
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 210

The Looked After Children (Scotland) Regulations 2009

PART VII

FOSTERING

Placement of child with foster carer

- 27.**—(1) A local authority must not place a child with a foster 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 in respect of the child; or
 - (b) the placement would return 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 foster carer unless they are satisfied that—
- (a) placement is in the best interests of the child;
 - (b) placement of the child with that foster carer is in the best interests of the child;
 - (c) the person with whom it is proposed to place the child has been approved as a foster carer by the local authority;
 - (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) they have given full consideration to the possibility of entering into an arrangement under regulation 8 or placing the child with a kinship carer;
 - (f) the foster carer has entered into a written agreement with the local authority under regulation 24;
 - (g) the foster carer has entered into a written agreement with the local authority as to the matters specified in Schedule 4; and
 - (h) the terms of the foster carer's approval are consistent with the placement.
- (3) The local authority must require the foster carer with whom a child is placed to notify the authority immediately if the child—
- (a) dies;
 - (b) suffers any serious illness or injury; or
 - (c) absents themselves or without lawful authority is taken away from the foster carer's home.
- (4) On receiving notification under paragraph (3) the local authority must, so far as reasonably practicable, immediately notify the child's parents and any person who has any parental responsibilities or parental rights in relation to the child.