

---

STATUTORY INSTRUMENTS

---

**2011 No. 582**

The Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011

PART 1

General

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011 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;

“the 2000 Act” means the Care Standards Act 2000(1);

“foster parent” means a person with whom a child is placed, or may be placed, under these Regulations by a voluntary organisation under section 59(1)(a) of the 1989 Act;

“fostering agency” has the meaning given in section 4(4) of the 2000 Act(2);

“fostering service provider” means—

(a) a fostering agency, or

(b) in relation to a local authority fostering service, a local authority;

“placement” means the provision of accommodation for a child who is not looked after(3) by a local authority—

(a) by a voluntary organisation(4) by any of the means specified in section 59(1)(a), (aa)(5) or (f) of the 1989 Act (provision of accommodation by voluntary organisations), and

---

(1) 2000 c.14.

(2) That is, (a) an undertaking which consists of or includes discharging functions of local authorities in connection with the placing of children with foster parents, or (b) a voluntary organisation which places children with foster parents under section 59(1) of the 1989 Act.

(3) For the meaning of a child who is “looked after” see section 22(1) of the 1989 Act, as amended by paragraph 19 of Schedule 5 to, the [Local Government Act 2000\(c.22\)](#), section 2 of the Children (Leaving Care) Act 2000 (c.35) and section 116(2) of the Adoption and Children Act 2002 (c.38).

(4) “Voluntary organisation” is defined in section 105(1) of the 1989 Act as “a body (other than a public or local authority) whose activities are not carried on for profit”.

(5) Paragraph (aa) was substituted by paragraph 14(1) and (8)(a) of Schedule 4 to the Care Standards Act 2000 (“the 2000 Act”) and subsequently amended by paragraph 2(1) and (2) of Schedule 1 to the 2008 Act.

- (b) in a private children’s home (6)(otherwise than by, or on behalf of, a local authority(7), or voluntary organisation),

and references to “place” or “placed” are to be construed accordingly;

“placement plan” has the meaning given in regulation 4(1);

“Primary Care Trust” means a Primary Care Trust continued or established in accordance with section 18 of the National Health Service Act 2006(8);

“responsible authority” means—

- (a) in relation to a placement by a voluntary organisation of a child, the voluntary organisation which place the child, and
- (b) in relation to a placement in a private children’s home of a child who is neither looked after by a local authority nor accommodated in such a home by a voluntary organisation, the person carrying on the home.

(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 or original documents and electronic methods of recording information.

### **Application of Regulations**

3. These Regulations do not apply to a placement of a child, otherwise than by a voluntary organisation, in a school which is a children’s home within the meaning of section 1(6) of the 2000 Act.

---

(6) “Private children’s home” is defined in section 105(1) of the 1989 Act as “a children’s home in respect of which a person is registered under Part 2 of the Care Standards Act 2000 which is not a community home or a voluntary home”.

(7) “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”. Any reference in the 1989 Act to a “local authority” is to be construed as including a reference to the Council of the Isles of Scilly: see the Isles of Scilly ([Children Act 1989](#)) Order 2010, [S.I. 2010/1116](#), article 2.

(8) [2006 c.41](#).