

**2021 No. 0000**

**HEALTH AND PERSONAL SOCIAL SERVICES**

**The Foster Placement and Fostering Agencies Regulations  
(Northern Ireland) 2025**

*Made* - - - -

*1st February 2025*

*Coming into operation*

*1st March 2025*

The Department of Health<sup>(a)</sup>, in exercise of the powers conferred by Articles 27(2)(a), 28(1), 75(2) and 77(3) of the Children (Northern Ireland) Order 1995<sup>(b)</sup> and Articles 2(8)(c), 13(2), 17(1), (2) and (3), 23(1), (2), (3), (6) and (7)(a) to (j), 25(1), 31(1), 32 and 48(2) of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003<sup>(c)</sup> makes the following Regulation:

In accordance with Article 23(8) of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003, the Department has consulted with such persons as it considers appropriate.

**PART 1**

**General**

**Citation and commencement**

**1.** These Regulations may be cited as The Foster Placement and Fostering Agencies Regulations (Northern Ireland) 2025 and shall come into operation on 1st March 2025.

**Interpretation**

**2.—**(1) In these Regulations—

“the 1995 Order” means the Children (Northern Ireland) Order 1995;

“the 2003 Order” means the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003;

“approval” means approval as a foster parent in accordance with regulation 6;

“approving authority” means the fostering service provider responsible under regulation 6 for approving (or not approving) the foster parent;

---

(a) Formerly the Department of Health, Social Services and Public Safety; see 2016 c.5 (N.I.), section 1(5)  
(b) S.I.1995/755 (N.I.2)  
(c) S.I.2003/431 (N.I.9)

“approved foster parent” means a person who is approved under regulation 6; “area authority” in relation to a child, means the authority in whose area the child is placed, where that authority is not also the responsible authority;

“child protection inquiries” means any inquiry carried out by an authority in exercise of any of its functions conferred by or under the 1995 Order relating to the protection of children;

“children’s court guardian” means a children’s court guardian appointed pursuant to Article 60 of the 1995 Order or under Article 66 of the Adoption (Northern Ireland) Order 1987(a);

“children’s guide” means the written guide produced in accordance with regulation 21(4);

“foster care agreement” means the written agreement entered into in accordance with regulation 6(6)(b);

“foster parent” means a person with whom a child is placed or may be placed under these Regulations, including any person who is not an approved foster parent but with whom a child is placed under regulation 13(3);

“fostering agency” has the same meaning as in the 2003 Order, except that for the purposes of Article 2(8) of the 2003 Order, a reference to “undertaking”, does not include a business or profession which operates for profit;

“fostering service provider” means—

- (i) in relation to a fostering agency, a registered person; or
- (ii) 2)(a)an authority responsible for the placement of a child under Article 27(2)(a) of the 1995 Order; or
- (iii) an area authority;

“general medical practitioner” has the same meaning as in regulation 2 of the Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004(b);

“organisation” means a corporate body or any unincorporated association other than a partnership;

“parent” in relation to a child, includes any person who has parental responsibility for him;

“placement” means any placement of a child under Article 27(2)(a) of the 1995 Order, or under Article 75(1)(a), which is not a placement with a person who falls within Article 27(4) of that Order;

“registered manager” means any person who is registered under Part III of the 2003 Order as the manager of a fostering agency;

“registered person” means any person who is the registered provider or the registered manager of a fostering agency;

“registered provider” means a person who is registered under Part III of the 2003 Order as the person carrying on a fostering agency;

“relevant records” means those records which are compiled in accordance with regulations 14 and 15;

“responsible authority” in relation to a child, means the authority or voluntary organisation responsible for the placement of the child under (as the case may be) Article 27(2)(a) or 75(1)(a) of the 1995 Order;

“responsible individual” shall be construed in accordance with regulation 27(2)(c)(i);

“statement of purpose” means the written statement compiled in accordance with regulation 21(1);

“the children’s barred list” shall be construed in accordance with Article 6(1)(a) of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007(a);

---

(a) S.I.1987/2203 (N.I.22)

(b) S.R.2004 No.140

“voluntary organisation” has the meaning given in Article 74(1) of the 1995 Order; and  
“well-being” has the meaning given by section 1 of the Children’s Services Co-operation Act (Northern Ireland) 2015((b)).

(2) In these Regulations, references to employing a person include employing a person whether or not for payment, and whether under a contract of service or a contract for services, and allowing a person to work as a volunteer, but do not include allowing a person to act as a foster parent.

### **Scope of regulations**

**3.**—(1) Subject to paragraph (2), these Regulations shall apply to any placement of a child—

- (a) by an authority under Article 27(2)(a) of the 1995 Order;
- (b) by a voluntary organisation under Article 75(1)(a) of the 1995 Order (unless it is acting on behalf of an authority).

