
 STATUTORY INSTRUMENTS

1985 No. 1799 (S. 135)

SOCIAL WORK, SCOTLAND

The Boarding-out and Fostering of Children (Scotland) Regulations 1985

<i>Made - - - -</i>	<i>19th November 1985</i>
<i>Laid before Parliament</i>	<i>3rd December 1985</i>
<i>Coming into Operation</i>	<i>1st April 1986</i>

The Secretary of State, in exercise of the powers conferred on him by section 5(2) and (3) of the Social Work (Scotland) Act 1968(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

PART I

GENERAL

Citation and commencement

1. These regulations may be cited as the Boarding-out and Fostering of Children (Scotland) Regulations 1985 and shall come into operation on 1st April 1986.

Interpretation

2.—(1) In these regulations—

“the Act” means the Social Work (Scotland) Act 1968;

“care authority” means a local authority or voluntary organisation responsible for the welfare of a child where regulation 3 applies;

“to foster” means to arrange for a child to live as a member of the family of a person who is not the child’s parent or guardian and who undertakes to care for him other than in accordance with the Adoption Agencies (Scotland) Regulations 1984(b); and it includes “boarding-out” within the meaning of sections 5(3) and 21 of the Act;

“foster parent” means a person approved by a care authority in accordance with regulation 7;

“local authority” means a regional or islands council;

“voluntary organisation” has the meaning assigned to it by section 94(1) of the Act.

(2) In these regulations any reference to a numbered regulation or schedule shall be construed as a reference to the regulation or schedule bearing that number in these regulations.

(a) 1968 c.49; section 5(2) was substituted by the Children Act 1975 (c.72), Schedule 3, paragraph 49.

(b) S.I. 1984/988.

Application

3.—(1) These regulations apply where—

- (a) a local authority foster a child who is in their care by virtue of sections 15 or 16 of the Act;
- (b) a local authority foster a child who is in their care by virtue of section 10 of the Matrimonial Proceedings (Children) Act 1958^(a), section 11 of the Guardianship Act 1973^(b), or section 26 of the Adoption (Scotland) Act 1978^(c);
- (c) a local authority foster a child following the granting of authorisation under section 37(2) of the Act^(d) or a warrant under sections 37, 40 or 42 of the Act;
- (d) a local authority or voluntary organisation foster a child under respite care arrangements made at the request of the child's parent or guardian;
- (e) a voluntary organisation foster a child in their care;
- (f) a supervision requirement is made, or is under consideration, by a children's hearing under section 44(1)(a) of the Act which imposes a condition that the child is to reside in a place where he is to be under the care of a person who is not his parent or guardian.

(2) Where paragraph (1)(b) applies, these regulations shall apply subject to any directions made by the court as to the care of the child.

(3) For the purposes of paragraph (1)(d), "respite care arrangements" means arrangements whereby a child with particular handicaps or needs who is normally cared for by his parent, guardian, or relatives is cared for by others for a short period; and paragraph (1)(d) relates only to the situation where the local authority or voluntary organisation are responsible for the choice of those providing the respite care.

PART II

APPROVAL OF FOSTER PARENTS

Appointment and composition of fostering panels

4. A care authority shall appoint a panel for the purpose of considering and advising on the matters specified in regulation 6 and may appoint such additional panels as it considers necessary, and such a panel shall be known as a "fostering panel".

5. A care authority shall satisfy itself that the numbers, qualifications or experience of individual members of a fostering panel will enable it effectively to discharge its functions under regulation 6.

Functions of fostering panel

6.—(1) Subject to paragraphs (2) and (3), a fostering panel shall consider every person referred to it by the care authority as a prospective foster parent and shall make recommendations to the care authority as to whether such a person is suitable to be a foster parent and shall state whether the panel's recommendation is in respect of—

- (a) any child to whom these regulations apply; or

^(a) 1958 c.40.

^(b) 1973 c.29.

^(c) 1978 c.28.

^(d) Section 37(2) was substituted by the Children Act 1975(c.72), section 83(b).

- (b) certain categories of child to whom these regulations apply; or
- (c) a particular child or particular children to whom these regulations apply.

(2) In considering its recommendations the panel shall have regard to the duties imposed upon the care authority by section 20 of the Act^(a) (duty of local authority to further the best interests of a child in their care and to afford opportunity for his proper development) regulation 14 and, where relevant, regulations 15 and 16, and shall consider all the information and reports passed to it by virtue of regulation 7(1)(c) and any other information which it may request or which may be provided to it.

