

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 the Police Act 1997(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 section 113 of that Act, including, to the extent permitted under the Police Act 1997, the matters specified in, section 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.

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 the child's placement;
 - (b) the name and address of the foster parent;
 - (c) the date on which the child ceased to be placed there;
 - (d) the child's address prior to placement;
 - (e) the child's address on leaving the placement;
 - (f) the child's responsible authority (if it is not the fostering service provider);
 - (g) the statutory provision under which the child is or was provided with foster care.
2. A record of all persons working for the fostering service provider, which must include in respect of a person falling within regulation 20(1) the following matters—
 - (a) full name;
 - (b) sex;
 - (c) date of birth;

(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 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.

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- (d) home address;
 - (e) qualifications relevant to, and experience of work involving, children;
 - (f) whether the person is employed by the fostering service provider under a contract of service, a contract for services, or otherwise than under a contract, or is employed by someone other than the fostering service provider;
 - (g) whether the person 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 THE PROSPECTIVE FOSTER PARENT'S HOUSEHOLD AND FAMILY

1. The prospective foster parent's full name, address and date of birth.
2. Details of that person's health (supported by a medical report), personality, marital status and details of that person's current and any previous marriage or similar relationship.
3. Particulars of any other adult members of that person's household.
4. Particulars of the children in that person's family, whether or not members of his or her household, and any other children in his or her household.
5. Particulars of that person's accommodation.
6. That person's religious persuasion, the degree of his or her religious observance and his or her capacity to care for a child from any particular religious persuasion.
7. That person's racial origin, his or her cultural and linguistic background and his or her capacity to care for a child from any particular origin or cultural or linguistic background.
8. That person's past and present employment or occupation, and his or her standard of living and leisure activities and interests.
9. That person's previous experience (if any) of caring for his or her own and other children.
10. That person's skills, competence and potential relevant to his or her capacity to care effectively for a child placed with him or her.
11. The outcome of any request or application made by that person or any other member of that person's household to foster or adopt children or for registration for child minding or day care⁽⁴⁾, including particulars of any previous approval or refusal of approval relating to the person or to any other member of that person's household.
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 and each member of the household aged 18 or over, an enhanced criminal record certificate issued under section 115 of the Police Act 1997 ⁽⁵⁾ including the matters specified in section 115(6A) of that Act.

(4) 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.

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

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(6) except, in 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(7)), an offence of shameless indecency between men or an offence of sodomy.
3. An offence of plagium (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)(8).
5. An offence under section 3 of the Sexual Offences (Amendment) Act 2000 (abuse of trust)(9).

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(10), 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 (unlawful carnal knowledge of a girl under 17 and gross indecency between males)(11), 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)(12).
9. An offence contrary to Article 9 of the Criminal Justice (Northern Ireland) Order 1980 (inciting girl under 16 to have incestuous sexual intercourse)(13).
10. An offence contrary to Article 15 of the Criminal Justice (Evidence, etc.)(Northern Ireland) Order 1988 (possession of indecent photographs of children)(14).
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.

(6) 1995 c. 46.

(7) 1995 c. 39.

(8) 1982 c. 45. Section 52A was inserted by section 161 of the Criminal Justice Act 1988(c. 33).

(9) 2000 c. 44.

(10) 1968 c. 34 (N.I.).

(11) 1885 c. 69.

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

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

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

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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 the foster parent’s household;
 - (c) any other change in the foster parent’s personal circumstances and any other event affecting the foster parent’s capacity to care for any child placed or the suitability of the foster parent’s 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 the foster parent.
9. To ensure that any information relating to a child placed with the foster parent, to the child’s family or to any other person, which has been given to the foster parent 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 the foster parent as if the child were a member of the foster parent’s family and to promote the child’s 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.
13. To co-operate as reasonably required with the National Assembly and in particular to allow a person authorised by the National Assembly to interview the foster parent and visit the foster parent 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. Where regulation 36 applies, to allow any child placed with the foster parent to be removed from the foster parent’s home.

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, in connection with the supervision of the placement, 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(15).
 6. The arrangements for the child to have contact with his or her parents and any other specified persons, and details of any court order as 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.

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. Staff recruitment records and conduct of required checks for new workers.
6. Notifications of the 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.

(15) 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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- 10. Where applicable, the standard of any educational provision 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 staff appraisals.
- 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>				
	Appropriate office of the National Assembly	Responsible (Placing) Authority	Area authority	Local Health Board in whose area the child is placed	Police
Death of a child placed with foster parents	Yes	Yes	Yes	Yes	
Referral to the Secretary of State pursuant to section 2(1) (a) of the Protection of Children Act 1999(16) of an individual working for a fostering service	Yes	Yes			
Serious illness or serious accident of a child placed with foster parents	Yes	Yes			
Outbreak at the home	Yes	Yes			Yes

(16) 1999 c. 14.

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Column 1	Column 2				
<i>Event:</i>	<i>To be notified to:</i>				
	Appropriate office of the National Assembly	Responsible (Placing) Authority	Area authority	Local Health Board in whose area the child is placed	Police
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					
Allegation that a child placed with foster parents has committed a serious offence		Yes			Yes
Involvement or suspected involvement of a child placed with foster parents in prostitution	Yes	Yes	Yes		Yes
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			

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Column 1 <i>Event:</i>	Column 2 <i>To be notified to:</i>				
	Appropriate office of the National Assembly	Responsible (Placing) Authority	Area authority	Local Health Board in whose area the child is placed	Police
Any serious complaint about any foster parent approved by the fostering service provider	Yes	Yes			
Instigation and outcome of any child protection enquiry involving a child placed with foster parents	Yes	Yes	Yes		