
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for children who are not looked after by a local authority but are provided with accommodation by voluntary organisations or in private children's homes.

The Regulations revoke and replace, with certain amendments, the Arrangements for Placement of Children (General) Regulations 1991 and the Review of Children's Cases Regulations 1991 in so far as those regulations made provision for children who are not looked after. They also replace regulations 33 to 41 of the Fostering Services Regulations 2002 in so far as they applied to such children.

Part 2 contains general provisions about placements. It contains provisions about the placement plan to be prepared by the voluntary organisation or the private children's home (regulations 4 and 5), the assessment of the child's health (regulation 6), the persons who must be notified of the arrangements (regulation 7) and the arrangements for contact (regulation 8). It also makes provision for the need to establish and retain a case record in respect of each child who is placed (regulations 9 and 10).

Part 3 makes provision relating to the placement of children by voluntary organisations with foster parents. It imposes general requirements on responsible authorities as to the making and supervision of placements (regulations 11 to 13).

Part 4 makes provision in respect of other duties. Regulation 14 sets out the circumstances in which responsible authorities or local authorities must terminate placements and regulation 15 prohibits the placement of a child by a voluntary organisation outside the British Islands. Regulation 16 imposes a duty on local authorities to visit children who are placed by voluntary organisations or in children's homes and requires the local authority to report concerns to the Chief Inspector.

Part 5 prescribes the manner in which children's cases must be reviewed. Regulation 17 sets out the general responsibility for carrying out reviews and the need to appoint an independent reviewing officer. Regulations 19 and 20 set out the timing of the reviews and the manner in which reviews must be carried out. This part also makes provision for the matters which the responsible authorities must consider when carrying out the review (regulation 21), the need to carry out a health review (regulation 22), the need to involve certain persons in the review process (regulation 23) and the arrangements for implementing decisions and keeping records of reviews (regulations 24 to 27).

Part 6 makes provision in respect of short-term placements (regulation 28).

An impact assessment has not been prepared for this instrument as there is no impact on business, charities and voluntary bodies and the impact on the public sector will be minimal.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 4 para. 2 words substituted by [S.I. 2014/2103 art. 37](#)
- Regulations words substituted by [S.I. 2022/634 Sch. para. 1\(1\)\(3\)](#)
- reg. 2(1) words inserted by [S.I. 2013/235 Sch. 2 para. 161\(2\)\(a\)](#)
- reg. 2(1) words inserted by [S.I. 2022/634 reg. 51\(2\)\(b\)](#)
- reg. 2(1) words omitted by [S.I. 2013/235 Sch. 2 para. 161\(2\)\(b\)](#)
- reg. 2(1) words omitted by [S.I. 2022/634 reg. 51\(2\)\(a\)](#)
- reg. 3 words inserted by [S.I. 2018/48 Sch. 1 para. 26\(2\)\(a\)](#)
- reg. 3 words inserted by [S.I. 2018/48 Sch. 1 para. 26\(2\)\(b\)](#)
- reg. 7(1)(c) words substituted by [S.I. 2013/235 Sch. 2 para. 161\(3\)](#)
- reg. 7(1)(g) words substituted by [S.I. 2014/852 art. 20](#)
- reg. 18(2) words substituted by [S.I. 2012/1479 Sch. para. 92](#)
- reg. 18(2) words substituted by [S.I. 2019/1094 Sch. 3 para. 26](#) (This amendment comes into force on the date on which Children and Social Work Act 2017 (c. 16), s. 39(1) comes into force. That provision comes into force on 2.12.2019 by S.I. 2019/1436, reg. 2(b))
- reg. 18(2) words substituted by [S.I. 2017/52 Sch. 1 para. 24\(2\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)