(3) The care authority may request a fostering panel to consider and advise on any other matters relevant to the performance of its functions under the Act and these regulations.

Approval of foster parents by a care authority

7.—(1) A care authority shall not approve any person as a foster parent unless—

- (a) the care authority has, so far as reasonably practicable, obtained the information set out in Schedule 1;
- (b) the prospective foster parent has been interviewed by or on behalf of the care authority;
- (c) the care authority has conveyed to the fostering panel a report including the information gathered under sub-paragraph (a) together with such other information and such comment as it thinks appropriate;
- (d) the care authority has considered a report from the fostering panel containing recommendations on the suitability of the prospective foster parent; and
- (e) the care authority is satisfied, having regard to the duty imposed on it by section 20 of the Act, that the prospective foster parent is a suitable person with whom to place children.

(2) The care authority shall state whether its approval of any person as a foster parent is in respect of any of the following categories:—

- (a) any child to whom these regulations apply; or
- (b) certain categories of child to whom these regulations apply; or
- (c) a particular child or particular children to whom these regulations apply.

Agreements with foster parents

8. A care authority which approves a foster parent under regulation 7 shall enter into an agreement with the foster parent regarding the care to be provided for any children who may be placed with the foster parent and the agreement shall include information on—

- (a) the financial arrangements which are to exist between the authority and the foster parent, including any special financial arrangements in relation to particular categories of children who may be placed with the foster parent;

^(a) Section 20(1) was substituted by the Children Act 1975 (c.72), section 79, and section 20 extended to voluntary organisations by the Health and Social Services and Social Security Adjudications Act 1983 (c.41), Schedule 2, paragraph 5(a).

- (b) the care authority's policies and practice regarding the welfare of children for whom it has responsibility, including medical and dental care and education, the ways in which the foster parent will be expected to follow and contribute to these policies, and the assistance to be provided by the care authority to that effect;
- (c) the arrangements made by the care authority to review at appropriate intervals its approval of the foster parent for the purposes of these regulations.

Payment of allowances

9.—(1) A care authority may, subject to such conditions as it considers necessary, pay such allowance, if any, as it sees fit to a foster parent with whom a child is placed under these regulations.

- (2) Any allowance payable by virtue of paragraph (1) may be—
 - (a) a fixed allowance applicable in the case of all children for whom the care authority has responsibility by virtue of these regulations;
 - (b) a rate applicable to certain categories or circumstances of case;
 - (c) amounts relevant to the individual needs of a particular child;

and may take into account the needs and circumstances of the foster parent with whom the child is placed.

PART III

ARRANGEMENTS BY A CARE AUTHORITY TO PLACE A FOSTER CHILD

Application of Part III of the regulations

10. This Part of the regulations applies to arrangements made by a care authority to foster a child where regulation 3(1)(a) to (e) applies; this Part does not apply to placement of a child in pursuance of a supervision requirement made by a children's hearing under section 44(1)(a) of the Act.

Decision to place a child in a foster placement

11. Where a care authority has had responsibility for a child by virtue of any of the statutory provisions or arrangements referred to in regulation 3(1)(a) to (e) for 6 weeks or more immediately before the placement, it may foster the child only if—

- (a) it has, as far as reasonably practicable, ascertained the particulars set out in Schedule 2;
- (b) having considered the information referred to in paragraph (a) and any other relevant information, and having regard to its duty under section 20 of the Act, it is satisfied that a foster placement is appropriate to the child's needs;
- (c) the person with whom it is proposed to place the child has been approved by the care authority as a foster parent in accordance with regulation 7 and, where regulation 7(2)(a) does not apply, the approval of the foster parent relates to the circumstances of the child; and
- (d) it has satisfied itself that placement of the child with the particular foster parent is in the child's best interests.

12.—(1) Subject to regulation 13 where a care authority has not had responsibility for a child by virtue of any of the statutory provisions or arrangements referred to in regulation 3(1)(a) to (e) for more than 6 weeks

immediately before the placement, it may foster the child with a person only if it has complied with the procedure provided for in regulation 11; or—

- (a) it has obtained a certificate prepared by a fully registered medical practitioner stating that the person suffers from no medical disorder likely to affect adversely his ability to care for the child;
- (b) the person has been interviewed by or on behalf of the care authority;
- (c) the care authority has satisfied itself by a visit on its behalf that any premises in Great Britain within which the child is to be placed are adequate for the needs of the child;
- (d) the care authority has satisfied itself that it would not be detrimental to the welfare of the child to be placed with the person in the said premises, and has enquired of the local authority in whose area those premises are situated whether they have reason to believe that it would be detrimental to the welfare of the child for him to be kept by the person in those premises; and
- (e) having considered all the information available to it the care authority has satisfied itself that it is in the child's best interests to foster him with that person.

