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STATUTORY INSTRUMENTS

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**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* *1st April 2011*

**THE FOSTERING SERVICES (ENGLAND) REGULATIONS 2011**

PART 1

1. Citation, commencement and application
2. Interpretation

PART 2

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

PART 3

***Fostering agency***

5. *Fitness of fostering service provider*
6. *Appointment of manager*
7. *Fitness of manager*
8. *Registered person – general requirements*
9. *Notification of offences*

***Local authority fostering service***

10. *Manager*

PART 4

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

*Status: This is the original version (as it was originally made).*

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

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

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

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

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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

1. Full name, address and date of birth.
2. Details of health (supported by a medical report), personality, marital...
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. Religious persuasion, and capacity to care for a child from...
7. Racial origin, cultural and linguistic background and capacity to care...
8. Past and present employment or occupation, standard of living and...
9. Previous experience (if any) of caring for their own and...
10. Skills, competence and potential relevant to their capacity to care...
11. The outcome of any request or application made by them...
12. Names and addresses of two persons who will provide personal...
13. In relation to the prospective foster parent and any other...

SCHEDULE 4 — Offences specified for the purposes of regulation 26

PART 1

1. Offences in England and Wales
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)...
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...

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...

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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