
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations come into force on 1st April 2015.

They amend the Care Planning, Placement and Case Review (England) Regulations 2010 (“the 2010 Regulations”), which make provision about care planning for looked after children (i.e. children who are looked after by a local authority). They create a statutory concept of “long term fostering” by inserting a definition of “long term foster placement” into the 2010 Regulations (regulation 3), setting out the conditions that must be complied with before a child can be placed in a long term fostering placement (regulation 4) and making provision as to the frequency of reviews (regulation 5).

They also amend the 2010 Regulations to set out the arrangements that a local authority must make when they are considering ceasing to look after a child including the need for the decision to be approved by a nominated officer or the director of children’s services (regulation 7).

They amend the Independent Review of Determinations (Adoption and Fostering) Regulations 2009 to provide that where the fostering determination made by the fostering service provider does not contain all the information required by regulation 26(2)(c) of the Fostering Services Regulations 2011 (“the 2011 Regulations”), the panel may recommend to the fostering service provider that it should prepare a written report that includes all the information (regulation 11).

They also amend the 2011 Regulations to provide that where a report has been prepared in accordance with regulation 26(3) of the 2011 Regulations that the panel must either request that the fostering service provider prepare a further written report or recommend that the person is not suitable to be a foster parent (regulation 12).

They also make minor amendments to the Care Leavers (England) Regulations 2010 (regulations 14 and 15).

An impact assessment has not been produced for this instrument as it has no impact on businesses and civil society organisations. The instrument has a minimal impact on the public sector.