

Appendix 1: Providing Short Break Accommodation under Different Legal Provisions

| PROVIDING SHORT BREAK ACCOMMODATION UNDER DIFFERENT LEGAL PROVISIONS | | |
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| <p>(a) Child is provided with accommodation under section 17(6)</p> | <p>(b) Child is provided with accommodation under section 20(4) for a continuous period of more than 24 hours; short breaks are pre-planned and in the same place; no break lasts more than 17 days and the total does not exceed 75 days in one year</p> <p>>> regulation 48 applies</p> | <p>(c) Child is provided with accommodation under section 20(4) for a continuous period of more than 24 hours; breaks may be with a range of providers or exceed timescales in column (b)</p> <p>>> regulation 48 does not apply</p> |
| <p>The child is not looked after.</p> <p>The 2010 Regulations do not apply.</p> <p>Consequently, there is no requirement to appoint an IRO.</p> <p>A child in need plan is required in accordance with the Assessment Framework.</p> <p>As good practice, reviews should be carried out at least every six months, and more often if required.</p> | <p>The child is looked after for the period that s/he is provided with accommodation.</p> <p>The 2010 Regulations apply with modifications in respect of planning arrangements :</p> <ul style="list-style-type: none"> • the authority must make a short break care plan addressing issues key to the safe care of the child; and • an IRO must be appointed. <p>The first visit must take place within three months of the first placement day or as soon as practicable thereafter. Subsequent visits must be at intervals of no more than six months.</p> <p>The child’s case must be reviewed within three months of the start of the first placement and then at intervals of no more than six months.</p> | <p>The child is looked after for the period that s/he is provided with accommodation.</p> <p>The 2010 Regulations apply without modifications in respect of planning arrangements:</p> <ul style="list-style-type: none"> • the authority must make a care plan; • an IRO must be appointed; and • the child’s case must be reviewed regularly. <p>Visits must take place in accordance with regulation 28.</p> <p>The first review must be within twenty days of the start of the first placement, the second no more than three months after the first and subsequent reviews no more than six months after the previous review.</p> |
| <p>The provision of accommodation under section 17(6) or section 20(4) does not affect parental responsibility.</p> | | |

