
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 210

The Looked After Children (Scotland) Regulations 2009

PART IV

LOOKED AFTER CHILDREN CARED FOR BY PARENTS

Arrangements for child to be cared for by parents or persons with parental rights and parental responsibilities

8.—(1) A local authority may, in the case of a child who is looked after by that authority in terms of section 17(6) of the 1995 Act, make arrangements for the child to be cared for by—

- (a) the child's parents; or
- (b) any person who has parental rights and parental responsibilities in respect of the child.

(2) A local authority may not make arrangements under paragraph (1) where that authority are providing accommodation for the child by virtue of section 25 of the 1995 Act.

(3) Any arrangements made by a local authority under paragraph (1) must—

- (a) be subject to the terms of any supervision requirement made or any order made or authorisation or warrant granted under Chapter 2, 3 or 4 of Part II of the 1995 Act or any permanence order made in respect of the child; and
- (b) not return the child to the care of a person where the child was, by virtue of any order, authorisation or warrant, removed from the care of that person.

Notification of occurrences involving the child

9.—(1) The local authority must, in making arrangements under regulation 8, require the person who is to care for the child to notify the authority immediately if the child—

- (a) dies;
- (b) suffers any serious illness or injury; or
- (c) absents themselves or, without lawful authority, is taken away from the person's home.

(2) On receiving notification under paragraph (1) the local authority must, so far as is reasonably practicable, immediately notify the child's parents and every person who has any parental responsibilities or parental rights in relation to the child unless that person is caring for the child by virtue of regulation 8.