(2) These Regulations shall not apply to—

- (a) any placement of a child to which the Placement of Children with Parents etc. Regulations (Northern Ireland) 1996(c) apply;
- (b) the private fostering of a child to which the Children (Private Arrangements for Fostering) Regulations (Northern Ireland) 1996(d);
- (c) a child who is not looked after by an authority; or
- (d) any child placed for adoption pursuant to the Adoption (Northern Ireland) Order 1987 or the Adoption and Children Act (Northern Ireland) 2022(e).

(3) Where a care order is in force, the application of these Regulations is subject to any directions given by a court (whether before, on or after these Regulations come into operation).

(4) Nothing in these Regulations shall require the temporary removal of a child from a person with whom he is already living before placement under these Regulations.

(5) No application for registration under Part III of the 2003 Order shall be made in respect of an agency which is an unincorporated body.

## **PART II**

### **Discharging of duties**

#### **Arrangements between an authority and fostering agencies**

**4.**—(1) Where an authority looking after a child is satisfied that the child should be placed with a foster parent, it may make arrangements under this regulation for the duties imposed on it under Part III in relation to the child to be discharged on its behalf by a registered person.

(2) Subject to paragraph (3), an authority shall not make arrangements under this regulation in relation to any child unless—

- (a) it is satisfied—
  - (i) as to the capacity of the registered person to discharge duties on the authority’s behalf in relation to that child; and
  - (ii) that those arrangements are the most suitable way for those duties to be discharged; and

---

(a) S.I.2007/1351 (N.I.11)  
(b) 2015 c.10 (N.I.)  
(c) S.R.1996 No.463  
(d) S.R.1996 No.452  
(e) 2022 c.18 (N.I.)

- (b) the authority has entered into a written agreement with the registered person (which includes the information set out in paragraph 1 of Schedule 1), and where the authority proposes to make an arrangement under this regulation in relation to a particular child, the written agreement must also include the matters set out in paragraph 2 of Schedule 1.

(3) Where an authority has satisfied itself that a registered person has the general capacity to discharge the duties imposed on him under this regulation in relation to children, the requirements set out in paragraph (2)(a)(i) shall be deemed to be satisfied in relation to each child who is the subject of arrangements with that agency under paragraph (1).

## PART III

### Assessment and approval of foster parents

#### Assessment of prospective foster parents

**5.**—(1) The fostering service provider must carry out an assessment of any person who applies to become a foster parent and whom they consider may be suitable to become a foster parent (“X”), and any such assessment must be carried out in accordance with this regulation.

(2) The fostering service provider—

- (a) must obtain the information specified in Schedule 2 relating to X and other members of X’s household and family, and any other information they consider relevant;
- (b) must interview at least two persons nominated by X to provide personal references for X, and prepare written reports of the interviews, which should include the details of the persons who provided the personal references;
- (c) must consult with, and take into account the views of, the authority in whose area X lives, except where the fostering service provider is an authority and X lives in the area of that authority; and
- (d) may request inspection of the relevant records compiled by another fostering service provider where X—
  - (i) was considered for approval as a foster parent by that other fostering service provider; and
  - (ii) consents to the inspection.

(3) Having regard to the information obtained under paragraph (2), the fostering service provider must—

- (a) consider whether X is suitable to be a foster parent and whether X’s household is suitable for any child; and
- (b) prepare a written report on X which includes the matters set out in paragraph (4).

(4) The report referred to in paragraph (3) must include the following matters in relation to X—

- (a) the information required by Schedule 2 and any other information the fostering service provider considers relevant;
- (b) the fostering service provider’s assessment of X’s suitability to be a foster parent; and
- (c) the fostering service provider’s proposals about any terms of the approval.

(5) X is not suitable to be a foster parent if he or any member of his household aged 18 or over is included in the children’s list, established under the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007<sup>(a)</sup>, subject to Article 4 of the Safeguarding Vulnerable Groups (Miscellaneous Provisions) Order (Northern Ireland) 2009<sup>(b)</sup>.

---

<sup>(a)</sup> S.I.2007/1351 (N.I.11)

<sup>(b)</sup> S.R.2009 No.305

(6) Subject to obtaining consent from X under paragraph (2)(d)(ii), a fostering service provider shall make the relevant records relating to X available for inspection by another fostering service provider within one month of receiving a request under paragraph (2)(d).

### **Approval of foster parents**

**6.**—(1) Except in the case of an immediate placement under regulation 13, a child shall not be placed with a person (“X”) unless X is approved as a foster parent under this regulation.

(2) The fostering service provider shall not approve X as a foster parent where X has already been approved as a foster parent by another fostering service provider and that approval has not been terminated.

