

2018 No. (W.)

**CHILDREN AND YOUNG
PERSONS, WALES**

**The Care Planning, Placement and
Case Review (Wales) (Amendment)
Regulations 2018**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Care Wales Planning, Placement and Case Review (Wales) Regulations 2015 (“the 2015 Regulations”).

Part 3 of the 2015 Regulations contains general provisions about the placement of a looked after child, with regulation 12 making specific provision in relation to out of area placements.

Regulation 2 of these Regulations adds to the information which the responsible authority must provide under regulation 12(8) of the 2015 Regulations, which must be supplied not later than 24 hours after the placement is made.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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Made ***

Laid before the National Assembly for Wales

Coming into force ***

The Welsh Ministers, in exercise of the powers conferred by sections 81(6)(d), 84(f), 87, 107(8) and 196(2) of the Social Services and Well-being (Wales) Act 2014(1), make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Care Planning, Placement and Case Review (Wales) (Amendment) Regulations 2018.

(2) These Regulations come into force on XX.

(3) These Regulations apply in relation to Wales.

**Amendment of the Care Planning, Placement and
Case Review (Wales) Regulations 2015**

2.—(1) Regulation 12 (placement decision) of the Care Planning, Placement and Case Review (Wales) Regulations 2015(2) is amended in accordance with this regulation.

(2) In paragraph (6)(b) delete “not later than 5 working days after the placement is made”.

(3) In paragraph (8), for the definition of “notified” substitute—

(1) 2014 anaw 4.
(2) S.I. 2015/1818 (W. 261).

““notified” (“*hysbysu*”) in paragraph (6)(b) means that the responsible authority must provide—

- (a) not later than 24 hours after the placement is made—
 - (i) C’s name and date of birth,
 - (ii) confirmation of whether C is being looked after by the local authority on a voluntary basis⁽¹⁾ or under a care order⁽²⁾,
 - (iii) details of any of the following orders which have been made and remain in force in relation to C—
 - (aa) any order made under the Children Act 1989⁽³⁾,
 - (bb) a youth rehabilitation order, local authority residence requirement or youth rehabilitation order with fostering⁽⁴⁾,
 - (cc) a compulsory supervision order or interim compulsory supervision order⁽⁵⁾, and
 - (iv) details of any significant child protection factors or risk factors which relate to C, including, but not limited to, any danger of child sexual exploitation, physical or mental health issues, history of absconding and/or involvement with youth justice agencies; and
- (b) not later than 5 working days after the placement is made—
 - (i) details of its assessment of C’s needs and the reason why the placement chosen is the most appropriate way of meeting C’s needs, and
 - (ii) a copy of C’s care and support plan if it has not already been provided;”.

(1) See section 76 of the Social Services and Well-being (Wales) Act 2014.
(2) See section 31(11) of the Children Act 1989 (c. 41).
(3) 1989 c. 41.
(4) See section 7 of the Criminal Justice and Immigration Act 2008 (c. 4).
(5) See sections 83 and 86 of the Children’s Hearings (Scotland) Act 2011(asp 1).

Rebecca Evans

Minister for Social Services and Public Health under
authority of the Cabinet Secretary for Communities
and Children, one of the Welsh Ministers

Date