

Message

From: [NR] /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5B6FFDF32F5D412C9259A75173D9007D [NR]
Sent: 23/03/2020 17:39:27
To: TROWLER, Isabelle [isabelle.trowler@education.gov.uk]
CC: LANGDALE-ORAM, Jobshare [jobshare.langdale-oram@education.gov.uk]; [NR]
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Subject: Proposed regulatory amendments

Isabelle,

Below is our list of proposed possible amendments to secondary legislation We wondered whether you'd like to share this with the Practice Leader Group should they have any comments too? Regulatory changes will sit alongside further communications we have planned around the ability of local authorities to divert from statutory guidance should they have good reason to do so, and that they should do so on the basis of risk whilst aiming to adhere to guidance as far as possible.

Local Authorities

- The Children Act 1989 Representations Procedure (England) Regulations 2006 – amendments to give flexibility around timescales which require local authorities to have a formal procedure in place for those young people and their representatives who wish to make a representation / complaint about Children and Families Social Care.
- Education and Inspections Act 2006 (Inspection of Local Authorities) Regulations 2007 – amend regulation 3 to relax the timeframe within which an LA has to publish a written statement of action following receipt of an Ofsted inspection report under the Education and Inspections Act 2006.

Adoption

- Adoption Agencies Regulations 2005 –to relax the need for adoption panels and the need to get medical checks and DBS checks by the end of stage 1 of the approval process. We are also considering amending the circumstances when contact with parents might be restricted.

Foster care and care planning

- Care Planning, Placement and Case Review (England) Regulations 2010 – we will be making changes to the provisions on the temporary approval of foster carers to enable stranger foster carers to be approved and to relax the timescales. Other changes are also being looked at such as possible restrictions on contact between parents and children in care, and we are likely to relax timescales in relation to reviews and visits etc.
- Fostering Services (England) Regulations 2011 – amendments to relax timeframes of short break placements.
- Children Private Arrangements for Fostering Regulations 2005 – amendments to allow more flexibility in terms of timescales of notifications and intervals between visits.

Residential care

- Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2015 – amendment to disapply the provisions requiring Ofsted inspections at certain intervals and to disapply certain fees payable to Ofsted in respect of applications to vary registration details (Ofsted have confirmed they are going to waive these in any event)

- Children's Homes (England) Regulations 2015 —amend the restraint provision to enable a child to be isolated in a children's home accordance with the Health Protection (Coronavirus) Regulations 2020 without it being a breach of the regulation. Other amendments also being considered to enable flexibility around timescales of independent person visits and quality of care reviews.
- We are considering whether any other amendments need to be made to the Children (Secure Accommodation) Regulations 1991 to possibly assist with capacity issues, and whether s.25 CA 1989 should be disapplied if the regulation 8 powers on isolation in the Health Protection (Coronavirus) Regulations 2020 apply.

If you have any further comments please do let us know as well, We are aiming to make changes as soon as possible so would welcome comments on that basis too.

Regards

NR