

SCHEDULE 1

Regulations 5,7, 20

INFORMATION REQUIRED IN RESPECT OF PERSONS SEEKING TO CARRY ON, MANAGE OR WORK FOR THE PURPOSES OF A FOSTERING SERVICE

1. Positive proof of identity including a recent photograph.
2. Either—
 - (a) where the certificate is required for a purpose relating to section 115(5)(ea) of the Police Act 1997 (registration under Part II of the 2000 Act)(1), or the position falls within section 115(3) of that Act(2), an enhanced criminal record certificate issued under section 115 of that Act; or
 - (b) in any other case, a criminal record certificate issued under sections 113 of that Act,including, where applicable, the matters specified in sections 113(3A) or 115(6A) of that Act(3).
3. Two written references, including a reference from the person's most recent employer, if any.
4. Where a person has previously worked in a position whose duties involved work with children or vulnerable adults, so far as reasonably practicable verification of the reason why the employment or position ended.
5. Documentary evidence of any relevant qualification.
6. A full employment history, together with a satisfactory written explanation of any gaps in employment.
7. Details of any criminal offences—
 - (a) of which the person has been convicted, including details of any convictions which are spent within the meaning of section 1 of the Rehabilitation of Offenders Act 1974(4) and which may be disclosed by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(5); or
 - (b) in respect of which he has been cautioned by a constable and which, at the time the caution was given, he admitted.

SCHEDULE 2

Regulation 22

RECORDS TO BE KEPT BY FOSTERING SERVICE PROVIDERS

1. A record in the form of a register showing in respect of each child placed with foster parents—
 - (a) the date of his placement;
 - (b) the name and address of the foster parent;
 - (c) the date on which he ceased to be placed there;
 - (d) his address prior to the placement;
 - (e) his address on leaving the placement;

(1) 1997 c. 50 section 115(5)(ea) is inserted by the Care Standards Act 2000, section 104 on a date to be appointed. Sections 113 and 115, as amended, have not yet been brought into force.

(2) A position is within section 115(3) if it involves regularly caring for, training, supervising or being in sole charge of persons aged under 18.

(3) Sections 113(3A) and 115(6A) are added to the Police Act 1997 by section 8 of the Protection of Children Act 1999 (c. 14) on a date to be appointed, and amended by sections 104 and 116 of, and paragraph 25 of Schedule 4 to, the Care Standards Act 2000.

(4) 1974 c. 53.

(5) S.I.1975/1023. Relevant amendments have been made by S.I. 1986/1249, S.I. 1986/2268 and S.I. 2001/1192.

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- (f) his responsible authority (if it is not the fostering service provider);
 - (g) the statutory provision under which he is placed with foster parents.
2. A record showing in respect of each person working for the fostering service provider—
- (a) his full name;
 - (b) his sex;
 - (c) his date of birth;
 - (d) his home address;
 - (e) his qualifications relevant to, and experience of, work involving children;
 - (f) whether he is employed by the fostering service provider under a contract of service or a contract for services, or is employed by someone other than the fostering service provider;
 - (g) whether he works full-time or part-time and, if part-time, the average number of hours worked per week.
3. A record of all accidents occurring to children whilst placed with foster parents.

SCHEDULE 3

Regulation 27

INFORMATION AS TO PROSPECTIVE FOSTER PARENT AND OTHER MEMBERS OF HIS HOUSEHOLD AND FAMILY

1. His full name, address and date of birth.
2. Details of his health (supported by a medical report), personality, marital status and details of his current and any previous marriage or similar relationship.
3. Particulars of any other adult members of his household.
4. Particulars of the children in his family, whether or not members of his household, and any other children in his household.
5. Particulars of his accommodation.
6. His religious persuasion, and his capacity to care for a child from any particular religious persuasion.
7. His racial origin, his cultural and linguistic background and his capacity to care for a child from any particular origin or cultural or linguistic background.
8. His past and present employment or occupation, his standard of living and leisure activities and interests.
9. His previous experience (if any) of caring for his own and other children.
10. His skills, competence and potential relevant to his capacity to care effectively for a child placed with him.
11. The outcome of any request or application made by him or any other member of his household to foster or adopt children, or for registration for child minding or day care⁽⁶⁾, including particulars of any previous approval or refusal of approval relating to him or to any other member of his household.

⁽⁶⁾ Registration for child minding or day care is provided for by Part XA of the 1989 Act in respect of England and Wales and Part X of that Act in respect of Scotland.

