
STATUTORY INSTRUMENTS

2010 No. 959

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

PART 8

Independent reviewing officers and independent visitors

Qualifications and experience of independent reviewing officers

46.—(1) The IRO must be registered as a social worker in [^{F1}[^{F2}the register of social workers in England maintained under section 39(1) of the Children and Social Work Act 2017], in the register maintained] by [^{F3}Social Care Wales under section 80 of the Regulation and Inspection of Social Care (Wales) Act 2016], or in a corresponding register maintained under the law of Scotland or Northern Ireland.

(2) The IRO must have sufficient relevant social work experience with children and families to perform the functions of an independent reviewing officer set out in section 25B(1) and under these Regulations in an independent manner and having regard to C's best interests.

(3) The responsible authority must not appoint any of the following as the IRO—

- (a) a person involved in preparing C's care plan or the management of C's case,
- (b) R,
- (c) C's personal adviser,
- (d) a person with management responsibilities in relation to a person mentioned in subparagraphs (a) to (c), or
- (e) a person with control over the resources allocated to the case.

Textual Amendments

- F1** Words in reg. 46(1) substituted (1.8.2012) by [The Health and Social Care Act 2012 \(Consequential Provision-Social Workers\) Order 2012 \(S.I. 2012/1479\)](#), art. 1(2), **Sch. para. 89**
- F2** Words in reg. 46(1) substituted (2.12.2019) by [The Children and Social Work Act 2017 \(Consequential Amendments\) \(Social Workers\) Regulations 2019 \(S.I. 2019/1094\)](#), reg. 1, **Sch. 3 para. 22**; S.I. 2019/1436, reg. 2(b)
- F3** Words in reg. 46(1) substituted (3.4.2017) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments to Secondary Legislation\) Regulations 2017 \(S.I. 2017/52\)](#), reg. 1(2), **Sch. 1 para. 22(2)**

Changes to legislation:

There are currently no known outstanding effects for the The Care Planning, Placement and Case Review (England) Regulations 2010, Section 46.