

**Changes to legislation:** Children Act 1989, Cross Heading: Exemption by local authority is up to date with all changes known to be in force on or before 26 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

## SCHEDULES

### SCHEDULE 7

#### FOSTER PARENTS: LIMITS ON NUMBER OF FOSTER CHILDREN

##### *Exemption by local authority*

- 4 (1) A person may exceed the usual fostering limit if he is exempted from it by the local authority within whose area he lives.
- (2) In considering whether to exempt a person, a local authority shall have regard, in particular, to—
- (a) the number of children whom the person proposes to foster;
  - (b) the arrangements which the person proposes for the care and accommodation of the fostered children;
  - (c) the intended and likely relationship between the person and the fostered children;
  - (d) the period of time for which he proposes to foster the children; and
  - (e) whether the welfare of the fostered children (and of any other children who are or will be living in the accommodation) will be safeguarded and promoted.
- (3) Where a local authority exempt a person, they shall inform him by notice in writing—
- (a) that he is so exempted;
  - (b) of the children, described by name, whom he may foster; and
  - (c) of any condition to which the exemption is subject.
- (4) A local authority may at any time by notice in writing—
- (a) vary or cancel an exemption; or
  - (b) impose, vary or cancel a condition to which the exemption is subject,
- and, in considering whether to do so, they shall have regard in particular to the considerations mentioned in sub-paragraph (2).
- (5) The Secretary of State may make regulations amplifying or modifying the provisions of this paragraph in order to provide for cases where children need to be placed with foster parents as a matter of urgency.

#### **Commencement Information**

**II** Sch. 7 para. 4 wholly in force at 14.10.1991 see s. 108(2)(3) and [S.I. 1991/828, art. 3\(2\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(1A)(aa) inserted by 2009 c. 24 Sch. 6 para. 21(3)
- s. 4(1C) inserted by 2009 c. 24 Sch. 6 para. 21(4)
- s. 4ZA(2)(aa) inserted by 2009 c. 24 Sch. 6 para. 22(3)
- s. 4ZA(3A) inserted by 2009 c. 24 Sch. 6 para. 22(4)
- s. 8(4)(k) inserted by 2021 c. 17 s. 52(1)
- s. 31A(4A) inserted by 2014 c. 6 s. 15(2)(b)