(3) The fostering service provider shall not approve a foster parent in the area of an area authority unless it first consults with, and takes into account the views of, the area authority which it shall also notify of its decision.

(4) The fostering service provider shall not give any approval under this regulation unless it is satisfied that X is suitable to act as a foster parent and that X’s household is suitable for any child in respect of whom approval is given.

(5) An approval given under this regulation may be in respect of a particular named child, or number and age range of children, or of placements of any particular kind or in any particular circumstances.

(6) Where a fostering service provider decides to approve X as a foster parent he must—

- (a) give X notice in writing within 28 days of the decision being made, specifying any terms on which the approval is given; and
- (b) enter into a written agreement with X covering the matters specified in Schedule 3 (the “foster care agreement”).

(7) Where a fostering service provider considers that X is not suitable to be a foster parent he shall—

- (a) give X written notice of the proposed decision not to approve X as suitable to be a foster parent within 28 days of the decision being made, together with the reasons for that proposed decision; and
- (b) invite X to submit any written representations that X wishes to make to the fostering service provider within 28 days from and including, the date on which X received the written notice referred to in sub-paragraph (a).

(8) If, within the period referred to in paragraph (7)(b), the fostering service provider does not receive written representations from X, he may proceed to make his decision.

(9) If, within the period referred to in paragraph (7)(b), the fostering service provider receives written representations from X, he shall consider those representations and make his decision having taken into account those representations.

(10) Within 28 days of making the decision referred to in paragraph (8) or (9) (as the case may be), the fostering service provider shall notify X in writing and—

- (a) if the decision is to approve X as a foster parent, shall comply with paragraph (6) in relation to X; or
- (b) if the decision is not to approve X, provide written reasons for his decision.

### **Reviews and terminations of approval**

**7.**—(1) The approving authority shall review the approval of each foster parent in accordance with this regulation.

(2) A review shall take place not more than a year after approval, and thereafter whenever the approving authority considers it necessary, but at intervals of not more than a year.

(3) When undertaking a review, the approving authority shall—

- (a) make such enquiries and obtain such information as it considers necessary in order to review whether the foster parent continues to be suitable to act as a foster parent and whether the foster parent's household continues to be suitable; and
  - (b) seek and take into account the views of—
    - (i) the foster parent;
    - (ii) any child placed with the foster parent (subject to the child's age and understanding);
    - (iii) any other child in the foster parent's household (subject to the child's age and understanding); and
    - (iv) any responsible authority which has within the preceding year placed a child with the foster parent or which has an earlier placement with the foster parent which has not been terminated.
- (4) At the conclusion of the review the approving authority shall prepare a written report, setting out whether—
- (a) the foster parent continues to be suitable to act as a foster parent and the foster parent's household continues to be suitable; and
  - (b) the terms of the foster parent's approval continue to be appropriate.
- (5) If the approving authority decides that the foster parent and the foster parent's household continue to be suitable and that the terms of the foster parent's approval continue to be appropriate, it shall give written notice to the foster parent of the decision.
- (6) If the approving authority is no longer satisfied that the foster parent and the foster parent's household continue to be suitable, or that the terms of the approval are appropriate, it shall—
- (a) give written notice to the foster parent that it proposes to terminate or (as the case may be) revise the terms of the foster parent's approval, together with its reasons for doing so;
  - (b) in any case where the approving authority proposes only to revise the terms of the foster parent's approval—
    - (i) provide a statement setting out whether the approving authority considers that the foster parent or members of the foster parent's household (including children placed there) may have additional support needs as a result of the proposed revision and, if so, how those needs will be met; and
    - (ii) request the foster parent's agreement in writing to the proposed revision of terms; and
  - (c) invite the foster parent to submit any written representations that the foster parent wishes to make to the approving authority within 28 days from and including the date on which the foster parent received the written notice referred to in sub-paragraph (a).
- (7) If, within the period referred to in paragraph (6)(c), the approving authority does not receive written representations from the foster parent, it may proceed to make its decision.
- (8) In a case falling within paragraph (6)(b), where the approving authority receives the foster parent's agreement in writing to the proposed revision of terms, the approving authority may proceed to make their decision, taking into account the statement referred to in paragraph (6)(b)(i), notwithstanding that the period referred to in paragraph (6)(c) has not expired.
- (9) If, within the period referred to in paragraph (6)(c), the approving authority receives written representations from the foster parent, it shall consider those representations and make its decision having taken into account those representations.
- (10) As soon as practicable after making the decision referred to in paragraph (7) or (8), the approving authority shall give written notice to the foster parent stating (as the case may be)—
- (a) that the foster parent and the foster parent's household continue to be suitable, and that the terms of the approval continue to be appropriate;
  - (b) that the foster parent's approval is terminated from a specified date, and the reasons for the termination; or
  - (c) the revised terms of approval and the reasons for the revision.

