



Children Act 1989

1989 CHAPTER 41

PART IX

PRIVATE ARRANGEMENTS FOR FOSTERING CHILDREN

67 Welfare of privately fostered children.

- (1) It shall be the duty of every local authority to satisfy themselves that the welfare of children who are [^{F1}or are proposed to be] privately fostered within their area is being [^{F2}or will be] satisfactorily safeguarded and promoted and to secure that such advice is given to those [^{F3}concerned with] them as appears to the authority to be needed.
- (2) The Secretary of State may make regulations—
 - (a) requiring every child who is privately fostered within a local authority's area to be visited by an officer of the authority—
 - (i) in prescribed circumstances; and
 - (ii) on specified occasions or within specified periods; and
 - (b) imposing requirements which are to be met by any local authority, or officer of a local authority, in carrying out functions under this section.

[^{F4}(2A) Regulations under subsection (2)(b) may impose requirements as to the action to be taken by a local authority for the purposes of discharging their duty under subsection (1) where they have received notification of a proposal that a child be privately fostered.]

- (3) Where any person who is authorised by a local authority to visit [^{F5}for the purpose] has reasonable cause to believe that—
 - (a) any privately fostered child is being accommodated in premises within the authority's area; or
 - (b) it is proposed to accommodate any such child in any such premises,he may at any reasonable time inspect those premises and any children there.
- (4) Any person exercising the power under subsection (3) shall, if so required, produce some duly authenticated document showing his authority to do so.

Changes to legislation: Children Act 1989, Section 67 is up to date with all changes known to be in force on or before 06 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) Where a local authority are not satisfied that the welfare of any child who is [^{F6}or is proposed to be] privately fostered within their area is being [^{F7}or will be] satisfactorily safeguarded or promoted they shall—
- (a) unless they consider that it would not be in the best interests of the child, take such steps as are reasonably practicable to secure that the care and accommodation of the child is undertaken by—
 - (i) a parent of his;
 - (ii) any person who is not a parent of his but who has parental responsibility for him; or
 - (iii) a relative of his; and
 - (b) consider the extent to which (if at all) they should exercise any of their functions under this Act with respect to the child.
- [^{F8}(6) The Secretary of State may make regulations requiring a local authority to monitor the way in which the authority discharge their functions under this Part (and the regulations may in particular require the authority to appoint an officer for that purpose).]

Textual Amendments

- F1** Words in s. 67(1) inserted (1.7.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\), s. 44\(2\)\(a\)](#); S.I. 2005/394, [art. 2\(3\)\(a\)](#); S.I. 2006/885, [art. 2\(2\)\(b\)](#)
- F2** Words in s. 67(1) inserted (1.7.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\), s. 44\(2\)\(b\)](#); S.I. 2005/394, [art. 2\(3\)\(a\)](#); S.I. 2006/885, [art. 2\(2\)\(b\)](#)
- F3** Words in s. 67(1) substituted (1.7.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\), s. 44\(2\)\(c\)](#); S.I. 2005/394, [art. 2\(3\)\(a\)](#); S.I. 2006/885, [art. 2\(2\)\(b\)](#)
- F4** S. 67(2A) inserted (1.4.2005 for specified purposes and otherwise 1.7.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\), s. 44\(3\)](#); S.I. 2005/394, [art. 2\(2\)\(d\)\(3\)\(a\)](#); S.I. 2006/885, [art. 2\(2\)\(b\)](#)
- F5** Words in s. 67(3) substituted (1.7.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\), s. 44\(4\)](#); S.I. 2005/394, [art. 2\(3\)\(a\)](#); S.I. 2006/885, [art. 2\(2\)\(b\)](#)
- F6** Words in s. 67(5) inserted (1.7.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\), s. 44\(5\)\(a\)](#); S.I. 2005/394, [art. 2\(3\)\(a\)](#); S.I. 2006/885, [art. 2\(2\)\(b\)](#)
- F7** Words in s. 67(5) inserted (1.7.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\), s. 44\(5\)\(b\)](#); S.I. 2005/394, [art. 2\(3\)\(a\)](#); S.I. 2006/885, [art. 2\(2\)\(b\)](#)
- F8** S. 67(6) inserted (1.4.2005 for specified purposes and otherwise 1.7.2005 for E. and 1.4.2006 for W.) by [Children Act 2004 \(c. 31\), s. 44\(6\)](#); S.I. 2005/394, [art. 2\(2\)\(d\)\(3\)\(a\)](#); S.I. 2006/885, [art. 2\(2\)\(b\)](#)

Modifications etc. (not altering text)

- C1** S. 67(2)-(6): power to amend conferred (15.1.2005) by [Children Act 2004 \(c. 31\), ss. 45-47](#)

Commencement Information

- I1** S. 67 wholly in force at 14.10.1991 see [s. 108\(2\)\(3\)](#) and S.I. 1991/828, [art. 3\(2\)](#)

Changes to legislation:

Children Act 1989, Section 67 is up to date with all changes known to be in force on or before 06 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(1A)(aa) inserted by [2009 c. 24 Sch. 6 para. 21\(3\)](#)
- s. 4(1C) inserted by [2009 c. 24 Sch. 6 para. 21\(4\)](#)
- s. 4ZA(2)(aa) inserted by [2009 c. 24 Sch. 6 para. 22\(3\)](#)
- s. 4ZA(3A) inserted by [2009 c. 24 Sch. 6 para. 22\(4\)](#)
- s. 8(4)(k) inserted by [2021 c. 17 s. 52\(1\)](#)
- s. 31A(4A) inserted by [2014 c. 6 s. 15\(2\)\(b\)](#)