

SCOTTISH STATUTORY INSTRUMENTS

2009 No. 210

The Looked After Children (Scotland) Regulations 2009

PART VI

FOSTERING PANELS

Functions of the fostering panel

20.—(1) The fostering panel must consider the case of every foster carer and prospective foster carer referred to it by the local authority.

(2) The fostering panel must make recommendations on the following matters:—

- (a) whether a prospective foster carer is suitable or continues to be suitable to be a foster carer;
- (b) whether a prospective foster carer would be a suitable foster carer for—
 - (i) a particular child or children;
 - (ii) any child; or
 - (iii) certain categories of child;
- (c) the maximum number of children a particular foster carer may have in their care at any one time;^{F1}...

[^{F2}(d) following a referral under regulation 27B(2), whether the foster carer is a suitable carer for the child, despite this resulting in more than 3 children who are not all siblings of each other remaining in the care of that foster carer at any one time.]

(3) Before making a recommendation under paragraph (2) the fostering panel must give the prospective foster carer the opportunity to meet with the foster panel to discuss the matter.

(4) In carrying out its functions the fostering panel must have regard to—

- (a) the duties imposed on the local authority by section 17(1) of the 1995 Act;
- (b) all the information and reports passed to it.

[^{F3}(c) the presumption that no more than 3 children are to be in the care of a foster carer at any one time, unless all the children are siblings of each other.]

Textual Amendments

- F1** Words in reg. 20(2)(c) omitted (31.3.2021) by virtue of [The Looked After Children \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/103\)](#), regs. 1(4), **3(6)(a)(i)**
- F2** Reg. 20(2)(d) inserted (31.3.2021) by [The Looked After Children \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/103\)](#), regs. 1(4), **3(6)(a)(ii)**
- F3** Reg. 20(4)(c) inserted (31.3.2021) by [The Looked After Children \(Scotland\) Amendment Regulations 2021 \(S.S.I. 2021/103\)](#), regs. 1(4), **3(6)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Looked After Children (Scotland) Regulations 2009, Section 20.