

---

## STATUTORY INSTRUMENTS

---

# 2010 No. 959

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

### PART 6

#### Reviews of the child's case

##### General duty of the responsible authority to review the child's case

**32.**—(1) The responsible authority must review C's case in accordance with this Part.

(2) The responsible authority must not make any significant change to C's care plan unless the proposed change has first been considered at a review of C's case, unless this is not reasonably practicable.

(3) Nothing in this Part prevents any review of C's case being carried out at the same time as any other review assessment or consideration of C's case under any other provision.

##### Timing of reviews

**33.**—(1) The responsible authority must first review C's case within 20 working days of the date on which C becomes looked after.

(2) The second review must be carried out not more than three months after the first, and subsequent reviews must be carried out [<sup>F1</sup>at intervals of not more than six months][<sup>F1</sup>where reasonably practicable thereafter].

(3) The responsible authority must carry out a review before the time specified in paragraph (1) or (2) if—

[<sup>F2</sup>(aa) the responsible authority considers that C is, or has been, persistently absent from a placement,

(ab) the responsible authority is notified that the appropriate person, P, or the area authority is concerned that C is at risk of harm,

(ac) subject to paragraph (4), C so requests,]

(a) the IRO so requests,

(b) regulation 30 applies,

(c) C is provided with accommodation under section 21(2)(b) or (c) and a review would not otherwise occur before C ceases to be so provided with accommodation,

(d) C is in the care of the responsible authority and is detained in a secure training centre or a young offenders institution, and a review would not otherwise occur before C ceases to be so detained, or

(e) C is looked after but is not in the care of the responsible authority and

(i) the responsible authority propose to cease to provide accommodation for C, and

**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

- (ii) accommodation will not subsequently be provided for C by C's parents (or one of them) or any person who is not C's parent but who has parental responsibility for C.

[<sup>F3</sup>(4) The responsible authority is not required to carry out a review pursuant to sub-paragraph (3) (ac) if the IRO considers that a review before the time specified in paragraph (1) or (2) is not justified.]

- |           |   |
|-----------|---|
| <b>F1</b> | Words in reg. 33(2) substituted (temp.) (24.4.2020) by <a href="#">The Adoption and Children (Coronavirus) (Amendment) Regulations 2020 (S.I. 2020/445)</a> , regs. 1(2), <b>8(14)</b> (with Pts. 12, 13)   |
| <b>F2</b> | Reg. 33(3)(aa)-(ac) inserted (27.1.2014) by <a href="#">The Childrens Homes and Looked after Children (Miscellaneous Amendments) (England) Regulations 2013 (S.I. 2013/3239)</a> , regs. 1(1), <b>20(a)</b> |
| <b>F3</b> | Reg. 33(4) inserted (27.1.2014) by <a href="#">The Childrens Homes and Looked after Children (Miscellaneous Amendments) (England) Regulations 2013 (S.I. 2013/3239)</a> , regs. 1(1), <b>20(b)</b>          |

### ***Conduct of reviews***

#### ***Local authority's policy on reviews***

**34.**—(1) The responsible authority must prepare and implement a written policy regarding the manner in which they will review cases in accordance with this Part.

- (2) The responsible authority must provide a copy of their policy to—
- C, unless it would not be appropriate to do so having regard to C's age and understanding,
  - C's parents, or any person who is not C's parent but who has parental responsibility for C, and
  - any other person whose views the responsible authority consider to be relevant.

#### ***Considerations to which the responsible authority must have regard***

**35.** The considerations to which the responsible authority must have regard in reviewing each case are set out in Schedule 7.

#### ***The role of the IRO***

- 36.**—(1) The IRO must—
- so far as reasonably practicable, attend any meeting held as part of the review (“the review meeting”) and, if attending the review meeting, chair it,
  - speak to C in private about the matters to be considered at the review unless C, being of sufficient understanding to do so, refuses or the IRO considers it inappropriate having regard to C's age and understanding,
  - ensure that, so far as reasonably practicable, the wishes and feelings of C's parents, or any person who is not C's parent but who has parental responsibility for C, [<sup>F4</sup>and the views of the appropriate person,] have been ascertained and taken into account, and
  - ensure that the review is conducted in accordance with this Part and in particular—
    - that the persons responsible for implementing any decision taken in consequence of the review are identified, and
    - that any failure to review the case in accordance with this Part or to take proper steps to implement decisions taken in consequence of the review are brought to the attention of an officer at an appropriate level of seniority within the responsible authority.

---

**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](#)

---

[<sup>F5</sup>(2) The IRO may adjourn the review meeting for not more than 20 working days, and no proposal considered in the course of the meeting may be implemented until the review has been completed.]

- |  |
|--|
| <p><b>F4</b> Words in reg. 36(1)(c) inserted (1.4.2015) by <a href="#">The Care Planning and Fostering (Miscellaneous Amendments) (England) Regulations 2015 (S.I. 2015/495)</a>, regs. 1, <b>6</b></p> <p><b>F5</b> Reg. 36(2) substituted (temp.) (24.4.2020) by <a href="#">The Adoption and Children (Coronavirus) (Amendment) Regulations 2020 (S.I. 2020/445)</a>, regs. 1(2), <b>8(15)</b> (with Pts. 12, 13)</p> |
|--|

### Arrangements for implementing decisions arising out of reviews

- 37.** The responsible authority must—
- (a) make arrangements to implement decisions made in the course, or as a result, of the review, and
  - (b) inform the IRO of any significant failure to make such arrangements, or any significant change of circumstances occurring after the review that affects those arrangements.

### Records of reviews

**38.** The responsible authority must ensure that a written record of the review is prepared, and that the information obtained in the course of the review, details of proceedings at the review meeting, and any decisions made in the course, or as a result, of the review are included in C's case record.

**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.

[View outstanding changes](#)

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