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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations revoke and replace, with modifications, the Children Act 2004 (Joint Area Reviews) Regulations 2005.

Section 20 of the Children Act 2004 provides for the review of children's services in the area of a local authority in England (joint area reviews). "Children's services" are defined by section 23(3) and regulations under that provision. A review involves two or more of the persons and bodies listed at section 20(4); they may be requested to conduct a review by the Secretary of State, or may themselves decide to conduct a review. The purpose of a review is set out in section 20(3).

These Regulations make provision for the purposes of such reviews. Regulation 2 and the Schedule to the Regulations ensure that the persons and bodies listed at section 20(4) have sufficient powers to conduct an inspection for the purposes of a review by applying, for the purposes of a review, relevant enactments relating to the powers of those persons and bodies to inspect services that are children's services, rights of entry and rights to obtain information, etc.

Regulation 3 requires the Chief Inspector of Schools to make a report on a review and to send the report to a number of persons. Every person to whom the report is sent must publish it on their website and supply a copy to a member of the public, on demand, for a reasonable charge. Regulation 3 also requires the Chief Inspector of Schools to determine whether it is appropriate for a written statement of proposed action to be made in the light of the report and, if so, to determine the person or body ("the principal authority") who must make that statement.

Where the Chief Inspector determines that a written statement of proposed action should be made, regulation 4 requires the principal authority to make that statement within 70 working days of receiving the report. All those other persons or bodies who have received the report must co-operate with the principal authority in the making of the written statement. The principal authority must send the written statement to the Chief Inspector of Schools, to any other person or body who conducted the review, and to the Secretary of State. The principal authority and all the persons or bodies who co-operated with the principal authority in making the written statement must publish it on their website and supply a copy to a member of the public, on demand, for a reasonable charge.

Regulation 5 makes an amendment to the Children Act 2004 (Children's Services) Regulations 2005 in consequence of the enactment of the Health and Social Care Act 2008.

No impact assessment has been produced for this instrument because no significant impact on business, civil society organisations or the public sector is foreseen.