(11) A foster parent may give notice in writing to the approving authority at any time that he no longer wishes to act as a foster parent, in which case the foster parent's approval is terminated 28 days from and including the date on which the notice is received by the approving authority.

(12) A copy of any notice given under this regulation shall be sent to any other fostering service provider who has a child placed with the foster parent.

## **PART IV**

### **Placements**

#### **The making of foster placements**

**8.**—(1) A responsible authority shall not place a child with a foster parent unless it is satisfied that the placement—

- (a) is the most suitable way of performing its duty under (as the case may be) Article 26(1) or 76(1)(a) and (b) of the 1995 Order; and
- (b) is the most suitable placement having regard to all the circumstances.

(2) In making arrangements for a placement, the responsible authority shall give due consideration to—

- (a) the religious persuasion, racial origin and cultural and linguistic background of the child; and
- (b) the religious persuasion, racial origin and cultural and linguistic background of the foster parent and any other members of his household and family.

(3) Consistent with the terms of any approval given under regulation 6, a responsible authority may place a child with a foster parent whom it has itself approved or with a foster parent approved by another responsible authority or fostering agency, provided—

- (a) the responsible authority or fostering agency who approved the foster parent agrees to the placement;
- (b) any other responsible authority who already has a child placed with the foster parent also agrees to the placement; and
- (c) the area authority (if it is not also the approving authority) is consulted, and its views taken into account.

(4) A responsible authority which places a child after consulting an area authority under paragraph (3)(c) shall give notice of the placement to the area authority.

(5) Except in the case of an emergency or immediate placement under regulation 13, a responsible authority is not to place a child unless the responsible authority and the foster parent have entered into a written agreement ("the foster placement agreement") relating to that child covering matters and obligations specified in Schedule 4.

#### **Supervision of placements**

**9.**—(1) A responsible authority shall satisfy itself that the welfare of each child placed by it continues to be suitably provided for by the placement, and for that purpose the responsible authority shall—

- (a) make arrangements for an authorised person to visit the child in the home in which he is placed, as circumstances may require and when reasonably requested by the child or the foster parent and in particular (but subject to regulation 12(2)), within one week from and including the start date of the placement and thereafter at least once every four weeks; and
- (b) give such advice to the foster parent as appears to the responsible authority to be needed.

(2) In the case of an emergency or immediate placement under regulation 13, the responsible authority is to arrange for the child to be visited at least once a week during the placement.

(3) On each occasion on which a child is visited under this regulation, the responsible authority shall cause the authorised person, unless he considers it inappropriate, to arrange to see the child alone.

(4) On each occasion on which a child is visited under this regulation, the responsible authority shall cause a written report to be prepared by the person who made the visit.

(5) In this regulation “authorised person” means the person authorised by the responsible authority to visit the child in the home in which he is placed.

### **Authority visits to children placed by voluntary organisations**

**10.**—(1) Subject to paragraph (2), every authority shall arrange for one of its officers to visit every child who is accommodated with a foster parent within its area by a voluntary organisation in any of the following circumstances and within the periods specified—

- (a) within 28 days of and including the date of the placement with the foster parent;
- (b) where the voluntary organisation which made the placement with the foster parent makes representations to the authority that there are circumstances relating to the child which require a visit, within 14 days of and including the date on which the representations are received;
- (c) where the authority is informed that the welfare of the child may not be being safeguarded or promoted, the child should be seen and action taken in accordance with policies and procedures for safeguarding and promoting the welfare of children developed by the Safeguarding Board for Northern Ireland under section 3(1) of the Safeguarding Board Act (Northern Ireland) 2011(a); or
- (d) where the authority is satisfied, following a visit to a child under this regulation in respect of a placement with a foster parent, that the child’s welfare is being safeguarded and promoted, at intervals of not more than 6 months.

(2) This regulation shall not apply to children in respect of whom an authority has made arrangements under regulation 4.

(3) Every authority shall make arrangements to ensure that in respect of any visit made pursuant to this regulation, an officer of the authority—

- (a) sees the child during the course of the visit, unless he considers it unnecessary to do so or the child is not in fact with the foster parents at the time of the visit;
- (b) if the child is not with the foster parents at the time of the visit, makes arrangements to see the child as soon as is reasonably practicable; and
- (c) takes steps to discover whether the voluntary organisation which placed the child has made suitable arrangements to perform its duties under these Regulations and those under Article 76 of the 1995 Order.

### **Termination of placements**

**11.**—(1) A responsible authority shall not allow the placement of a child with a particular foster parent to continue if it appears to it that the placement is no longer the most suitable way of performing its duty under (as the case may be) Article 26(1) or 76(1)(a) and (b) of the 1995 Order.

