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STATUTORY INSTRUMENTS

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**2014 No.**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

**The Care Planning, Placement and Case Review (Miscellaneous  
Amendments) Regulations 2014**

<i>Made</i>	- - - -	2014
<i>Laid before Parliament</i>		2014
<i>Coming into force</i>	- -	2014

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 22C(11), 26(1) and (2), 31A(3) and 104(4) of, and paragraphs 12C and 12E of Schedule 2 to, the Children Act 1989(a):

**Citation and commencement**

1. These Regulations may be cited as the Care Planning, Placement and Case Review (Miscellaneous Amendments) Regulations 2014 and come into force on [ ].

**Amendment of the Care Planning, Placement and Case Review (England) Regulations 2010**

2. The Care Planning, Placement and Case Review (England) Regulations 2010(b) are amended as follows.

3. In regulation 5 at the end insert—

“(f) where C is—

- (i) a victim, or a potential victim, of trafficking in human beings within the meaning of the Council of Europe Convention on Action against Human Trafficking in Human Beings, or
- (ii) not living with a relative and has applied, or has indicated an intention to apply, for asylum and has not been granted indefinite leave to remain

that fact.”.

4. In regulation 42(2) after subparagraph (b) insert—

“(ba) where C falls within regulation 5(f), any needs C has as a result of that status,” .

5. In Schedule 7 at the end insert—

“14. Where C falls within regulation 5(f), whether C’s needs as a result of that status are being met.”.

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(a) 1989 c. 41.

(b) S.I. 2010/959, amended by S.I.s 2011/581, 2013/706 and 2013/984.

## **Amendment of the Care Leavers (England) Regulations 2010**

6. The Care Leavers (England) Regulations 2010(a) are amended as follows.

7. In regulation 5(4) after subparagraph (a) insert—

“(aa) where the relevant child is—

- (i) a victim, or a potential victim, of trafficking in human beings within the meaning of the Council of Europe Convention on Action against Human Trafficking in Human Beings, or
  - (ii) not living with a relative and has applied, or has indicated an intention to apply, for asylum and has not been granted indefinite leave to remain
- the relevant child’s needs as a result of that status.”.

8. In Schedule 1 at the end insert—

“11. Where the child falls within regulation 5(4)(aa), whether the child’s needs as a result of that status are being met.”.

Address	<i>Name</i>
Date	Parliamentary Under Secretary of State Department

### **EXPLANATORY NOTE**

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

These Regulations come into force on [ ] 2014.

They amend the Care Planning, Placement and Case Review (England) Regulations 2010 (“the CPPCRR”), which make provision about care planning for looked after children (i.e. children who are looked after by a local authority) and the Care Leavers (England) Regulations 2010 (“the CLR”), which make provision about support to be provided to certain children and young people who are no longer looked after by a local authority.

They amend the CPPCRR to require that a child’s care plan must record whether the child is a victim or potential victim of trafficking in human beings or is not living with a relative and has applied or intends to apply for asylum (regulation 3).

They amend the CPPCRR to require that the local authority’s assessment of a relevant child’s needs must include the child’s needs related to their status as a victim of trafficking or an asylum seeking child (regulation 4).

They amend the CPPCRR to require that when a local authority is reviewing a child’s case one of the matters the local authority must consider when carrying out the review is the child’s status as a victim of trafficking or an asylum seeking child and whether their related needs are being met (regulation 5).

They amend the CLR to require that when the child in question is a relevant child (as defined in section 23A(2) of the Children Act 1989 and regulation 3 of the CLR) the child’s needs in relation to their status as a victim of trafficking or an asylum seeking child must be considered when the local authority is preparing an assessment of needs (regulation 7).

They amend the CLR to require that where a child is a victim of trafficking or an asylum seeking child one of the matters the local authority must consider when reviewing the child’s pathway plan is whether their related needs are being met (regulation 8).

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(a) S.I. 2010/2571.