
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace with modifications the Boarding-out of Children (Foster Placement) Regulations 1988 (“the 1988 Regulations”).

The main changes are that under these Regulations:

- (a) there is approval of foster parents and not households in which a child is to live and foster parents may now be approved only by one local authority or voluntary organisation at any one time;
- (b) an emergency placement may be made with any approved foster parent for not more than 24 hours while an immediate placement may be made with a relative or friend for not more than six weeks. Previously emergency placements only were permitted with a person in a household which was approved outside the normal approval procedure;
- (c) local authority responsibilities in respect of children placed by voluntary organisations are enhanced.

They apply to placements of children by local authorities and voluntary organisations, other than placements to which the Placement of Children with Parents etc. Regulations 1991 apply and placements for adoption or with a person having parental responsibility for the child (regulation 2).

Part II of the Regulations relates to approvals and placements and requires the foster parent with whom a child is placed to be approved by a local authority or voluntary organisation (regulation 3); makes provision for reviews and terminations of approval (regulation 4); for the placement of a child with a foster parent (regulation 5) and for the supervision and termination of placements (regulations 6 and 7); allows a local authority to make arrangements with a voluntary organisation to be responsible for the placement of the child (regulation 8); the application of the Regulations to short-term placements (regulation 9); and placements outside England and Wales (regulation 10); and, by local authorities only, emergency and immediate placements (regulation 11).

Part III of the Regulations provides for local authorities to maintain a register of foster parents approved in their area (regulation 12), for local authorities and voluntary organisations to maintain a record for each foster parent they approve (regulation 13) and for the retention and confidentiality of the registers and records (regulation 14).

Part IV of the Regulations makes provision for visits to children placed with foster parents by voluntary organisations (regulations 15 and 16).

Part V of the Regulations revokes the 1988 Regulations (regulation 17).