(2) Where a care authority has complied with the requirements of paragraphs (1)(a) to (e) it shall within 6 weeks of the date on which it assumed responsibility for the child carry out the procedure provided for in regulation 11 and a placement may continue beyond that period only if the requirements of regulation 11 are satisfied.

(3) Paragraph (2) shall not apply where a care authority has responsibility for a child by virtue of an arrangement referred to in regulation 3(1)(c).

13.—(1) Where a care authority has not had responsibility for a child by virtue of any of the statutory provisions or arrangements referred to in regulation 3(1)(a) to (e) for more than 6 weeks immediately before the placement, and where it concludes in an emergency that because of the particular circumstances of the case it would be in the best interests of the child to be fostered with a person in respect of whom the care authority has been unable to carry out the procedure provided for in regulation 12, it may foster the child with that person.

(2) Where a care authority fosters a child under paragraph (1) it shall within the 3 days excluding Saturdays, Sundays, and public holidays following the placement carry out the procedure provided for in regulation 12(1)(a) to (e); and if the care authority concludes that the placement is not in the best interests of the child it shall remove him from that placement.

(3) Regulation 12(2) and (3) shall apply to a child who is not removed from a placement by virtue of paragraph (2) above.

14.—(1) In making arrangements under this Part of the regulations the care authority shall not foster a child with a person except where the household of the person comprises—

- (a) a man and a woman living and acting jointly together; or
- (b) a man or a woman living and acting alone,

provided that a person shall not be disqualified by virtue of this regulation where the household also comprises other relatives of the person who are not themselves concerned in the undertaking to care for the child.

(2) Where the person with whom the child is fostered dies or ceases to live in the household the preceding paragraph shall not apply to require removal of the child from that household provided that the care authority satisfies itself by means of the procedures set out in regulation 13 that the child should be fostered with another member or other members of the same household.

15. When making arrangements to place a child under this Part of the regulations a care authority shall, so far as is consistent with its duty under section 20 of the Act and having ascertained so far as is practicable the wishes and feelings of the child having regard to his age and understanding, ensure that the person with whom the child is fostered is of the same religious persuasion as the child; or, if that is not practicable, that the person undertakes that the child will be brought up in accordance with the child's religious persuasion.

16. When making arrangements under this Part of the regulations in relation to two or more children of the same family a care authority shall, so far as is consistent with its duty under section 20 of the Act with regard to each child of the family and having ascertained so far as is practicable the wishes and feelings of each child having regard to his age and understanding, ensure that the children are fostered in the same home; or, where that is not appropriate or practicable, in homes as near together as is appropriate or practicable.

Notifications by care authority on placement of a child

17.—(1) Subject to paragraphs (2), (3) and (4) where a care authority fosters a child in accordance with this Part of the regulations it shall forthwith give written notice of the placement and the particulars of the placement to—

- (a) the local authority in whose area the person with whom the child is placed resides;
- (b) the education authority in whose area the person with whom the child is placed resides, if the child is of compulsory school age within the meaning of section 31 of the Education (Scotland) Act 1980^(a), and such notice shall be given before the placement if the care authority has received advice that the child has significant medical or educational needs;
- (c) the local health authority in whose area the person with whom the child is placed resides, and such notice shall be given before the placement is made if the care authority has received medical advice that the child has a problem of medical significance to his future care;
- (d) the parent or guardian of the child whose whereabouts are known, but no particulars of the placement shall be given to the parent or guardian of the child where the care authority considers, having regard to section 20 of the Act and the code of practice issued by the Secretary of State under section 17E of the Act, that in the interests of the child such particulars should not be given.

(2) Paragraph (1)(b) shall not apply in any case where the care authority does not intend the placement to last for more than 28 days unless—

- (a) the care authority has received advice that the child has significant medical or educational needs; or
- (b) any such placement does actually last for more than 28 days in which case the education authority referred to in paragraph (1)(b) shall be given notice as required by paragraph (1) as soon as possible after the expiry of the said 28 days.

