



Safeguarding Vulnerable Groups Act 2006

2006 CHAPTER 47

Miscellaneous

53 Fostering

- (1) Despite section 58, this Act applies to activity that is regulated activity by virtue of paragraph 1(5) of Schedule 4.
- (2) Subsection (1) does not affect the operation of this Act in relation to any other activity that is carried out in connection with a foster child.
- (3) Subsection (4) applies if a person (P)—
 - (a) makes arrangements for another person to foster a child as a private foster parent, and
 - (b) has power to terminate the arrangements.
- (4) P is, if he would not otherwise be, a regulated activity provider in relation to fostering carried out by the foster parent in pursuance of the arrangements.
- (5) The following provisions of this section apply for the purposes of this Act.
- (6) A person fosters a child if he is a foster parent of the child.
- (7) A person is a foster parent if—
 - (a) he is a local authority foster parent within the meaning of section 23(3) of the Children Act 1989 (c. 41);
 - (b) he is a person with whom a child has been placed by a voluntary organisation under section 59(1)(a) of that Act;
 - (c) he is a private foster parent.
- (8) A person is a private foster parent if he falls within subsection (9) and looks after a child—
 - (a) for reward, or
 - (b) in pursuance of an arrangement made by someone other than a member of the child's family.

Status: This is the original version (as it was originally enacted).

(9) A person falls within this subsection if—

- (a) he fosters the child privately within the meaning of section 66(1) of the Children Act 1989,
- (b) he would be so fostering the child but for subsection (2) of that section (minimum period of 28 days), or
- (c) (in the case of a child who has attained the age of 16) he would fall within paragraph (a) or (b) if the child were under the age of 16.

(10) A person's family includes—

- (a) the person's foster child;
- (b) the foster child of any member of the person's family;

and references to a family relationship and family member are to be construed accordingly.