(2) Where a child has been placed by some other authority, or by a voluntary organisation, in the area of the area authority and it appears to the area authority that continuation of the placement would be detrimental to the welfare of the child, the area authority shall remove the child immediately from that placement.

---

(a) 2011 c.7 (N.I.)



(3) The area authority which removes a child under paragraph (2) is immediately to notify the responsible authority.

### **Short-term placements**

**12.**—(1) This regulation applies where a responsible authority has arranged to place a child in a series of short-term placements with the same foster parent and the arrangement is such that no single placement is to last for more than 4 weeks and the total duration of the placements is not to exceed 90 days in any period of 12 months.

(2) A series of short-term placements to which this regulation applies may be treated as a single placement for the purposes of this Part but with the modifications set out in paragraphs (3) and (4).

(3) Regulation 9(1)(a) shall apply as if it required arrangements to be made for visits to the child on a day when he is in fact placed (“a placement day”)—

- (a) within the first 7 placement days of a series of short-term placements; and
- (b) thereafter, if the series of placements continues, at intervals of not more than 6 months or, if the interval between placements exceeds 6 months, during the next placement.

(4) Regulation 10(1)(a) shall apply as if it required arrangements to be made for visits to the child on a placement day, within the first 7 placement days of a series of short-term placements.

### **Emergency and immediate placements by an authority**

**13.**—(1) Subject to paragraph (2), where it is necessary to place a child in an emergency, a responsible authority may place the child with any foster parent approved under these Regulations, even if the terms of that approval are not consistent with the placement, provided that—

- (a) the placement is for no longer than six working days; and
- (b) any changes to the terms of foster parent approval considered necessary to support the emergency placement are made in writing.

(2) Before an emergency placement is made pursuant to paragraph (1), the responsible authority shall—

- (a) satisfy the provisions of regulation 8(1)(a); and
- (b) obtain a written agreement from the person with whom the child is to be placed that that person will carry out the duties specified in paragraph (5).

(3) Where a responsible authority is satisfied that the immediate placement of a child is necessary it may, for a period not exceeding 16 weeks, place the child with a person who has not been approved under regulation 6 provided the responsible authority has—

- (a) interviewed the person;
- (b) inspected the accommodation;
- (c) considered any health and safety matters;
- (d) obtained any information which it considers relevant about any other persons living in his household; and
- (e) ensured that the matters specified in paragraph (4) are satisfied.

(4) The matters referred to in paragraph (3)(e) in respect of which the responsible authority must be satisfied before making an immediate placement under paragraph (3) are—

- (a) that the person is a relative or friend of the child;
- (b) that the person has made a written agreement with the responsible authority to carry out the duties specified in paragraph (5); and
- (c) that the provisions of regulation 8(1)(a) are satisfied.

(5) The duties referred to in paragraphs (2)(b) and (4)(b) are—

- (a) to care for the child as if he were a member of that person’s family;

- (b) to permit any person authorised by the responsible authority or (if different) the area authority, to visit the child at any time during his placement under this regulation;
  - (c) where regulation 11(1) or (2) applies, to allow the child to be removed at any time by the responsible authority or (as the case may be) the area authority;
  - (d) to ensure that any information which the person may acquire relating to the child, or to his family or any other person, which has been given to him in confidence in connection with the placement is kept confidential and is not disclosed except to, or with the agreement of, the responsible authority; and
  - (e) to allow contact with the child in accordance with—
    - (i) Article 53 of the 1995 Order (parental contact etc. with children in care) in relation to a child in care;
    - (ii) any contact order (as defined in Article 8(1) of the 1995 Order); and
    - (iii) any arrangements made or agreed by the responsible authority.
- (6) Where a responsible authority makes a placement under this regulation outside its area, it shall notify the area authority in writing.

## PART V

### Records to be held by fostering service providers

#### **Placement records relating to fostering parents**

- 14.**—(1) A fostering service provider shall maintain a record for each foster parent approved by them which must include copies of the documents specified in paragraph (2) and the information specified in paragraph (3).
- (2) The documents referred to in paragraph (1) are—
- (a) the notice of approval under regulation 6(6)(a);
  - (b) the record of the foster parent's learning and development plan relating to the opportunities specified at regulation 18(1);
  - (c) the foster care agreement;
  - (d) any report of a review of approval prepared under regulation 7(4); and
  - (e) any notice given under regulation 7(5), (6) or (10).
- (3) The information referred to in paragraph (1) is, as the case may be—
- (a) a record of each placement with the foster parent, including the name, age and sex of each child placed;
  - (b) the dates on which each placement began and was terminated, and the circumstances of the termination;
  - (c) the information obtained by the fostering service provider in relation to the assessment and approval of the foster parent, and in relation to any review or termination of the approval;
  - (d) the child's address prior to and on leaving the placement;
  - (e) a record of any accidents or serious incidents occurring to the child whilst placed with the foster parent; and
  - (f) a record of any allegations or complaints about the foster parent, and the findings of any investigation into those allegations or complaints.
- (4) Where the fostering service provider is an authority, it shall also maintain a record for each foster parent with whom a child is placed under regulation 13 which must include in relation to that person—
- (a) a record of the placement, including the name, age and sex of each child placed;

