



Children Act 1989

1989 CHAPTER 41

PART IX

PRIVATE ARRANGEMENTS FOR FOSTERING CHILDREN

69 Power to prohibit private fostering.

- (1) This section applies where a person—
 - (a) proposes to foster a child privately; or
 - (b) is fostering a child privately.
- (2) Where the local authority for the area within which the child is proposed to be, or is being, fostered are of the opinion that—
 - (a) he is not a suitable person to foster a child;
 - (b) the premises in which the child will be, or is being, accommodated are not suitable; or
 - (c) it would be prejudicial to the welfare of the child for him to be, or continue to be accommodated by that person in those premises,the authority may impose a prohibition on him under subsection (3).
- (3) A prohibition imposed on any person under this subsection may prohibit him from fostering privately—
 - (a) any child in any premises within the area of the local authority; or
 - (b) any child in premises specified in the prohibition.
 - (c) a child identified in the prohibition, in premises specified in the prohibition.
- (4) A local authority who have imposed a prohibition on any person under subsection (3) may, if they think fit, cancel the prohibition—
 - (a) of their own motion; or
 - (b) on an application made by that person,if they are satisfied that the prohibition is no longer justified.

Changes to legislation: Children Act 1989, Section 69 is up to date with all changes known to be in force on or before 17 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

- (5) Where a local authority impose a requirement on any person under paragraph 6 of Schedule 8, they may also impose a prohibition on him under subsection (3).
- (6) Any prohibition imposed by virtue of subsection (5) shall not have effect unless—
- (a) the time specified for compliance with the requirement has expired; and
 - (b) the requirement has not been complied with.
- (7) A prohibition imposed under this section shall be imposed by notice in writing addressed to the person on whom it is imposed and informing him of—
- (a) the reason for imposing the prohibition;
 - (b) his right under paragraph 8 of Schedule 8 to appeal against the prohibition; and
 - (c) the time within which he may do so.

Modifications etc. (not altering text)

C1 S. 69: power to amend conferred (15.1.2005) by [Children Act 2004 \(c. 31\)](#), [ss. 45–47](#)

Commencement Information

I1 S. 69 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)