
STATUTORY INSTRUMENTS

2010 No. 959

The Care Planning, Placement and Case
Review (England) Regulations 2010

PART 3

Placements – general provisions

Placement out of area

Placement decision

11.—(1) Subject to paragraphs (3) and (4), a decision to place C outside the area of the responsible authority (including a placement outside England) must not be put into effect until it has been approved by a nominated officer.

(2) Before approving a decision under paragraph (1), the nominated officer must be satisfied that—

- (a) the requirements of regulation 9(1)(b)(i) have been complied with,
- (b) the placement is the most appropriate placement available for C and consistent with C's care plan,
- (c) C's relatives⁽¹⁾ have been consulted, where appropriate,
- (d) the area authority have been notified, and
- (e) the IRO has been consulted.

(3) In the case of a placement made in an emergency, paragraph (2) does not apply and before approving a decision under paragraph (1) the nominated officer must—

- (a) be satisfied that regulation 9(1)(b)(i) and the requirements of sub-paragraph (2)(b) have been complied with, and
- (b) take steps to ensure that regulation 9(1)(b)(ii) and the requirements set out in sub-paragraphs (2)(c) and (d) are complied with by the responsible authority within five working days of approval of the decision under paragraph (1).

(4) Paragraphs (1) and (2) do not apply to a decision to place C outside the area of the responsible authority with—

- (a) F who is a connected person, or
- (b) F who is approved as a local authority foster parent by the responsible authority.

(1) 'Relative' is defined in section 105(1) of the 1989 Act as 'a grandparent, brother, sister, uncle or aunt (whether of the full blood or half blood or by marriage or civil partnership) or step-parent'.