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## STATUTORY INSTRUMENTS

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# 2020 No. 445

## The Adoption and Children (Coronavirus) (Amendment) Regulations 2020

### PART 7

#### Care Planning

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

- 8.**—(1) The 2010 Regulations are amended as follows.
- (2) In regulation 2 (interpretation), omit the definition of “connected person”.
- (3) In regulation 5(1) (preparation and content of the care plan)—
- (a) in sub-paragraph (c) after “placement plan” insert “once prepared”, and
- (b) in sub-paragraph (e) after “placement plan” insert “, once this has been prepared”.
- (4) In regulation 9(2) (placement plan), for “within five working days of” substitute “as soon as is reasonably practicable after”.
- (5) For regulation 11(4)(a) (placement decision) substitute—
- “(a) F who is a person with whom a placement is made under regulation 24, or”.
- (6) In regulation 18(1) (decision to place a child with P), omit “and the responsible authority have prepared a placement plan for C”.
- (7) In regulation 19(b) (circumstances in which a child may be placed with P before assessment completed), for “within 10 working days of” substitute “as soon as is reasonably practicable after”.
- (8) In regulation 22A(2) (placement following consideration in accordance with section 22C(9B) (c) of the Act)—
- (a) omit paragraph (2), and
- (b) for the opening words of paragraph (3) substitute—
- “(3) Before making a placement under paragraph (1), the responsible authority must—”.
- (9) Omit regulation 22B(2)(a) (conditions to be complied with before placing C in a long term foster placement).
- (10) In regulation 23 (emergency placement with a local authority foster parent), for the words “six working days” in both places in which they occur substitute “twenty four weeks”.
- (11) In regulation 24 (temporary approval of relative, friend or other person connected with C)—
- (a) for paragraph (1) and the heading to the regulation substitute—

### **“Temporary approval**

**24.—(1)** Where the responsible authority is satisfied that the most appropriate placement for C is with a person who has not yet been approved as a local authority foster parent they may approve that person as a local authority foster parent for a temporary period not exceeding 24 weeks (“temporary approval”) provided that they first comply with the requirements of paragraph (2).”,

(b) in paragraph (2) omit the word “connected” in each place it occurs, and

(c) omit paragraph (3).

(12) In regulation 25 (expiry of temporary approval) omit the word “connected” in each place that it occurs.

(13) After regulation 28(1) (frequency of visits) insert—

“(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.”.

(14) In regulation 33(2) (timing of reviews), for “at intervals of not more than six months” substitute “ where reasonably practicable thereafter”.

(15) For regulation 36(2) (the role of the IRO) substitute—

“(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.”.

(16) In regulation 42(2)(c) (assessment of needs) omit “and other connected persons”.

(17) In regulation 47C(3) (application of these regulations to children on remand), for the words “within five working days of” substitute “ as soon as is reasonably practicable from ”.

(18) In regulation 48 (application of these regulations with modifications to short breaks)—

(a) for paragraph (2)(c) substitute—

“(c) the arrangement is such that—

(i) at the end of each placement, C returns to the care of C's parent or a person who is not C's parent but who has parental responsibility for C, and

(ii) the short breaks do not exceed 75 days in total in any period of 12 months.”.

(b) for paragraphs (3)(c) and (d) substitute—

“(c) regulation 28(2) does not apply, but instead the responsible authority must ensure that R visits C at regular intervals during any short break to be agreed with the IRO and C's parents (or any person who is not C's parent but has parental responsibility for C),

(d) regulation 33 does not apply, but instead the responsible authority must first review C's case as soon as is reasonably practicable from the start of the first placement, and subsequent reviews must be carried out at regular intervals during any short break,

(e) any visit required by this regulation may be conducted by telephone, video-link or other electronic means.”.

(19) In Schedule 4 (matters to be taken into account when assessing the suitability of a connected person to care for C)—

- (a) for the heading substitute— “ Matters to be taken into account when assessing the suitability of any person to care for C ”,
- (b) in the opening words to paragraph 1 omit the word “connected”,
- (c) in paragraph 1(d)(i) omit the word “connected”,
- (d) in paragraph 1(d)(v) omit the word “connected”,
- (e) for paragraph 1(e)(v) substitute—
  - “(v) particulars of relatives and any relationships with C and the person,”, and
- (f) in paragraph 1(h) omit the word “connected”.

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**Commencement Information**

**II** Reg. 8 in force at 24.4.2020, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Adoption and Children (Coronavirus) (Amendment) Regulations 2020, PART 7.