- (b) the date on which the placement began and if the placement has been terminated, the date and circumstances of the termination; and
  - (c) a copy of the written agreement referred to in regulation 13(2)(b) or (4)(b).
- (5) The fostering service provider shall compile a record for each person whom they do not approve as a foster parent, or who withdraws their application prior to approval, which must include—
- (a) the information obtained in connection with the assessment;
  - (b) any report compiled during the assessment; and
  - (c) any notification given under regulation 6.

### **Register of foster parents**

- 15.**—(1) The fostering service provider shall maintain a register (a “register of foster parents”) and enter in it a record of the particulars specified in paragraph (2) in relation to each foster parent.
- (2) The particulars mentioned in paragraph (1) are—
- (a) name, address, date of birth and sex of each foster parent (or, where foster parents are approved jointly, of both foster parents);
  - (b) the information obtained by the fostering service provider in relation to the assessment and approval of the foster parent, and in relation to any review or termination of approval;
  - (c) the date of the approval under regulation 6 or the agreement specified in regulation 13(2)(b) or (4)(b);
  - (d) the terms of the notice of approval under regulation 6(6)(a) or of the agreement specified in regulation 13(2)(b) or (4)(b).

### **Retention and confidentiality of records**

- 16.**—(1) The records compiled in relation to an approved foster parent under regulation 14(1) and any entry relating to that foster parent in the register maintained under regulation 15, shall be retained by the fostering service provider for at least 75 years from the date on which his approval is terminated, or until his death, if earlier.
- (2) The records compiled in relation to a foster parent under regulation 14(4) and any entry relating to that foster parent in the register maintained under regulation 15 shall be retained by the fostering service provider for at least 75 years from the date on which the placement is terminated, or until his death, if earlier.
- (3) The records compiled under regulation 14(5) shall be retained for at least 75 years from the refusal or withdrawal, as the case may be, of the application to become a foster parent.
- (4) The requirements in paragraphs (1) to (3) may be complied with by retaining the original written record or a copy of it, or by keeping all the information contained in the record in some other accessible form such as a computer record.
- (5) Subject to paragraph (6), the fostering service provider responsible for maintaining any record or register under regulation 14 or 15, shall ensure that it is kept securely and shall ensure that the information which it contains is not disclosed to any person except in accordance with—
- (a) any statutory provision under which access to such register, record or information may be obtained or should be granted; and
  - (b) any court order under which access to such register, record or information may be obtained or given.
- (6) Subject to paragraph (7), a fostering service provider shall make the relevant records relating to X in regulation 5 available for inspection by an adoption agency within one month of receiving a request from the agency.

(7) A fostering service provider must obtain X's consent before an inspection under paragraph (6) can take place.

(8) For the purposes of this regulation, "adoption agency" refers to an authority, or an "appropriate voluntary organisation" as defined in the Adoption (Northern Ireland) Order 1987(a).

(9) Each fostering agency, where it is not acting as an authorised person within the meaning of Article 49(2) of the 1995 Order, shall provide a children's court guardian of a child with—

- (a) such access as may be required to—
  - (i) records and registers maintained in accordance with these Regulations; and
  - (ii) the information from such records or registers held in any form; and
- (b) such copies of the records or entries in the registers as the children's court guardian may require.

## PART VI

### Particular duties of the responsible authority

#### Health of children in foster placements

**17.**—(1) The responsible authority shall promote the well-being and development of children placed with a foster parent.

(2) In particular in relation to health the responsible authority shall ensure that—

- (a) each child is registered with a general medical practitioner;
- (b) each child is referred to such medical, dental, nursing, psychological and psychiatric advice, treatment and other services as the child may require;
- (c) each child is provided with such individual support, aids and equipment which the child may require as a result of any particular health needs or disability the child may have; and
- (d) each child is provided with guidance, support and advice on health, personal care and health promotion issues appropriate to the child's needs and wishes.

(3) In particular in relation to educational achievement and leisure activities the responsible authority shall—

- (a) monitor the educational achievement, progress and school attendance of children placed with a foster parent;
- (b) promote the regular school attendance and participation in school activities of children of compulsory school age placed with a foster parent;
- (c) provide foster parents with such information and assistance, including equipment, as may be necessary to meet the educational needs of children placed with them;
- (d) ensure that any education provided for any child placed with foster parents who is of a compulsory school age but not attending school is efficient and suitable to the child's age, ability, aptitude, and any special educational needs he may have; and
- (e) ensure that foster parents promote the leisure interests of children placed with them.