12. The names and addresses of two persons who will provide personal references for the prospective foster parent.

13. In relation to the prospective foster parent, either—

- (a) an enhanced criminal record certificate issued under section 115 of the Police Act 1997(7) including the matters specified in section 115(6A) of that Act; or
- (b) where any certificate of information on any matters referred to in sub-paragraph (a) is not available to an individual because any provision of the Police Act 1997 has not been brought into force, details of any criminal offences—
 - (i) of which the person has been convicted, including details of any convictions which are spent within the meaning of section 1 of the Rehabilitation of Offenders Act 1974(8) and which may be disclosed by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(9); or
 - (ii) in respect of which he has been cautioned by a constable and which, at the time the caution was given, he admitted; and

in relation to each member of the household aged 18 or over, details of any criminal offences such as are mentioned in sub-paragraphs (i) and (ii) of paragraph 13(b).

SCHEDULE 4

Regulation 27(7)(b)

OFFENCES SPECIFIED FOR THE PURPOSES OF REGULATION 27(7)(b)

Offences in Scotland

1. An offence of rape.
2. An offence specified in Schedule 1 to the Criminal Procedure (Scotland) Act 1995(10) except, in a case where the offender was under the age of 20 at the time the offence was committed, an offence contrary to section 5 of the Criminal Law (Consolidation) (Scotland) Act 1995 (intercourse with a girl under 16)(11), an offence of shameless indecency between men or an offence of sodomy.
3. An offence of plagiarism (theft of a child below the age of puberty).
4. Section 52 or 52A of the Civic Government (Scotland) Act 1982 (indecent photographs of children)(12).
5. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust)(13).

Offences in Northern Ireland

6. An offence of rape.
7. An offence specified in Schedule 1 to the Children and Young Persons Act (Northern Ireland) 1968(14), except in the case where the offender was under the age of 20 at the time the offence was committed, an offence contrary to sections 5 or 11 of the Criminal Law Amendment Act 1885

(7) See the footnotes to paragraph 2 of Schedule 1.

(8) 1974 c. 53.

(9) S.I. 1975/1023. Relevant amendments have been made by S.I. 1986/1249, S.I. 1986/2268 and S.I. 2001/1192.

(10) 1995 c. 46.

(11) 1995 c. 39.

(12) 1982 c. 45. Section 52A was inserted by section 161 of the Criminal Justice Act 1988(c. 33).

(13) 2000 c. 44.

(14) 1968 c. 34 (N.I.)

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(unlawful carnal knowledge of a girl under 17 and gross indecency between males)(**15**), or an offence contrary to section 61 of the Offences against the Person Act 1861 (buggery).

8. An offence under Article 3 of the Protection of Children (Northern Ireland) Order 1978 (indecent photographs)(**16**).

9. An offence contrary to Article 9 of the Criminal Justice (Northern Ireland) Order 1980 (inciting girl under 16 to have incestuous sexual intercourse)(**17**).

10. An offence contrary to Article 15 of the Criminal Justice (Evidence, etc.) (Northern Ireland) Order 1988 (possession of indecent photographs of children)(**18**).

11. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust).

SCHEDULE 5

Regulation 28(5)(b)

MATTERS AND OBLIGATIONS IN FOSTER CARE AGREEMENTS

1. The terms of the foster parent's approval.
2. The amount of support and training to be given to the foster parent.
3. The procedure for the review of approval of a foster parent.
4. The procedure in connection with the placement of children and the matters to be included in any foster placement agreement.
5. The arrangements for meeting any legal liabilities of the foster parent arising by reason of a placement.
6. The procedure available to foster parents for making representations.
7. To give written notice to the fostering service provider forthwith, with full particulars, of—
 - (a) any intended change of the foster parent's address;
 - (b) any change in the composition of his household;
 - (c) any other change in his personal circumstances and any other event affecting either his capacity to care for any child placed or the suitability of his household; and
 - (d) any request or application to adopt children, or for registration for child minding or day care.
8. Not to administer corporal punishment to any child placed with him.
9. To ensure that any information relating to a child placed with him, to the child's family or to any other person, which has been given to him in confidence in connection with a placement is kept confidential and is not disclosed to any person without the consent of the fostering service provider.
10. To comply with the terms of any foster placement agreement.
11. To care for any child placed with him as if the child were a member of the foster parent's family and to promote his welfare having regard to the long and short-term plans for the child.
12. To comply with the policies and procedures of the fostering service provider issued under regulations 12 and 13.

(15) 1885 c. 69.

(16) S.I. 1978/1047 (N.I.17).

(17) S.I. 1980/704 (N.I.6).

