

2007 No. 2316 (W.187)

**CHILDREN AND YOUNG
PERSONS, WALES**

**The Children and Young People's
Plan (Wales) Regulations 2007**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for children's services authorities in Wales to each prepare, consult upon, publish and review a children and young people's plan. Such a plan must set out the authority's strategy for discharging their functions in relation to children and young persons. The content of the plan is not prescribed by the Regulations but will be determined by the authority having regard to guidance issued by the Welsh Ministers.

The Children and Young People's Plan will replace the Single Education Plan which local education authorities were required to prepare and publish under the Single Education Plan (Wales) Regulations 2006 (SI 2006/877). These Regulations do not revoke the Single Education Plan (Wales) Regulations 2006 as there is no ongoing duty to publish a Single Education Plan after the publication of such a plan on 1 September 2006 for the period ending on 31 August 2008.

Regulations 4 and 5 provide for the plans to be prepared and published on a three yearly basis, the first plan to be effective from 1 August 2008 and published by 30 September 2008.

Regulation 6 provides for the way in which the plan shall be published; regulation 7 provides for consultation on the draft plan; and regulation 8 provides for the authority to review the plan annually with provision made for further consultation.

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The Children and Young People's
Plan (Wales) Regulations 2007

Made 4 August 2007

Laid before the National Assembly for Wales
7 August 2007

Coming into force 1 September 2007

The Welsh Ministers make these Regulations in exercise of the powers conferred on the National Assembly for Wales by sections 26 and 66 (1) of the Children Act 2004⁽¹⁾ and now vested in them⁽²⁾:

Title, commencement and application

1.—(1) The title of these Regulations is the Children and Young People's Plan (Wales) Regulations 2007 and they come into force on 1 September 2007.

(2) These Regulations apply in relation to Wales

Interpretation

2. In these Regulations—

“the 1998 Act” (“*Deddf 1998*”) means the School Standards and Framework Act 1998⁽³⁾;

“the 2004 Act” (“*Deddf 2004*”) means the Children Act 2004;

“appropriate diocesan authority” (“*awdurdod esgobaethol perthnasol*”) means in relation to a Church in Wales school or a Roman Catholic Church school—

⁽¹⁾ 2004 c.31

⁽²⁾ The functions of the National Assembly for Wales under these sections were vested in the Welsh Ministers by the operation of section 162 of and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32)

⁽³⁾ 1998 c.31

- (i) the Diocesan Board of Finance or other person designated by the National Assembly for Wales under section 142 (1) of the 1998 Act (as the case may be) for every diocese of the Church of Wales, and
- (ii) the bishop of every diocese of the Roman Catholic Church,

any part of the area of which (in each case) lies within the authority's area;

“authority” (“*awdurdod*”) means a children's services authority;

“Children and Young People's Partnership” (“*Partneriaeth Plant a Phobl Ifanc*”) means the partnership between the authority, each of the authorities relevant partners and other persons or bodies who exercise functions or are engaged in activities in relation to children and young people in the authority's area;

“Children and Young People's Plan” (“*Cynllun Plant a Phobl Ifanc*”) means the plan referred to in regulation 3 (2);

“Church in Wales school” (“*ysgol yr Eglwys yng Nghymru*”) has the meaning given to it by section 142 (1) of the 1998 Act;

“relevant partners” (“*partneriaid perthnasol*”) has the same meaning as in section 25 of the 2004 Act;

“relevant young persons” (“*personau ifanc perthnasol*”) has the same meaning as in section 26 (6) of the 2004 Act;

“Roman Catholic Church school” (“*ysgol yr Eglwys Gatholig*”) has the meaning given to it by section 142 (1) of the 1998 Act;

“school maintained by a local education authority” (“*ysgol a gynhelir gan awdurdod addysg lleol*”) (including any reference to a school maintained by a specific authority) has the meaning given to it by section 142 (1) of the 1998 Act.

Requirement to prepare and publish a Children and Young People's Plan

3.—(1) Each authority must prepare and publish a Children and Young People's Plan in accordance with these Regulations.

