
STATUTORY INSTRUMENTS

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

[^{F1}Prohibition on placing a child who is 16 or 17 years old in other arrangements

27C.—(1) A responsible authority may only place a child who is 16 or 17 years old in accommodation in accordance with other arrangements under section 22C(6)(d), where the accommodation—

- (a) is supported accommodation, as defined in regulation 2 of the Care Standards Act 2000 (Extension of the Application of Part 2 to Supported Accommodation) (England) Regulations 2022, that is provided by a supported accommodation undertaking—
 - (i) in respect of which a person is registered under Part 2 of the Care Standards Act 2000, or
 - (ii) where regulation 44 of the Supported Accommodation (England) Regulations 2023 applies to the person carrying on the undertaking, or
 - (b) is excepted accommodation.
- (2) Excepted accommodation is accommodation—
- (a) in relation to placements in England—
 - (i) in a care home as defined in section 3 of the Care Standards Act 2000;
 - (ii) in an institution within the further education sector as defined in section 91(3) of the Further and Higher Education Act 1992;
 - (iii) in a 16 to 19 Academy as defined in section 1B of the Academies Act 2010;
 - (iv) in a hospital as defined in section 275(1) of the National Health Service Act 2006;
 - (v) in a residential family centre as defined in section 4(2) of the Care Standards Act 2000;
 - (vi) in a school within the meaning of section 4 of the Education Act 1996 providing accommodation that is not registered as a children's home;
 - (vii) in an establishment that provides care and accommodation for children as a residential 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) 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) 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;
 - (v) provided by an institution within the further education sector, as defined in section 91(3) of the Further and Higher Education Act 1992 providing accommodation and 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) 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) provided by a care home service within the meaning of paragraph 2 of Schedule 12 to the PSR(S)A 2010;
 - (iv) 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;
 - (vi) in an establishment that provides fundable further education or fundable higher education, as defined in section 5 of the Further and Higher Education (Scotland) Act 2005.]

Textual Amendments

- F1** [Reg. 27C](#) inserted (28.10.2023) by [The Supported Accommodation \(England\) Regulations 2023 \(S.I. 2023/416\)](#), regs. 1(3), **36(3)** (with [reg. 44](#))

Changes to legislation:

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