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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 210**

**The Looked After Children (Scotland) Regulations 2009**

**PART VII**

**FOSTERING**

**Approval of foster carers**

**22.**—(1) Where a local authority are considering whether to approve a person as a foster carer they must refer the case to a fostering panel.

(2) The local authority must so far as reasonably practicable provide the fostering panel with—

- (a) the information in Schedule 3; and
- (b) such other information or observations as they consider appropriate.

(3) Where a local authority receive a recommendation from the fostering panel under regulation 20(2) they must make a decision on whether the prospective foster carer is suitable to be a foster carer within 14 days from the date the recommendation was made.

(4) Where the local authority make a decision that a person is suitable to be a foster carer they must be satisfied that—

- (a) the prospective foster carer has been interviewed by or on behalf of the authority;
- (b) the authority has taken into account the recommendations made by the fostering panel; and
- (c) the prospective foster carer is a suitable person with whom to place a child or children.

(5) A decision that a person is suitable to be a foster carer shall specify whether the approval is in respect of—

- (a) a particular child or children;
- (b) any child;
- (c) certain categories of child;
- (d) the number of children each foster carer may have in their care at any one time [<sup>F1</sup>, subject to the placement limit set out in regulation 27A.]

(6) Where the local authority make a decision that is contrary to the recommendation of the fostering panel the authority must record in writing the reasons for that decision.

(7) The local authority must notify in writing the prospective foster carer of the decision made under paragraph (3) within 7 days of making that decision.

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**Textual Amendments**

**F1** Words in reg. 22(5)(d) inserted (29.12.2014) by [The Looked After Children \(Scotland\) Amendment Regulations 2014 \(S.S.I. 2014/310\)](#), regs. 1, **2(3)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Looked After Children (Scotland) Regulations 2009, Section 22.