

POLICY NOTE

THE LOOKED AFTER CHILDREN (SCOTLAND) AMENDMENT REGULATIONS 2014

SSI 2014/310

The above instrument was made in exercise of the powers conferred by section 5(2), (3) and (4) of the Social Work (Scotland) Act 1968 and sections 17(1) and 103(2) and (3) of the Children (Scotland) Act 1995. The instrument is subject to negative procedure.

Policy Objectives

This instrument will introduce an maximum limit of 3 children being placed by a local authority with a foster carer at any one time. That limit will not apply when sibling groups of more than 3 children are being placed by a local authority or when emergency or short-term placements would result in more than 3 children being placed with a foster carer.

Consultation

A public consultation took place from 4 July - 25 September 2012 on the Children and Young People Bill which incorporated questions relating to improvements within foster care including the proposed introduction of a maximum placement limit. Of those who responded to the question 53% agreed that a maximum placement limit should be introduced. A survey of fostering agencies during a national review of foster care during 2013 found that placements where more than 3 unrelated children were currently placed were fewer than 2%.

A full list of those consulted and who agreed to the release of this information is attached to the consultation report published on the Scottish Government website, it includes:

The Centre for Excellence for Looked After Children in Scotland (CELCIS), The Fostering Network, Care Visions, Association of the Directors of Social Work (ADSW), Aberlour, British Association of Adoption and Fostering (BAAF), Barnardo's, Children 1st and Children in Scotland.

Impact Assessments

Impact assessment have not been completed as consultation found that placements where more than 3 unrelated children were currently placed were already fewer than 2%. The introduction of a foster care placement limit is expected to be non-contentious.

Financial Effects

The Minister for Children and Young People confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Children and Families Directorate
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