#### STATUTORY INSTRUMENTS

# 2011 No. 581

# CHILDREN AND YOUNG PERSONS, ENGLAND

# The Fostering Services (England) Regulations 2011

Made - - - - 2nd March 2011
Laid before Parliament 10th March 2011
Coming into force 1stApril 2011

# THE FOSTERING SERVICES (ENGLAND) REGULATIONS 2011

#### PART 1

General

- 1. Citation, commencement and application
- 2. Interpretation

#### PART 2

Statement of purpose and children's guide

- 3. Statement of purpose and children's guide
- 4. Review of statement of purpose and children's guide

#### PART 3

### Management of Fostering Service

- 5. Fostering agencyFitness of fostering service provider
- 6. Appointment of manager
- 7. Fitness of manager
- 8. Registered person general requirements
- 9. Notification of offences
- 10. Local authority fostering serviceManager

### PART 4

# Conduct of Fostering Services

- 11. Independent fostering agencies—duty to secure welfare
- 12. Arrangements for the protection of children
- 13. Behaviour management and children missing from foster parent's home

- 14. Duty to promote contact
- 15. Health of children placed with foster parents
- 16. Education, employment and leisure activities
- 17. Support, training and information for foster parents
- 18. Independent fostering agencies representations and complaints
- 19. Staffing of fostering service
- 20. Fitness of workers
- 21. Employment of staff
- 22. Records with respect to fostering services

#### PART 5

### Approval of Foster Parents

- 23. Constitution and membership of fostering panel
- 24. Meetings of fostering panel
- 25. Functions of fostering panel
- 26. Assessment of prospective foster parents
- 27. Approval of foster parents
- 28. Reviews and terminations of approval
- 29. Information to be sent to the independent review panel
- 30. Case records relating to foster parents and others
- 31. Register of foster parents
- 32. Retention and confidentiality of records

#### PART 6

#### Fostering Agencies—Miscellaneous

- 33. Fostering agency ceasing to carry out fostering functions notifications and records
- 34. Fostering agency ceasing to carry out fostering functions new fostering service providers
- 35. Review of quality of care
- 36. Notifiable events
- 37. Financial position
- 38. Notice of absence
- 39. Notice of changes
- 40. Appointment of liquidators
- 41. Compliance with Regulations

#### PART 7

#### Miscellaneous

- 42. Application of these Regulations with modifications to short breaks
- 43. Amendment of Regulations
- 44. Revocation of Regulations
- 45. Transitional provisions Signature

SCHEDULE 1 — Information required in respect of persons seeking to carry on, manage or work for the purposes of a fostering service

1. Proof of identity including a recent photograph.

- 2. Either— (a) where the certificate is required for a purpose...
- 3. Two written references, including a reference from the person's most...
- 4. Where a person has previously worked in a position whose...
- 5. Documentary evidence of any relevant qualification.
- 6. A full employment history, together with a satisfactory written explanation...

### SCHEDULE 2 — Records to be kept by fostering service providers

- 1. A record in the form of a register showing in...
- 2. A record showing in respect of each person working for...
- 3. A record of all accidents occurring to children whilst placed...

# SCHEDULE 3 — Information as to prospective foster parent ("X") and other members of their household and family

#### PART 1

- 1. Full name, address and date of birth.
- 2. Details of health (supported by a medical report).
- 3. Particulars of any other adult members of the household.
- 4. Particulars of the children in the family, whether or not...
- 5. Particulars of their accommodation.
- 6. The outcome of any request or application made by them...
- 7. If X has, in the preceding twelve months, been a...
- 8. Names and addresses of two persons who will provide personal...
- 9. In relation to X and any other member of X's...
- 10. Details of current, and any previous, marriage, civil partnership or...

#### PART 2

- 11. Details of personality.
- 12. Religious persuasion, and capacity to care for a child from...
- 13. Racial origin, cultural and linguistic background and capacity to care...
- 14. Past and present employment or occupation, standard of living, leisure...
- 15. Previous experience (if any) of caring for their own and...
- 16. Skills, competence and potential relevant to their capacity to care...

# SCHEDULE 4 — Offences specified for the purposes of regulation 26 PART 1

- 1. Offences in England and Wales
- 1A Any of the following offences—(a) an offence of virginity...
- 2. Offences in Scotland
- 3. An offence specified in Schedule 1 to the Criminal Procedure...
- 4. An offence of plagium (theft of a child below the...
- 5. An offence under section 52 or 52A of the Civic...
- 6. An offence under section 3 of the Sexual Offences (Amendment)...
- 6A Any of the following offences—(a) an offence of virginity...
- 7. Offences in Northern Ireland
- 8. An offence specified in Schedule 1 to the Children and...
- 9. An offence under Article 3 of the Protection of Children...
- 10. An offence contrary to Article 15 of the Criminal Justice...
- 10A Any of the following offences— (a) an offence of virginity...
  PART 2
  - 1. (1) An offence under any of the following sections of...
  - 2. A person falls within this paragraph if the person has...
  - 3. A person falls within this paragraph if the person has...
  - 4. Paragraphs 1(c) and 3(e) and (f) do not include offences...

# SCHEDULE 5 — Matters and obligations in Foster Care Agreements

- 1. Matters to be recorded (a) The terms of the foster...
- 2. Obligations on the foster parent (a) To care for any...

### SCHEDULE 6 — Matters to be monitored by the registered person

- 1. Compliance in relation to each child placed with foster parents,...
- 2. All accidents, injuries and illnesses of children placed with foster...
- 3. Complaints in relation to children placed with foster parents and...
- 4. Any allegations or suspicions of abuse or neglect in respect...
- 5. Recruitment records and the conduct of required checks of new...
- 6. Notifications of events listed in Schedule 7.
- 7. Any child missing from a foster parent's home without permission....
- 8. Use of any measures of control, restraint or discipline in...
- 9. Medication, medical treatment and first aid administered to any child...
- 10. Where applicable, the standard of any education provided by the...
- 11. Records of assessments.
- 12. Records of fostering panel meetings.
- 13. Records of appraisals of employees.
- 14. Minutes of staff meetings.

SCHEDULE 7 — Events and notifications

**Explanatory Note** 

Changes to legislation:
There are currently no known outstanding effects for the The Fostering Services (England)
Regulations 2011.