, video-link or other electronic means.

(1B) Where R is unable to visit C within the timescales set out in this regulation the responsible authority must ensure that R visits C as soon as is reasonably practicable thereafter.]

(2) Subject to paragraphs (3) to (6), the responsible authority must ensure that R visits C—

- (a) within one week of the start of any placement,
- (b) at intervals of not more than six weeks for the first year of any placement, and
- (c) thereafter—
 - (i) where the placement is intended to last until C is aged 18, at intervals of not more than three months,
 - (ii) and in any other case, at intervals of not more than six weeks.

(3) Where regulation 19 applies, the responsible authority must ensure that R visits C—

- (a) at least once a week until the first review carried out in accordance with Part 6, and
- (b) thereafter at intervals of not more than six weeks.

[^{F2}(3A) Where—

- (a) C is in a long term foster placement and has been in that placement for at least one year, and
- (b) C, being of sufficient age and understanding, agrees to be visited less frequently than required by paragraph (2)(c),

the responsible authority must ensure that R visits C at intervals of no more than 6 months.]

(4) Where regulation 24 applies, or where an interim care order has been made in relation to C under section 38 (*interim orders*) and C is living with P, the responsible authority must ensure that R visits C—

- (a) at least once a week until the first review carried out in accordance with Part 6, and
- (b) thereafter at intervals of not more than four weeks.

(5) Where a care order has been made in relation to C under section 31 (*care and supervision orders*) and C is living with P, the responsible authority must ensure that R visits C—

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

- (a) within one week of the making of the care order, and
 - (b) thereafter at intervals of not more than six weeks.
- (6) Where C is in the care of the responsible authority but another person is responsible for the arrangements under which C is living for the time being (“C’s living arrangements”), the responsible authority must ensure that R visits C—
- (a) within one week of the start of C’s living arrangements and within one week of any change to C’s living arrangements,
 - (b) at intervals of not more than six weeks for the first year thereafter, and
 - (c) at intervals of not more than three months in any subsequent year.
- (7) In addition to visits in accordance with paragraphs (2) to (6), the responsible authority must ensure that R visits C—
- (a) whenever reasonably requested to do so by—
 - (i) C,
 - (ii) where paragraphs (2), (3) [F³, (3A)] or (4) apply, the appropriate person, or
 - (iii) where paragraph (5) applies, the person responsible for C’s living arrangements,
 - (b) within one week of first receiving notification under section 30A of the Care Standards Act 2000 ^{M1} (*notification of matters relating to persons carrying on or managing certain establishments or agencies*) [F⁴ or under section 39 of the Regulation and Inspection of Social Care (Wales) Act 2016 (notifying local authorities of certain action under this Part)], where the children’s home in which C is placed for the time being is referred to in that notification.

- F1** Reg. 28(1A)(1B) inserted (temp.) (24.4.2020) by [The Adoption and Children \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/445\)](#), regs. 1(2), **8(13)** (with Pts. 12, 13)
- F2** Reg. 28(3A) inserted (1.4.2015) by [The Care Planning and Fostering \(Miscellaneous Amendments\) \(England\) Regulations 2015 \(S.I. 2015/495\)](#), regs. 1, **5(a)**
- F3** Word in reg. 28(7)(a)(ii) inserted (1.4.2015) by [The Care Planning and Fostering \(Miscellaneous Amendments\) \(England\) Regulations 2015 \(S.I. 2015/495\)](#), regs. 1, **5(b)**
- F4** Words in reg. 28(7)(b) 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(4)**

Marginal Citations

- M1** 2000 c.14; section 30A was inserted by section 29 of the 2008 Act.

Conduct of visits

- 29.** On each visit, R must speak to C in private unless—
- (a) C, being of sufficient age and understanding to do so, refuses,
 - (b) R considers it inappropriate to do so, having regard to C’s age and understanding, or
 - (c) R is unable to do so.

Consequences of visits

30. Where, as the result of a visit carried out in accordance with this Part, R’s assessment is that C’s welfare is not adequately safeguarded and promoted by the placement, the responsible authority must review C’s case in accordance with Part 6.

Advice, support and assistance for the child

31. When making arrangements in accordance with section 23ZA(2)(b) for advice, support and assistance to be available to C between R's visits, the responsible authority must ensure that—

- (a) the arrangements—
 - (i) are appropriate having regard to C's age and understanding, and
 - (ii) give due consideration to C's religious persuasion, racial origin, cultural and linguistic background and to any disability C may have, and
- (b) so far as is reasonably practicable having regard to C's age and understanding, C knows how to seek appropriate advice, support and assistance from them.

Changes to legislation:

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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\(3\)\(c\)](#)