

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2009 No. 210**

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

**PART VIII**

**FOSTERING AND KINSHIP CARE ALLOWANCES**

**Fostering and kinship care allowances**

**33.**—(1) A local authority shall, subject to such conditions as they consider necessary, pay such allowance, as they see fit to—

- (a) a foster carer or a kinship carer with whom a child has been placed in accordance with these Regulations;
- (b) where a child is required by virtue of section 70(3)(a) of the 1993 Act to reside with a person other than their parent, the person with whom the child is directed to reside; and
- (c) any person in whom parental responsibilities and parental rights are vested by virtue of the making of a permanence order with whom a child who is the subject of that order is residing.

(2) Any allowance payable in terms of paragraph (1) may—

- (a) be—
  - (i) a fixed allowance applicable in the case of all children for whom the local authority have responsibility by virtue of section 17 of the 1995 Act;
  - (ii) a rate applicable to certain categories of case; or
  - (iii) amounts relevant to the individual needs of a particular child; and
- (b) take into account the needs and circumstances of the person with whom the child is placed.