
STATUTORY INSTRUMENTS

2010 No. 959

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

PART 9

Miscellaneous

Records

Establishment of records

49.—(1) The responsible authority must establish and maintain a written case record for C (“C’s case record”), if one is not already in existence.

(2) The case record must include—

- (a) C’s care plan, including any changes made to the care plan and any subsequent plans,
- (b) reports obtained under regulation 7,
- (c) any other document created or considered as part of any assessment of C’s needs, or of any review of C’s case,
- (d) any court order relating to C,
- (e) details of any arrangements that have been made by the responsible authority with any other local authority or with an independent fostering agency under regulation 26 and Schedule 5, or with a provider of social work services, under which any of the responsible authority’s functions in relation to C are discharged by that local authority or independent fostering agency or provider of social work services.

Retention and confidentiality of records

50.—(1) The responsible authority must retain C’s case record either—

- (a) until the seventy-fifth anniversary of C’s birth, or
- (b) if C dies before attaining the age of 18, for fifteen years beginning with the date of C’s death.

(2) The responsible authority must secure the safe keeping of C’s case record and take any necessary steps to ensure that information contained in it is treated as confidential subject only to—

- (a) any provision of, or made under or by virtue of, a statute under which access to such a record or information may be obtained or given,
- (b) any court order under which access to such a record or information may be obtained or given.