(2) In this regulation a “Children and Young People's Plan” means a plan of the kind referred to in section 26 (1) of the 2004 Act setting out the authority's strategy for discharging their functions in relation to children and relevant young persons.

Duration of plan

4.—(1) The first Children and Young People's Plan is to have effect for the period commencing on 1 August 2008 and ending on 31 March 2011.

(2) The second and subsequent Children and Young People's Plans are to have effect for the period of three years commencing on 1 April in the year when the previous plan period expires.

Timing of publication of the plan

5.—(1) The first Children and Young People's Plan must be published on or before 30 September 2008.

(2) The second and subsequent Children and Young People's Plans must be published on or before 1 April in the year in which the plan period for that plan commences in accordance with regulation 4 (2).

Manner of publication of the plan

6. The authority must publish the Children and Young People's plan by—

- (a) placing it on the authority's website;
- (b) making copies of the plan available for inspection by members of the public—
 - (i) at the authority's offices; and
 - (ii) at any other appropriate place.

Consultation

7.—(1) This regulation prescribes the consultation which each authority are required to carry out in drawing up their Children and Young People's Plan.

(2) The following must be consulted on the plan in draft—

- (a) each of the authority's relevant partners;
- (b) the Local Safeguarding Children Board for the authority's area;
- (c) the Welsh Ministers;
- (d) the head teacher and the governing body of every school maintained by the authority;
- (e) the principal of every further education college in the authority's area;
- (f) the appropriate diocesan authority for any Church in Wales school or Roman Catholic Church school maintained by the authority;
- (g) The Children's Commissioner for Wales;

- (h) the Welsh Language Board (within the meaning of section 1 of the Welsh Language Act 1993⁽¹⁾);
- (i) the local planning authority (within the meaning of section 1(1B) of the Town and Country Planning Act 1990⁽²⁾);
- (j) A National Park authority for a National Park in Wales;
- (k) members of the Children and Young People's Partnership, other than members who are required to be consulted in accordance with this regulation, including children, young people, their families and bodies representing them;
- (l) any sub group of the Children and Young People's Partnership;
- (m) the Early Years Development and Childcare Partnership (within the meaning of section 119 of the 1998 Act);
- (n) the Standing Advisory Council on Religious Education (within the meaning of section 390 of the Education Act 1996⁽³⁾);
- (o) Community Safety Partnerships if in existence in the authority's area;
- (p) Communities First Partnerships if in existence in the authority's area;
- (q) the Community Strategy Partnership if in existence in the authority's area;
- (r) the Health, Social Care and Well Being Partnership if in existence in the authority's area;
- (s) the Criminal Justice Board if in existence in the authority's area;
- (t) organisations providing services to children and young people in the Welsh language;
- (u) the Fire and Rescue Service;
- (v) the local public health team of the National Public Health Service;
- (w) Further Education providers and work-based learning providers;
- (x) School councils;
- (y) Local youth forums;
- (z) Estyn;
- (aa) voluntary organisations providing services to children and young people;

(1) 1993 c.38
(2) 1990 c.8
(3) 1996 c.56

(bb) such other persons or bodies as appear to the authority to be appropriate.

(3) In the case of the bodies referred to in subparagraphs (i) to (z) of paragraph (2) only bodies which cover the whole or any part of the authority's area are to be consulted.

(4) The authority must consult on the draft plan for a period of not less than twelve weeks.

(5) The authority must carry out the consultation by sending to every consultee a draft of the plan inviting comments on it within a specified period.

(6) The requirement in paragraph (5) to send a draft of the plan to the consultees may be satisfied by sending copies by electronic mail.

Review of the plan

8.—(1) The authority must review their Children and Young People's Plan by 30 October every year, commencing 2009.

(2) During the conduct of such a review the authority must consult such persons as they consider appropriate, having regard to guidance issued by the Welsh Ministers under section 26 (5) of the 2004 Act.

(3) The authority must publish a report of the result of the review in such manner as they consider appropriate, having regard to guidance issued by the Welsh Ministers under section 26 (5) of the 2004 Act.

Jane E. Hutt

Minister for Children, Education, Lifelong Learning and Skills

4 August 2007