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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 210**

**The Looked After Children (Scotland) Regulations 2009**

**PART V**

**KINSHIP CARE**

**Placement of child with kinship carer**

- 11.**—(1) A local authority must not place a child with a kinship carer where—
- (a) the placement is or would be contrary to the terms of any supervision requirement made or any order made or authorisation or warrant granted under Chapter 2, 3 or 4 of Part II of the 1995 Act or any permanence order made in respect of the child; or
  - (b) the placement would return the child to the care of a person where the child was, by virtue of any order, authorisation or warrant, removed from the care of that person.
- (2) A local authority must not place a child with a kinship carer unless they are satisfied that—
- (a) placement is in the best interests of the child;
  - (b) placement of the child with that kinship carer is in the best interests of the child;
  - (c) following the assessment referred to in regulation 10(3), that kinship carer is a suitable person to care for the child;
  - (d) they have taken into account all information available to them relevant to the performance of their duties under section 17(1) to (5) of the 1995 Act;
  - (e) the kinship carer has entered into a written agreement with the local authority under regulation 12; and
  - (f) the kinship carer has entered into a written agreement with the local authority as to the matters specified in Schedule 4.