

*These notes refer to the Children and Families Act 2014
(c.6) which received Royal Assent on 13 March 2014*

CHILDREN AND FAMILIES ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 – FAMILY JUSTICE

Section 15: Care Plans

147. This section amends section 31 of the Children Act 1989 so as to focus the court's consideration, when making its decision as to whether to make a care order, on the provisions of the care plan that set out the long term plan for the upbringing of the child. Specifically, the court is to consider whether the local authority care plan is for the child to live with a parent or any member or friend of the child's family, or whether the child is to be adopted or placed in other long term care. These are referred to as the "permanence provisions" of the section 31A plan. The court is not required to consider the remainder of the section 31A plan (subject to section 34(11) which requires the court to consider the contact arrangements for the child), although the amendments do not prevent the court from doing so.
148. New subsection (3C) of section 31 provides that the Secretary of State may by regulations amend what is meant by the "permanence provisions".