
WELSH STATUTORY INSTRUMENTS

2015 No. 1818

The Care Planning, Placement and
Case Review (Wales) Regulations 2015

PART 6

Reviews of the child's case

General duty of the responsible authority to review the child's case

38.—(1) The responsible authority must review C's case in accordance with this Part.

(2) The responsible authority must not make any significant change to C's care and support plan unless the proposed change has first been considered at a review of C's case, unless this is not reasonably practicable.

(3) Nothing in this Part prevents any review of C's case being carried out at the same time as any other review, assessment or consideration of C's case under any other provision.

Timing of reviews

39.—(1) The responsible authority must first review C's case within 20 working days of the date on which C becomes looked after.

(2) The second review must be carried after an interval of not more than three months after the first, and subsequent reviews must be carried out at intervals of no more than 6 months.

(3) Nothing in this regulation prevents the responsible authority from carrying out a review before the time specified in paragraph (1) or (2) and it must do so if—

- (a) the responsible authority considers that C is, or has been, persistently absent from a placement,
- (b) the responsible authority is notified by the appropriate person, P or the area authority is concerned that C is at risk of harm,
- (c) subject to paragraph (4), if C so requests,
- (d) the IRO so requests,
- (e) regulation 33 applies,
- (f) where C is provided with accommodation under section 77(2)(b) or (c) of the 2014 Act and a review would not otherwise occur before C ceases to be so provided with accommodation,
- (g) where C is in the care of the authority and is detained and a review would not otherwise occur before C ceases to be so detained, or
- (h) where C is looked after but is not in the care of the responsible authority and—
 - (i) the responsible authority proposes to cease to provide accommodation for C, and

- (ii) accommodation will not subsequently be provided for C by C's parents (or one of them) or any person who is not C's parent but who has parental responsibility for C,
 - (i) C is part of a family whose case has been referred to an IFS team and the family has been notified their case will be supported by such a team.
- (4) The responsible authority is not required to carry out a review pursuant to paragraph (3)(c) if the IRO considers that a review before the time specified in paragraph (1) or (2) is not justified.

Conduct of reviews

Responsible authority policy on reviews

40.—(1) The responsible authority must prepare and implement a written policy regarding the manner in which it will review cases in accordance with this Part.

(2) The responsible authority must provide a copy of its policy to—

- (a) C, unless it would not be appropriate to do so having regard to C's age and understanding,
- (b) C's parents, or any person who is not C's parent but who has parental responsibility for C, and
- (c) any other person whose views the responsible authority considers to be relevant.

Considerations to which the responsible authority must have regard

41.—(1) The considerations to which the responsible authority must have regard in reviewing every case are set out in [^{F1}paragraphs 1 to 17] of Schedule 8.

(2) The additional considerations to which the responsible authority must have regard in reviewing C's case where C is part of a family which is being supported by an IFS team are set out in [^{F2}paragraphs 18 to 26] of Schedule 8.

[^{F3}(3) In paragraph (2) and in Schedule 8—

“family” (“*teulu*”) has the meaning given in regulation 18(3) of the Partnership Regulations.]

Textual Amendments

- F1** Words in reg. 41(1) substituted (23.7.2017) by [The Care Planning and Case Review \(Miscellaneous Amendments\) \(Wales\) Regulations 2017 \(S.I. 2017/713\)](#), regs. 1(2), **4(3)(a)**
- F2** Words in reg. 41(2) substituted (23.7.2017) by [The Care Planning and Case Review \(Miscellaneous Amendments\) \(Wales\) Regulations 2017 \(S.I. 2017/713\)](#), regs. 1(2), **4(3)(b)**
- F3** Reg. 41(3) inserted (23.7.2017) by [The Care Planning and Case Review \(Miscellaneous Amendments\) \(Wales\) Regulations 2017 \(S.I. 2017/713\)](#), regs. 1(2), **4(3)(c)**

Role of the IRO

42.—(1) The IRO must—

- (a) as far as reasonably practicable, attend any meeting held as part of the review (“the review meeting”) and, if attending the review meeting, chair it,
- (b) speak to C in private about the matters to be considered at the review unless C, being of sufficient understanding to do so, refuses or the IRO considers it inappropriate having regard to C's age and understanding,

- (c) ensure that, so far as reasonably practicable, the views, wishes and feelings of C's parents, or any person who is not C's parent but who has parental responsibility for C, have been ascertained and taken into account, and
- (d) ensure the review is conducted in accordance with this Part and in particular—
 - (i) that the persons responsible for implementing any decision taken in consequence of the review are identified, and
 - (ii) that any failure to review the case in accordance with this Part or to take proper steps to implement decisions taken in consequence of the review are brought to the attention of an officer at an appropriate level of seniority within the responsible authority.

(2) The IRO may, if not satisfied that sufficient information has been provided by the responsible authority to enable proper consideration of any of the matters in Schedule 8, adjourn the review meeting once for not more than 20 working days, and no proposal considered in the course of the review may be implemented until the review has been completed.

Arrangements for implementing decisions arising out of reviews

- 43.** The responsible authority must—
- (a) make arrangements to implement decisions made in the course, or as a result, of the review, and
 - (b) inform the IRO of any significant failure to make such arrangements or any significant change of circumstances occurring after the review that affects those arrangements.

Records of reviews

44. The responsible authority must ensure that a written record of the review is prepared, and that the information obtained in the course of the review, details of proceedings at the review meeting, and any decisions made in the course of or as a result of the review are included in C's case record.

Changes to legislation:

There are currently no known outstanding effects for the The Care Planning, Placement and Case Review (Wales) Regulations 2015, PART 6.