(a) 1980 c.44.

(3) Paragraph (1)(c) shall not apply in any case where the care authority does not intend the placement to last for more than 28 days unless—

- (a) the care authority has received medical advice that the child has a problem of medical significance to his future care; or
- (b) the child is below compulsory school age within the meaning of section 31 of the Education (Scotland) Act 1980; or
- (c) any such placement does actually last for more than 28 days in which case the local health authority referred to in paragraph (1)(c) shall be given notice as required by paragraph (1) as soon as possible after the expiry of the said 28 days.

(4) Where a care authority fosters a child in accordance with regulation 13 it shall comply with paragraph (1)(a) to (c) above as soon as is practicable after it has fulfilled the requirements of regulation 13(2).

Monitoring of placements

18. The care authority shall take such steps as are necessary to satisfy itself that any placement made under this Part of the regulations continues to be in the interests of the child, and in particular—

- (a) shall ensure that the child and the person with whom he is fostered are visited on its behalf—
 - (i) within one week of the placement being made;
 - (ii) thereafter at intervals of not more than 3 months from the date of the last visit;
 - (iii) on such other occasions as the care authority considers necessary in order to supervise the child's welfare and to give support and assistance to the person caring for him;
- (b) shall ensure that written reports are produced reporting on visits made in accordance with paragraph (a) and that these are considered by the care authority.

Termination of placement

19.—(1) Where for any reason it appears to the care authority that it is no longer in a child's best interests to be cared for by a person with whom he was fostered under this Part of the regulations, the care authority shall make arrangements to terminate the placement as soon as practicable in the interests of the child.

(2) Where a foster placement is terminated in accordance with paragraph (1), the care authority shall forthwith give written notice of its decision and of the date on which the placement was terminated to any authority or person who received notice of the placement in accordance with regulation 17.

PART IV

ARRANGEMENTS TO PLACE CHILDREN IN RELATION TO ACTION BY A CHILDREN'S HEARING

Recommendations by a local authority

20.—(1) Where a local authority submit a report on a child to a children's hearing under section 39(4) of the Act they may recommend that the child be placed in a place where he is to be under the care of a person who is not his parent or guardian only if—

- (a) they have carried out the procedure provided for in regulation 11; or
- (b) they have
 - (i) carried out the procedure provided for in regulation 12(1)(a) to (d);
 - (ii) ascertained, as far as is reasonably practicable, the particulars set out in Schedule 2; and
 - (iii) having considered the information referred to in sub-paragraph (ii) and any other relevant information, and having regard to their duty under section 20 of the Act, concluded that a foster placement is appropriate to the child's needs;

and in either case are satisfied that a supervision requirement with a condition naming that person's home as the place where the child is to be fostered would be in the child's best interests.

(2) Regulations 14, 15 and 16 shall apply to such a recommendation as they do in placements by a care authority under Part III of these regulations.

Placements in pursuance of a supervision requirement

21.—(1) Where a children's hearing make a supervision requirement under section 44(1)(a) of the Act and impose a condition that the child is to reside in a place where he is to be under the care of a person who is not his parent or guardian, the local authority who are required by section 44(5) of the Act to give effect to the supervision requirement shall give written notice of the placement to the local, education and local health authorities specified in regulation 17(1)(a) to (c).

(2) Regulation 18 (monitoring of placements) shall apply to the local authority, and relevant material from the reports required by regulation 18(b) shall be made available by the local authority to any children's hearing which reviews the supervision requirement under section 48 of the Act.

(3) Where, in the light of information gathered under paragraph (2) or any other information which they may obtain, it appears to the local authority that it is no longer in the child's best interests to continue in the placement, they shall refer the case to their reporter under section 47(1) of the Act for review of the supervision requirement.

(4) Where a placement is terminated the local authority shall give written notice to that effect to the local, education and local health authorities to whom they gave notice of the placement under paragraph (1).

