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| **Consultation Response Form****Consultation closing date: 17 September 2013****Your comments must reach us by that date** |
| Improving safeguarding for looked after children: consultation on changes to the Care Planning, Placement and Case Review (England) Regulations 2010 |

**If you would prefer to respond online to this consultation please use the following link:** [**www.education.gov.uk/consultations/**](http://www.education.gov.uk/consultations/)

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes, primarily the Freedom of Information Act 2000 and the Data Protection Act 1998.

If you want all, or any part, of your response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

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If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Ministerial and Public Communications Division by e-mail: consultation.unit@education.gsi.gov.uk or by telephone: 0370 000 2288 or via the Department's ['Contact Us'](file:///C%3A%5Chelp%5Ccontactus) page.

Please mark the category which best describes you as a respondent

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 | Childrens Home Private Provider (2-5 homes) |

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 | Childrens Home Private Provider (6-10 homes) |
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 | Childrens Home Private Provider (11-15 homes) |

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1 **Do you accept that amendments are required to the Care Planning Regulations, to improve information sharing between placing authorities and area authorities, to effectively safeguard and promote the welfare of looked after children placed in distant out of authority placements?**

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2 **Do you agree with our proposal to amend Regulation 11 of the Care Planning Regulations so that the decision to place a child in a distant out of authority placement has to be approved by the responsible authority’s Director of Children’s Services?**

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3 **We do not want to place a barrier to a child being placed in an adjacent authority that may remain close to the child’s community or be even closer than a placement within the same authority dependent on borders. Therefore we would value your views as to how “distance” should be defined in this context**.

**Should distance be based on  mileage from the child’s home address (20/25+ miles); travelling time or on some other formula – e.g. where a child is placed within a region of co-terminus LAs where information is shared and resources are pooled, they would be deemed to be in a “local” placement?**

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 | Based on mileage from the childs home address (20/25+ miles) |

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 | Other formula - please specify (e.g. where a child is placed within a region of co-terminus LAs where information is shared and resources are pooled, they would be deemed to be in a local placement?) |

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4 **Do you agree with the proposal that area authorities must be consulted before the Director of Children's Services can approve a decision to place a child in a distant out of authority placement?**

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5 **When a placement has to be made in an emergency, what should be the minimum expectation for consultation with the area authority?**

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| DfE | Comments: |

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6 ***Apart from that listed in 3.5, what additional arrangements (if any) will area authorities and placing authorities need to have in place so that there is a meaningful and constructive consultation between authorities when an out of authority placement is being considered? For example, a named contact or dedicated mailbox to alert authorities of incoming placements.***

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7 **Apart from local children’s services, are there other services that should be consulted prior to the DCS being able to approve the placement of a looked after child in a distant out of authority placement – e.g. local health services; the virtual headteacher; local youth justice services.**

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8 ***Would any of the proposals in section 3 of the consultation document incur any new resource requirements for your organisation? If your answer is “yes” – please describe the additional resources involved***.

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9 ***Do you agree that arrangements for notifications should be strengthened as outlined in section 4 of the consultation document so that they include specific regulatory requirements as to the information (which includes the care plan for the child concerned) that must be provided to the area authority by the placing authority?***

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10 **Do you agree that Schedule 2 should be amended so that the provider’s strategy for keeping the child safe must usually be included as a significant feature of the Placement Plan for a looked after child?**

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11 **Do you agree that a review meeting should be convened in circumstances where any or all of those listed below request that a review is needed, in response to concerns that a child is at risk in their placement?**

* **area authority**
* **registered manager of a children’s home or fostering service**
* **foster carer**
* **parent**

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12 ***Do you agree that Schedule 7 of the Care Planning Regulations should be amended as outlined in 6.4 of the consultation document?***

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13 **Do you agree with the proposal that Directors of Children’s Services should approve and sign off the pathway plans for voluntarily accommodated 16 and 17 year olds whenever there is a proposal for them to leave care?**

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14 **Do you agree that such a change in legislation would help prevent young people leaving care prematurely, so that they only cease to be looked after once they have been properly prepared and provided with a package of support to enable then to make a successful transition to adulthood?**

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15 **Please add any final comments concerning the effectiveness of the measures on which we are consulting to effectively safeguard and promote the welfare of looked after children, particularly, those placed outside their responsible authority.**

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16 **Do you agree that these proposals will improve collaboration between placing authorities and services in the areas where children are placed to improve the effectiveness of safeguarding arrangements and therefore be in children’s best interests?**

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17 ***Please let us have your views on responding to this consultation (e.g. the number and type of questions, whether it was easy to find, understand, complete etc.).***

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Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

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Here at the Department for Education we carry out research on many different topics and consultations. As your views are valuable to us, please confirm below if you would be willing to be contacted again from time to time either for research or to send through consultation documents?

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All DfE public consultations are required to meet the Cabinet Office [Principles on Consultation](http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance)

The key Consultation Principles are:

* departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before
* departments will need to give more thought to how they engage with and consult with those who are affected
* consultation should be ‘digital by default', but other forms should be used where these are needed to reach the groups affected by a policy; and
* the principles of the Compact between government and the voluntary and community sector will continue to be respected.

Responses should be completed on-line or emailed to the relevant consultation email box. However, if you have any comments on how DfE consultations are conducted, please contact Carole Edge, DfE Consultation Coordinator, tel: 0370 000 2288 / email: carole.edge@education.gsi.gov.uk

**Thank you for taking time to respond to this consultation.**

Completed responses should be sent to the address shown below by 17 September 2013

Send by post to: FAO Lydia Affie, Department for Education, Sanctuary Buildings, Great Smith Street, Westminster, London,SW1P 3BT

Send by e-mail to: careplanningregs2010.amendments@education.gsi.gov.uk