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STATUTORY INSTRUMENTS

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**2010 No. 959**

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

**PART 4**

Provision for different types of placement

CHAPTER 3

Other arrangements

**[<sup>F1</sup>Prohibition on placing a child under 16 in other arrangements**

**27A.** A responsible authority may only place a child under 16 in accommodation in accordance with other arrangements under section 22C(6)(d), where the accommodation is—

- (a) in relation to placements in England, in—
  - (i) a care home;
  - (ii) a hospital as defined in section 275(1) of the National Health Service Act 2006;
  - (iii) a residential family centre as defined in section 4(2) of the Care Standards Act;
  - (iv) a school within the meaning of section 4 of the Education Act 1996 providing accommodation that is not registered as a children's home;
  - (v) an establishment that provides care and accommodation for children as a holiday scheme for disabled children as defined in regulation 2(1) of the Residential Holiday Schemes for Disabled Children (England) Regulations 2013;
- (b) in relation to placements in Wales—
  - (i) accommodation provided by a care home service, within the meaning of paragraph 1(1) of Schedule 1 to the Regulation and Inspection of Social Care (Wales) Act 2016 ("the RISCWA 2016");
  - (ii) in a hospital as defined in section 206(1) of the National Health Service (Wales) Act 2006;
  - (iii) accommodation provided by a residential family centre service, within the meaning of paragraph 3(1) of Schedule 1 to the RISCWA 2016;
  - (iv) in a school within the meaning of section 4 of the Education Act 1996 providing accommodation together with nursing or care that does not constitute a care home service;
- (c) in relation to placements in Scotland—
  - (i) in a residential establishment, within the meaning of paragraph (a) of the definition in section 93(1) of the Children (Scotland) Act 1995;

- (ii) accommodation provided by the Scottish public fostering service, within the meaning of paragraph 10(a) of Schedule 12 to the Public Services Reform (Scotland) Act 2010 (“the PSR(S)A 2010”);
- (iii) accommodation provided by a care home service, within the meaning of paragraph 2 of Schedule 12 to the PSR(S)A 2010;
- (iv) accommodation provided by a school care accommodation service, within the meaning given by or under paragraph 3 of Schedule 12 to the PSR(S)A 2010;
- (v) in a hospital as defined in section 108(1) of the National Health Service (Scotland) Act 1978.]

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**Textual Amendments**

- F1** Regs. 27A, 27B inserted (9.9.2021) by [The Care Planning, Placement and Case Review \(England\) \(Amendment\) Regulations 2021 \(S.I. 2021/161\)](#), regs. 1, 4

**Changes to legislation:**

There are currently no known outstanding effects for the The Care Planning, Placement and Case Review (England) Regulations 2010, Section 27A.