PART V

MISCELLANEOUS PROVISIONS APPLICABLE TO ALL PLACEMENTS

22. This Part of the regulations applies to placements to which either Part III or Part IV of the regulations applies.

Information to be supplied to persons in respect of each foster child

23. Where a care authority fosters a child with a person under Part III of these regulations or where a child is placed with a person as a condition of a supervision requirement by a children's hearing and regulation 21(1) applies, the care authority—

- (a) shall provide that person with the following:—

- (i) written information about the child's background, health, and mental and emotional development; and
 - (ii) any other information which the care authority considers relevant to the placement, including information about the child's wishes and feelings about the placement so far as this is appropriate having regard to his age and understanding;
- (b) shall agree with that person arrangements for the care to be provided by him for the child including—
- (i) the arrangements that are to be made for contact between the child and his family in accordance with the code of practice issued by the Secretary of State under section 17E of the Act;
 - (ii) the arrangements that are to be made for ensuring that the child receives appropriate education and appropriate medical and dental treatment; and
 - (iii) where the person is a foster parent, details of any financial arrangements with the care authority.

Medical and dental treatment

24. The care authority shall ensure that the child receives such medical and dental treatment as may be required.

Notification of occurrences involving the child

25.—(1) The care authority shall require the person with whom a child is placed under these regulations to notify it forthwith if the child—

- (a) dies;
- (b) suffers an illness or injury likely to result in death or serious disability; or
- (c) runs away or without lawful authority is taken away from the person's home.

(2) The care authority shall, if practicable, forthwith inform the parent or guardian of the child, whose whereabouts are known, of any such occurrence.

(3) Where paragraph (1)(a) applies, the care authority shall also forthwith inform the Secretary of State and shall supply to the Secretary of State such further information about the circumstances of the occurrence as he may require.

PART VI

REVOCATION

26. The Boarding-out of Children (Scotland) Regulations, 1959 (a) are hereby revoked.

John J Mackay,
Parliamentary Under Secretary
of State, Scottish Office.

New St Andrew's House,
Edinburgh.
19th November 1985.

(a) S.I. 1959/835.

SCHEDULE 1

Regulation 7(1)(a)

PARTICULARS RELATING TO EACH PROSPECTIVE FOSTER PARENT

1. Name, date and place of birth.
2. Address.
3. Details of other members of the prospective foster parent's household (including any children of the prospective foster parent even if they are not resident in the household).
4. Attitude of such other members of the prospective foster parent's household to fostering.
5. Personality.
6. Previous experience of caring for children as a parent, step-parent, foster parent, child minder or adoptive parent; assessment of ability in this respect.
7. Whether the prospective foster parent has previously—
 - (a) applied to a local authority for approval to foster children to whom these regulations apply, or has previously applied to foster a child under the Boarding-out of Children (Scotland) Regulations 1959;
 - (b) fostered or looked after children under any arrangement specified in regulation 3;
 - (c) applied to an adoption agency (within the meaning of section 1 of the Adoption (Scotland) Act 1978 (a)) with a view to adopting a child;
 - (d) had in his care and possession a foster child within the meaning of section 2 of the Foster Children Act 1980 (b) or section 2 of the Foster Children (Scotland) Act 1984 (c) who has been removed under section 12 of those Acts or section 7 of the Children Act 1958 (d) ;
 - (e) been prohibited from keeping a foster child under section 4 of the Children Act 1958, section 10 of the Foster Children Act 1980, or section 10 of the Foster Children (Scotland) Act 1984;
 - (f) had in his care and possession a protected child who has been removed under section 43 of the Adoption Act 1958 (e) , or section 34 of the Adoption (Scotland) Act 1978;
 - (g) been prohibited from keeping a protected child;
 - (h) been convicted of an offence mentioned in Schedule 1 to the Criminal Procedure (Scotland) Act 1975 (f) or of an offence under Schedule 1 to the Children and Young Persons Act 1933 (g) ;
 - (i) had parental rights in respect of his own children assumed by a local authority under section 16 of the Act, section 2 of the Children Act 1948 (h) , or section 3 of the Child Care Act 1980 (i) ;
 - (j) been refused registration under the Nurseries and Child-Minders Regulation Act 1948 (j) .
8. Details of any such occurrence. Details of any previous criminal convictions.
9. Religion.
10. Financial circumstances and living standards of the household.
11. Reasons for wishing to be approved as a foster parent.
12. Whether for the purpose of regulation 7(2) the applicant is seeking approval as a foster parent for—

(a) 1978 c.28.

(b) 1980 c.6.

(c) 1984 c.56.

(d) 1958 c.65.

(e) 1958 c.5 (7 & 8 Eliz. 2).

(f) 1975 c.21.

(g) 1933 c.12.

(h) 1948 c.43.

(i) 1980 c.5.