(18) S.I. 1988/1847 (N.I. 17).

13. To co-operate as reasonably required with the Commission and in particular to allow a person authorised by the Commission to interview him and visit his home at any reasonable time.

14. To keep the fostering service provider informed about the child's progress and to notify it immediately of any significant events affecting the child.

15. To allow any child placed with him to be removed from his home if regulation 36 applies.

SCHEDULE 6

Regulation 34(3)

MATTERS AND OBLIGATIONS IN FOSTER PLACEMENT AGREEMENTS

1. A statement by the responsible authority containing all the information which the authority considers necessary to enable the foster parent to care for the child and, in particular, information as to—

- (a) the authority's arrangements for the child and the objectives of the placement in the context of its plan for the care of the child;
- (b) the child's personal history, religious persuasion and cultural and linguistic background and racial origin;
- (c) the child's state of health and identified health needs;
- (d) the safety needs of the child, including any need for any special equipment or adaptation;
- (e) the child's educational needs; and
- (f) any needs arising from any disability the child may have.

2. The responsible authority's arrangements for the financial support of the child during the placement.

3. The arrangements for giving consent to the medical or dental examination or treatment of the child.

4. The circumstances in which it is necessary to obtain in advance the approval of the responsible authority for the child to take part in school trips, or to stay overnight away from the foster parent's home.

5. The arrangements for visits to the child by the person authorised by or on behalf of the responsible authority, and the frequency of visits and reviews under the Review of Children's Cases Regulations 1991(19).

6. The arrangements for the child to have contact with his parents and any other specified persons, and details of any court order relating to contact.

7. Compliance by the foster parent with the terms of the foster care agreement.

8. Co-operation by the foster parent with the responsible authority regarding any arrangements it makes for the child.

(19) S.I. 1991 No. 895 as amended by S.I. 1991 No. 2033, S.I. 1993 No. 3069, S.I. 1995 No. 2015 and S.I. 1997 No. 649.

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SCHEDULE 7

Regulation 42(1)

MATTERS TO BE MONITORED BY THE REGISTERED PERSON

1. Compliance in relation to each child placed with foster parents, with the foster placement agreement and the responsible authority’s plan for the care of the child.
2. All accidents, injuries and illnesses of children placed with foster parents.
3. Complaints in relation to children placed with foster parents and their outcomes.
4. Any allegations or suspicions of abuse in respect of children placed with foster parents and the outcome of any investigation.
5. Recruitment records and conduct of required checks of new workers.
6. Notifications of events listed in Schedule 8.
7. Any unauthorised absence from the foster home of a child accommodated there.
8. Use of any measures of control, restraint or discipline in respect of children accommodated in a foster home.
9. Medication, medical treatment and first aid administered to any child placed with foster parents.
10. Where applicable, the standard of any education provided by the fostering service.
11. Records of assessments.
12. Records of fostering panel meetings.
13. Duty rosters of persons working for the fostering agency, as arranged and as actually worked.
14. Records of appraisals of employees.
15. Minutes of staff meetings.

SCHEDULE 8

Regulation 43(1)

EVENTS AND NOTIFICATIONS

Column 1 <i>Event:</i>	Column 2 <i>To be notified to:</i>					
	Commission	Responsible	Secretary	Area	Police	Health
	authority	authority	of State	authority		Authority
Death of a child placed with foster parents	yes	yes	yes	yes		yes
Referral to the Secretary of State pursuant to section 2(1) (a) of the	yes	yes				

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Column 1 Event:	Column 2 To be notified to:					
	Commission	Responsible authority	Secretary of State	Area authority	Police	Health Authority
Protection of Children Act 1999(20) of an individual working for a fostering service						
Serious illness or serious accident of a child placed with foster parents	yes	yes				
Outbreak at the home of a foster parent of any infectious disease which in the opinion of a registered medical practitioner attending the home is sufficiently serious to be so notified	yes	yes				yes
Allegation that a child placed with foster parents has committed a serious offence		yes			yes	
Involvement or suspected involvement	yes	yes		yes	yes	

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Column 1 <i>Event:</i>	Column 2 <i>To be notified to:</i>					
	Commission	Responsible authority	Secretary of State	Area authority	Police	Health Authority
of a child placed with foster parents in prostitution						
Serious incident relating to a child placed with foster parents necessitating calling the police to the foster parent's home	yes	yes				
Absconding by a child placed with foster parents		yes				
Any serious complaint about any foster parent approved by the fostering agency	yes	yes				
Instigation and outcome of any child protection enquiry involving a child placed with foster parents	yes	yes				