STATUTORY RULES OF NORTHERN IRELAND

1996 No. 461

CHILDREN

The Review of Children's Cases Regulations (Northern Ireland) 1996

Made - - - -	*30th September 1996*
Coming into operation	*4th November 1996*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 45(1) and (2), 75(4)(*a*) and (5) and 105(1) and (2)(*l*) of the Children (Northern Ireland) Order 1995(**1**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Review of Children's Cases Regulations (Northern Ireland) 1996 and shall come into operation on 4th November 1996.

(2) In these Regulations—

"the Order" means the Children (Northern Ireland) Order 1995;

"guardian ad litem" means a guardian ad litem appointed pursuant to Article 60 of the Order or rules made under Article 66 of the Adoption (Northern Ireland) Order 1987(**2**);

"independent visitor" means an independent visitor appointed under Article 31 of the Order;

"responsible authority" means in relation to—

(a) a child who is being looked after by an authority, that authority;

(b) a child who is being provided with accommodation by a voluntary organisation otherwise than on behalf of an authority, that voluntary organisation;

(c) a child who is being provided with accommodation in a registered children's home otherwise than on behalf of an authority or voluntary organisation, the person carrying on that home.

(3) In these Regulations, any reference to a review is a reference to a review carried out in pursuance of regulation 3, 11 or 13 as the case may be.

(4) Any notice required under these Regulations is to be given in writing and may be sent by ordinary post.

(**1**) S.I.1995/755 (N.I. 2)
(**2**) S.I. 1987/2203 (N.I. 22); paragraph 166 of Schedule 9 to the Children (Northern Ireland) Order 1995 substituted a new Article 66 with effect from 19th February 1996

Review of children's cases

2. Each responsible authority shall review in accordance with these Regulations the case of each child while he is being looked after or provided with accommodation by it.

Time when case is to be reviewed

3.—(1) Each case is first to be reviewed within 2 weeks of the date upon which the child begins to be looked after or provided with accommodation by a responsible authority.

(2) The second review shall be carried out not more than 3 months after the first and thereafter subsequent reviews shall be carried out at intervals of not more than 6 months after the date of the previous review.

Manner in which cases are to be reviewed

4.—(1) Each responsible authority shall set out in writing its arrangements governing the manner in which the case of each child shall be reviewed and shall draw the written arrangements to the attention of those specified in regulation 7(1).

(2) The responsible authority which is looking after or providing accommodation for a child shall make arrangements to co-ordinate the carrying out of all aspects of the review of that child's case.

(3) The responsible authority shall appoint one of its officers to assist it in the co-ordination of all aspects of the review.

(4) The manner in which each case is reviewed shall, so far as is practicable, include the elements specified in Schedule 1.

(5) Nothing in these Regulations shall prevent the carrying out of any review under these Regulations and any other review, assessment or consideration under any other provision at the same time.

Considerations to which responsible authorities are to have regard

5. The considerations to which the responsible authority is to have regard, so far as is reasonably practicable, in reviewing each case are the general considerations specified in Schedule 2 and the considerations concerning the health of the child specified in Schedule 3.

Health reviews

6. The responsible authority shall make arrangements for a child who continues to be looked after or provided with accommodation by it to be examined by a medical practitioner and for a written assessment on the state of health of the child and his need for health care to be made—

(a) at least once in every period of 6 months before the child's fifth birthday; and

(b) at least once in every period of 12 months after the child's fifth birthday,

unless the child is of sufficient understanding and he refuses to submit to the examination.

Consultation, participation and notification

7.—(1) Before conducting any review the responsible authority shall, unless it is not reasonably practicable to do so, seek and take into account the views of—

(a) the child;

(b) his parents;

(c) any person who is not a parent of his but who has parental responsibility for him; and

(d) any other person whose views the responsible authority considers to be relevant,

including, in particular, the views of those persons in relation to any particular matter which is to be considered in the course of the review.

(2) The responsible authority shall, so far as is reasonably practicable, involve the persons whose views are sought under paragraph (1) in the review including, where the responsible authority considers appropriate, the attendance of those persons at part or all of any meeting which is to consider the child's case in connection with any aspect of the review of that case.

(3) The responsible authority shall, so far as is reasonably practicable, notify details of the result of the review and of any decision taken by it in consequence of the review to—

(a) the child;

(b) his parents;

(c) any person who is not a parent of his but who has parental responsibility for him; and

(d) any other person whom it considers ought to be notified.

Arrangements for implementation of decisions arising out of reviews

8. The responsible authority shall make arrangements itself or with other persons to implement any decision which the responsible authority proposes to make in the course of, or as a result of, the review of a child's case.

Monitoring arrangements for reviews

9. Each responsible authority shall monitor the arrangements which it has made with a view to ensuring that they comply with these Regulations.

Recording review information

10. Each responsible authority shall ensure that—

(a) information obtained in respect of the review of a child's case;

(b) details of the proceedings at any meeting arranged by the responsible authority at which the child's case is considered in connection with any aspect of the review of that case; and

(c) details of any decisions made in the course of, or as a result of, the review,

are recorded in writing.

Application of the Regulations to short periods

11.—(1) This regulation applies to cases in which a responsible authority has arranged that a child should be looked after or provided with accommodation for a series of short periods at the same place and the arrangement is such that no single period is to last for more than 4 weeks and the total duration of the periods is not to exceed 90 days in any period of 12 months.

(2) Regulation 3 shall not apply to a case to which this regulation applies, but instead—

(a) each such case is first to be reviewed within 3 months of the beginning of the first of the short periods;

(b) if the case continues, the second review shall be carried out not more than 6 months after the first; and

(c) thereafter, if the case continues, subsequent reviews shall be carried out not more than 6 months after the date of the previous review.