(j) 1948 c.53.

- (a) the fostering of children generally under the arrangements described in regulation 3;
 - (b) the fostering of children with particular needs or related to particular circumstances regarding their reception into care or other arrangements described in regulation 3;
 - (c) the fostering of a particular child or particular children under an arrangement to which regulation 3 applies, and if so, the existing relationship if any of the applicant to the child or children.
13. Assessment of the qualities and abilities of the applicant to act as a foster parent in respect of the relevant category of approval for the purposes of regulation 7(2).
14. Name and address of the prospective foster parent's registered medical practitioner.
15. A certificate prepared by a fully registered medical practitioner stating that the prospective foster parent has no medical problems likely to affect adversely his ability to be a foster parent to the extent of the approval sought under regulation 7(2).
16. Name and address of 2 referees nominated by the applicant and any information obtained by the care authority from such referees as to the suitability of the applicant.
17. Any other information which the care authority considers may be relevant.

Regulation 11(a)

SCHEDULE 2

PART I

PARTICULARS RELATING TO THE CHILD

1. Name, sex, date and place of birth and present address.
2. Whether legitimate or illegitimate; if illegitimate whether subsequently legitimated.
3. Nationality and race.
4. Physical description.
5. Present legal status of the child under the Act, including where appropriate the background of the child's reception into the care of the local authority, so far as relevant to consideration of the arrangements to which regulation 3 applies.
6. Previous history of care or involvement of the child with the care authority.
7. Details of any brothers or sisters, including dates of birth, addresses, arrangements in respect of care and custody and whether any brother or sister is also being considered for fostering (with a view to fulfilling the requirements of regulation 16).
8. Extent of access by members of the child's natural family including, if the child is illegitimate, his father; details of any court order relating to access.
9. Religious denomination, including details of any baptism, confirmation or equivalent ceremonies.
10. Personality and social development.
11. Interests, hobbies, etc.
12. Names and addresses of schools attended and educational attainments.
13. Any special needs in relation to the physical or mental health of the child and his emotional and behavioural development, and whether he is a recorded child under section 60 of the Education (Scotland) Act 1980 (a) .

(a) 1980 c.44; section 60 was substituted by the Education (Scotland) Act 1981 (c.58), section 4(1).

14. The child's wishes and feelings in relation to fostering in general or proposed placement with a foster parent as the case may be, including any wishes in respect of religious and cultural upbringing.

15. A comprehensive medical report signed by a fully registered medical practitioner as to the health of the child.

16. Any other information which the care authority considers relevant to its duty under section 20 of the Act.

PART II

PARTICULARS RELATING TO EACH NATURAL PARENT

1. Name, date and place of birth and present address.
2. Marital status and, if applicable, the date and place of marriage.
3. Nationality and race.
4. Past and present relationship (if any) with the other natural parent including an assessment of its stability.
5. Physical description.
6. Personality.
7. Religion, including any wishes in respect of the child's religious upbringing while in care or otherwise being looked after by the care authority under the Act.
8. Educational attainments.
9. Past and present occupations.
10. Attitude of parent towards fostering.
11. Any other information which the care authority considers relevant to its duty under section 20 of the Act in connection with these regulations.

PART III

PARTICULARS RELATING TO A GUARDIAN

1. The same particulars as are required of a natural parent under paragraphs 1, 7, 10 and 11 of Part II.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations make provision with respect to the boarding-out and fostering of children for whom local authorities and voluntary organisations have responsibility under the Social Work (Scotland) Act 1968. They supersede the Boarding-Out of Children (Scotland) Regulations 1959.

These regulations apply to the action of a local authority or a voluntary organisation in boarding-out or fostering a child in their care under the 1968 Act. By virtue of regulation 3 the requirements of the regulations are extended to certain other situations where a local authority or voluntary organisation has responsibility for a child under the 1968 Act. They make provision for the establishment of fostering panels and specify the functions of such panels (regulations 4-6). They prescribe the procedures to be followed by care authorities in approving persons as foster parents (regulations 7-9) and the procedures to be followed in relation to children, parents and foster parents and others in making arrangements to foster children (regulations 11-17 and 23); they prescribe arrangements for the supervision of children in foster homes (regulations 18, 19, 24 and 25).

The responsibilities of a local authority in making recommendations to a children's hearing and in giving effect to a supervision requirement where a child is placed in a foster home are also prescribed (regulations 20 and 21).

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