(4) Where any child placed with foster parents has attained the age where he is no longer required to receive compulsory full-time education, the responsible authority shall assist with the making of, and give effect to, the arrangements made for his continued education, training and employment.

---

(a) See Article 2(2) of the Adoption (Northern Ireland) Order 1987 (S.I.1987/2203 (N.I.22))

## **Support, training and information to be provided to foster parents**

**18.**—(1) The responsible authority shall provide a foster parent with such learning and development opportunities, advice, information and support, including support outside office hours and information on independent advocacy services, as appears necessary to safeguard and promote the welfare of children placed with him, and to allow him to provide appropriate care for those children.

(2) The responsible authority shall ensure that, in relation to any child placed or to be placed with a foster parent, the foster parent is given such information, which is kept up to date, as to enable him to provide appropriate care for the child, and in particular that each foster parent is provided with the appropriate information regarding—

- (a) the state of health and health needs of any child placed or to be placed with him;
- (b) the arrangements for giving consent to the child's medical or dental examination or treatment.

## **PART VII**

### **Particular duties of fostering agencies**

#### **CHAPTER 1**

##### **Securing the welfare of children and promoting contact**

### **Duty to secure welfare**

**19.** The registered person shall ensure that—

- (a) the welfare of children placed or to be placed with a foster parent approved by the registered person is safeguarded and promoted at all times; and
- (b) before making any decisions affecting a child placed or to be placed with a foster parent approved by the registered person, due consideration is given to the child's—
  - (i) wishes and feelings (having regard to his age and understanding); and
  - (ii) religious persuasion, racial origin, cultural and linguistic background, and any disability the child may have.

### **Duty to promote contact**

**20.** The registered manager shall, subject to the provisions of any court order relating to contact, promote contact between a child placed with a foster parent approved by the registered person and his parents, relatives and friends unless such contact is not reasonably practicable or consistent with the child's welfare.

#### **CHAPTER 2**

##### **Written statements**

### **Statement of purpose and children's guide**

**21.**—(1) The registered provider shall compile a written statement (in these Regulations referred to as "the statement of purpose") which shall consist of—

- (a) a statement of the aims and objectives of the fostering agency; and
- (b) a statement as to the services and facilities to be provided by the fostering agency.

(2) The registered provider shall provide a copy of the statement of purpose to—

- (a) the RQIA; and
- (b) any child placed with a foster parent of the fostering agency (subject to the child's age and understanding).

(3) The registered provider shall make a copy of the statement of purpose available, upon request, to—

- (a) any person working for the purposes of the fostering agency;
- (b) any foster parent or prospective foster parent of the fostering agency;
- (c) the parent of any child placed with a foster parent of the fostering agency;
- (d) the RQIA; and
- (e) any responsible authority.

(4) The registered provider shall produce a written guide to the fostering agency (in these Regulations referred to as “the children’s guide”) which shall include—

- (a) a summary of the statement of purpose of the fostering agency;
- (b) a statement as to the services and facilities to be provided by the fostering agency;
- (c) a summary of the procedure (the representation and complaints procedure) established under regulation 26(1);
- (d) the address and telephone number of the RQIA; and
- (e) an explanation of the role of the RQIA.

(5) The registered provider shall provide a copy of the children’s guide to—

- (a) the RQIA;
- (b) each foster parent approved by the registered person;
- (c) each child placed with a foster parent approved by the registered person (subject to the child’s age and understanding); and
- (d) any responsible authority.

(6) Subject to paragraph (7), the registered provider shall ensure that the fostering agency is at all times operated in a manner which is consistent with its statement of purpose.

(7) Nothing in paragraph (6) shall require or authorise the registered provider to contravene or fail to comply with—

- (a) any other provision of these Regulations; or
- (b) conditions for the time being in force in relation to the registration of the registered provider under Part III of the 2003 Order.

### **Review of statement of purpose and children’s guide**

**22.**—(1) The registered provider shall—

- (a) keep under review and where appropriate revise the statement of purpose and children’s guide;
- (b) notify the RQIA of any such revisions within 28 days of and including the date of the proposed revision; and
- (c) if the children’s guide is revised, supply a copy to each foster parent approved by the registered person and, subject to his age and understanding, to each child placed with a foster parent approved by the registered person.

## **CHAPTER 3**

### **Written policies and procedures**

### **Arrangements for the protection of children**

**23.**—(1) The registered provider shall prepare and implement a written policy which—

- (a) is intended to safeguard children placed with foster parents from abuse or neglect; and
- (b) sets out the procedure to be followed in the event of any allegation of abuse or neglect being made.

