
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made as a result of the commencement of the Social Services and Well-being (Wales) Act 2014 (“the 2014 Act”).

The 2014 Act replaces, in relation to Wales, the provision formerly made by Part 3 of and Schedule 2 to the Children Act 1989 (“the 1989 Act”).

The powers within the 2014 Act have been exercised (in the main using the powers within Part 6 of that Act (looked after and accommodated children)) to make the Care Planning, Placement and Case Review (Wales) Regulations 2015 (“the 2015 Regulations”). The 2015 Regulations make provision about care planning and associated matters for looked after children, that is, for children who are looked after by a local authority (whether or not they are in the care of that authority by virtue of a care order under section 31 of the 1989 Act).

These Regulations make consequential and incidental amendments to secondary legislation required as a consequence of the commencement of the 2014 Act and the making of the 2015 Regulations in exercise of the powers within Part 6 of the 2014 Act. The secondary legislation which is amended by these Regulations makes provision (in the main) about care planning, placement decisions and the review of cases of certain children (those looked after by a local authority, accommodated by voluntary organisations, or placed in a private children’s home).

The effect of the amendments made in these Regulations is that the earlier secondary legislation, which makes provision about care planning and associated matters for children, will apply only in relation to children who are provided with accommodation by a voluntary organisation and to children who are placed in private children’s homes and will make reference to the appropriate provision made by the 2014 Act.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.