
STATUTORY INSTRUMENTS

2015 No. 495

The Care Planning and Fostering (Miscellaneous Amendments) (England) Regulations 2015

Amendment of the Care Planning, Placement and Case Review (England) Regulations 2010

7. For regulation 39 (arrangements for ceasing to look after a child who is not an eligible child) substitute—

“Arrangements to be made when the responsible authority is considering ceasing to look after C

39.—(1) This regulation applies where the responsible authority are considering ceasing to look after C.

(2) Before deciding to cease to look after C the responsible authority must—

- (a) carry out an assessment of the suitability of the proposed arrangements for C’s accommodation and maintenance when C ceases to be looked after by them,
- (b) carry out an assessment of the services and support that C and, where applicable P, might need when the responsible authority ceases to look after C,
- (c) ensure that C’s wishes and feelings have been ascertained and given due consideration, and
- (d) consider whether, in all the circumstances and taking into account any services or support the responsible authority intend to provide, that ceasing to look after C will safeguard and promote C’s welfare.

(3) The responsible authority must include in C’s care plan (or where regulation 47B(4) applies, the detention placement plan) details of the advice, assistance and support that the responsible authority intend to provide for C when C ceases to be looked after by them.

(4) Subject to paragraph (5), where C has been a looked after child for at least 20 working days, any decision to cease to look after C must not be put into effect until it has been approved by a nominated officer.

(5) In any case where C is aged 16 or 17 and is not in the care of the local authority, the decision to cease to look after C must not be put into effect until it has been approved by the responsible authority’s director of children’s services.

(6) Before approving a decision under paragraph (4) or (5), the nominated officer or director of children’s services must be satisfied that—

- (a) the requirements of regulation 9(1)(b)(i) have been complied with,
- (b) ceasing to look after C will safeguard and promote C’s welfare,
- (c) the support the responsible authority intend to provide will safeguard and promote C’s welfare,
- (d) C’s relatives have been consulted, where appropriate,
- (e) the IRO has been consulted, and

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(f) where appropriate, regulations 40 to 43 have been complied with.”.