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STATUTORY INSTRUMENTS

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**2002 No. 57**

**The Fostering Services Regulations 2002**

**PART V**

**PLACEMENTS**

**Emergency and immediate placements by local authorities**

**38.**—(1) Where a child is to be placed in an emergency, a local authority may for a period not exceeding 24 hours place the child with any foster parent approved by the local authority or any other fostering service provider provided that—

- (a) the foster parent has made a written agreement with the local authority to carry out the duties specified in paragraph (3); and
- (b) the local authority are satisfied as to the provisions of regulation 33(a).

(2) Where a local authority are satisfied that the immediate placement of a child is necessary, they may place the child with a person who is not a foster parent after interviewing him, inspecting the accommodation and obtaining information about other persons living in his household, for a period not exceeding six weeks, provided that—

- (a) the person is a relative or friend of the child;
- (b) the person has made a written agreement with the local authority to carry out the duties specified in paragraph (3); and
- (c) the local authority are satisfied as to the provisions of regulation 33(a).

(3) The duties referred to in paragraphs (1)(a) and (2)(b) are—

- (a) to care for the child as if he were a member of that person's family;
- (b) to permit any person authorised by the local authority or (if applicable) the area authority, to visit the child at any time;
- (c) where regulation 36 applies, to allow the child to be removed at any time by the local authority or (if applicable) the area authority;
- (d) to ensure that any information which that person may acquire relating to the child, his family or any other person, which has been given to him in confidence in connection with the placement is kept confidential and is not disclosed except to, or with the agreement of, the local authority; and
- (e) to allow contact with the child in accordance with the terms of any court order relating to contact or any arrangements made or agreed by the local authority.

(4) Where a local authority make a placement under this regulation outside their area they shall notify the area authority.