
STATUTORY INSTRUMENTS

2015 No. 1792

The Children Act 2004 (Joint Area Reviews) Regulations 2015

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Children Act 2004 (Joint Area Reviews) Regulations 2015 and come into force on 9th November 2015.

(2) In these Regulations—

“the principal authority” has the meaning given in regulation 3(3)(b);

“review” means a review conducted under section 20(1) or (2) of the Children Act 2004 (joint area reviews) ^{M1}.

Marginal Citations

M1 Section 20(1) and (2) was amended by [S.I. 2010/1158](#).

Powers of entry for the purposes of a review

2. The Schedule makes provision about powers of entry and related matters for the purposes of reviews.

Report on a review and Chief Inspector's determination

3.—(1) This regulation applies where a review has been completed.

(2) The Chief Inspector of Schools ^{M2} must make a written report on the review.

(3) The Chief Inspector of Schools must (having regard in particular to the nature of the review)—

(a) determine whether it is appropriate for a written statement of proposed action to be made in light of the report; and

(b) if so, determine the person or body (“the principal authority”) who must make that statement.

(4) A notice of the Chief Inspector of Schools' determination under paragraph (3)(a) must be published in the report on the review and, where a determination under paragraph (3)(b) is made, the notice must include the name of the principal authority.

(5) The Chief Inspector of Schools must send a copy of the report to—

(a) the Secretary of State;

(b) the local authority for each area to which the review relates;

(c) where a determination under paragraph (3)(b) has been made and the principal authority is not within sub-paragraph (b), the principal authority; and

(d) such other persons or bodies as the Chief Inspector of Schools considers appropriate, having regard to the nature of the review.

(6) The Chief Inspector of Schools must publish in the report the name, postal address and website address (if any) of:

- (a) the local authority for each area to which the review relates; and
- (b) the persons or bodies (if any) to whom the report will be sent under paragraph (5)(c) and (d).

(7) The local authority for each area to which the review relates must, within 30 days of receiving the report, send a copy to—

- (a) at least one newspaper circulating in the area of the authority; and
- (b) at least one radio station serving that area.

(8) Every person or body to whom the report is sent under paragraph (5)(b), (c) or (d) must, within 30 working days of receiving the report—

- (a) publish the report on its website (if any); and
- (b) supply a paper copy of the report to a member of the public on demand on payment of such reasonable charge as may be specified by the person or body.

Marginal Citations

M2 Section 23(5) of the Children Act 2004 provides that “The Chief Inspector of Schools” means Her Majesty's Chief Inspector of Education, Children's Services and Skills.

Written statement of proposed action

4.—(1) This regulation applies where the Chief Inspector of Schools makes a determination under regulation 3(3)(b).

(2) The principal authority must make the written statement of proposed action within 70 working days [^{F1}, or as soon as is reasonably practicable,] of receiving the report under regulation 3.

(3) The local authority (where it is not the principal authority) and every other person or body to whom the report is sent under regulation 3(5)(d) must co-operate with the principal authority in the making of the written statement.

(4) The written statement must—

- (a) state who it is proposed should take action; and
- (b) include a statement of the period within which the action is to be taken.

(5) The principal authority must send a copy of the written statement to—

- (a) the Chief Inspector of Schools;
- (b) any other person or body who conducted the review to which the written statement relates; and
- (c) the Secretary of State.

(6) The local authority (where it is not the principal authority) and every other person or body who has co-operated with the principal authority under paragraph (3) must—

- (a) publish the written statement on its website (if any); and
- (b) supply a copy to a member of the public on demand on payment of such reasonable charge as may be specified by the person or body.

(7) In this regulation, “working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971 ^{M3}.

Textual Amendments

F1 Words in reg. 4(2) inserted (temp.) (24.4.2020) by [The Adoption and Children \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/445\)](#), regs. 1(2), **10** (with Pts. 12, 13)

Marginal Citations

M3 1971 c. 80.

Amendment

5.—(1) The Children Act 2004 (Children's Services) Regulations 2005^{M4} are amended as follows.

(2) In regulation 2 (children's services)—

- (a) omit paragraph (1)(j) and (l)^{M5};
- (b) in paragraph (1)(u), for “section 45(2)” to the end substitute “ section 9(2) of the Health and Social Care Act 2008 ”;
- (c) in paragraph (1), after sub-paragraph (u), insert—
“(ua) in relation to the promotion and protection of public health;”;
- (d) omit paragraphs (3) to (5)^{M6}.

Marginal Citations

M4 [S.I. 2005/1972](#), amended by [S.I. 2010/1881](#). There are other amending instruments but none are relevant.

M5 Regulation 2(1)(j) and (l) was amended by [S.I. 2010/1881](#).

M6 Regulation 2(3) to (5) was inserted by [S.I. 2010/1881](#).

Revocation

6. The Children Act 2004 (Joint Area Reviews) Regulations 2005^{M7} are revoked.

Marginal Citations

M7 [S.I. 2005/1973](#), amended by [S.I. 2007/603](#), [2009/462](#), [2010/1172](#), [2010/1939](#), [2012/2401](#).

Changes to legislation:

There are currently no known outstanding effects for the The Children Act 2004 (Joint Area Reviews) Regulations 2015.