



Children and Young Persons Act 1969

1969 CHAPTER 54

PART II

ACCOMMODATION ETC. FOR CHILDREN IN CARE, AND FOSTER CHILDREN

Foster children

53 Modification of duty of persons maintaining foster children to notify local authority

- (1) Section 3 of the Children Act 1958 (which requires any person maintaining foster children to notify the local authority on each occasion on which he receives a foster child) shall have effect subject to the following provisions of this section.
- (2) In subsection (1) of the section (which requires at least two weeks advance notice of, or, in an emergency, notice within one week after, the reception of a foster child) at the beginning there shall be inserted the words " Subject to the following provisions of this section ", after the words " two weeks" there shall be inserted the words " and not more than four weeks " and for the words "one week" there shall be substituted the words " forty-eight hours ".
- (3) In subsection (2) of the section (which relates to the content of the notice) after the word " specify " there shall be inserted the words " the date on which it is intended that the child should be received or, as the case may be, on which the child was in fact received or became a foster child and ".
- (4) After subsection (2) of the section there shall be inserted the following subsection :—
 - “(2A) A person shall not be required to give notice under subsection (1) of this section in relation to a child if—
 - (a) he has on a previous occasion given notice under that subsection in respect of that or any other child, specifying the premises at which he proposes to keep the child in question ; and
 - (b) he has not, at any time since that notice was given, ceased to maintain at least one foster child at those premises and been required by

Status: This is the original version (as it was originally enacted).

virtue of the following provisions of this section to give notice under subsection (5A) of this section in respect of those premises.”

- (5) In subsection (3) of the section (which relates to notification of changes of address of foster parents and requires similar periods of notice as under subsection (1))—
- (a) for the words " a foster child" there shall be substituted the words " one or more foster children ";
 - (b) for the words " the child is kept" there shall be substituted the words " the child is, or the children are, kept ";
 - (c) after the words " two weeks " there shall be inserted the words " and not more than four weeks "; and
 - (d) for the words " one week " there shall be substituted the words " forty-eight hours ".
- (6) So much of subsection (4) of the section as requires notification that a foster child has been removed or has removed himself from the care of the person maintaining him shall cease to have effect and, accordingly, in that subsection for the words " that person " there shall be substituted the words " the person who was maintaining him " and in subsection (5) of the section (which dispenses with the need for such a notice where a child ceases to be a foster child on his removal from a foster parent but empowers the local authority concerned to require certain particulars in such a case)—
- (a) for the words " ceases to be a foster child on his removal" there shall be substituted the words " is removed or removes himself ";
 - (b) the words " need not give notice under subsection (4) of this section but " shall be omitted ; and
 - (c) for the words from " the same " onwards there shall be substituted the words " the name and address, if known, of the person (if any) into whose care the child has been removed ".
- (7) After subsection (5) of the section there shall be inserted the following subsections:—
- “(5A) Subject to the provisions of the following subsection, where a person who has been maintaining one or more foster children at any premises ceases to maintain foster children at those premises and the circumstances are such that no notice is required to be given under subsection (3) or subsection (4) of this section, that person shall, within forty-eight hours after he ceases to maintain any foster child at those premises, give notice in writing thereof to the local authority.
- (5B) A person need not give the notice required by the preceding subsection in consequence of his ceasing to maintain foster children at any premises if, at the time he so ceases, he intends within twenty-seven days again to maintain any of them as a foster child at those premises; but if he subsequently abandons that intention or the said period expires without his having given effect to it he shall give the said notice within forty-eight hours of that event.”