
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Looked After Children (Scotland) Regulations 2009 (“the 2009 Regulations”) in two main respects.

Regulation 2(4) amends regulation 48(2) of the 2009 Regulations which specifies those functions conferred on local authorities by the 2009 Regulations which may be delegated to registered fostering services. The amendment allows functions specified in Part VII (fostering) of the 2009 Regulations to be delegated whilst removing the power to delegate functions under Parts II (care planning), III (general matters affecting looked after children), XI (case records) and XII (review of child’s case) of the 2009 Regulations. Regulation 2(3) makes amendments which are consequential to that change.

Regulation 2(5) amends Schedule 3 to the 2009 Regulations which prescribes the information as to prospective foster and kinship carers which must be obtained and recorded when such persons are being considered for approval. The amendments add a person’s civil partnership status to the prescribed information and adjust paragraphs 2 and 9 to refer to kinship carers.

Regulation 2(2) amends regulation 33 and 2(6) amends paragraph 7 of Schedule 4 to the 2009 Regulations.