- (2) The procedure under paragraph (1)(b) shall provide in particular for—
- (a) liaison and co-operation with any authority which is, or may be, making child protection inquiries in relation to any child placed with a foster parent approved by the registered person;
  - (b) the prompt referral to the area authority and the responsible authority of any allegation of abuse or neglect affecting any child placed with a foster parent approved by the registered person;
  - (c) notification of the instigation and outcome of any child protection inquiries involving a child placed with a foster parent approved by the registered person to the RQIA;
  - (d) written records to be kept of any allegation of abuse or neglect, and of the action taken in response;
  - (e) consideration to be given to the measures which may be necessary to protect children placed with a foster parent approved by the registered person following an allegation of abuse or neglect; and
  - (f) arrangements to be made for persons working for the purposes of a fostering agency, foster parents and children placed with a foster parent approved by the registered person to have access to information which would enable them to contact—
    - (i) the responsible authority;
    - (ii) the area authority; and
    - (iii) the RQIA,for the purposes of referring any concern about child welfare or safety to them.

### **Behaviour intervention and support**

**24.**—(1) The registered provider shall prepare and implement a written policy for supporting children who are exhibiting challenging behaviour having regard to guidance issued by the Department.

- (2) The registered provider shall take all reasonable steps to ensure that—
- (a) a positive behaviour approach is used to support any child exhibiting challenging behaviour;
  - (b) no form of physical chastisement is used on any child placed with a foster parent approved by the registered person;
  - (c) any child placed with a foster carer is not subject to punitive interventions, such as deprivation of rights, or demeaning intervention such as being mocked or shouted at;
  - (d) no child placed with a foster parent approved by the registered person is subject to any measure of behaviour intervention which is excessive or unreasonable and not as outlined in the provider's written policy; and
  - (e) proportionate physical restraint is used on a child only where:
    - (i) it is necessary to prevent likely injury to the child; or
    - (ii) it is to prevent likely injury to other persons.

### **Children missing from foster parent's home**

**25.** The registered provider shall prepare and implement a written procedure to be followed if a child is missing from a foster parent's home.

### **Representations and complaints**

**26.**—(1) Subject to paragraph (8), the registered provider shall establish a written procedure for considering complaints made by or on behalf of—

- (a) a foster parent approved by the registered person;

- (b) children who are placed with a foster parent approved by the registered person; or
  - (c) any person deemed not suitable to be a foster parent by the registered person, in accordance with regulation 6(7).
- (2) The procedure referred to in paragraph (1) shall, in particular, provide—
- (a) for an opportunity for informal resolution of the complaint at an early stage;
  - (b) that no person who is the subject of a complaint takes part in its consideration unless the registered provider considers it appropriate;
  - (c) for dealing with complaints about the registered person;
  - (d) for complaints to be made by a person acting on behalf of a child;
  - (e) details of the arrangements which must be put in place to enable the procedure to be made known to—
    - (i) children placed with a foster parent approved by the registered person (subject to their age and understanding);
    - (ii) their parents;
    - (iii) persons working for the purposes of the fostering agency; and
    - (iv) such persons as are referred to in paragraph (1)(c).
- (3) A copy of the procedure referred to in paragraph (1) shall be supplied on request to any of the persons mentioned in paragraph (2)(e).
- (4) The copy of the procedure supplied under paragraph (3) shall include—
- (a) the name, address and telephone number of the RQIA; and
  - (b) details of the procedure (if any) which has been notified to the registered provider by the RQIA for the making of complaints to it relating to fostering agencies.
- (5) The registered provider shall ensure that a written record is made of any complaint or representation, the action taken in response to it, and the outcome of the investigation.
- (6) The registered provider shall ensure that—
- (a) children are enabled to make a complaint or a representation; and
  - (b) no person is subject to any reprisal for making a complaint or representation.
- (7) The registered provider shall supply to the RQIA at its request a statement containing a summary of any complaints made during the preceding twelve months and the action taken in response.
- (8) This regulation—
- (a) does not apply to complaints as to the outcome of the decision made under regulation 6(8) or (9); and
  - (b) apart from paragraphs (5) and (6), does not apply to any matter to which the Representations Procedure (Children) Regulations (Northern Ireland) 1996(a) apply.

## CHAPTER 4

### Management and conduct

#### **Fitness of registered providers**

- 27.—**(1) A person shall not carry on a fostering agency unless he is fit to do so.
- (2) A person is not fit to carry on a fostering agency unless the person—
- (a) is an individual who carries on the fostering agency—
    - (i) otherwise than in partnership with others and he satisfies the requirements set out in paragraph (3); or

---

(a) S.R.1996 No.451



- (ii) in partnership with others, and he and each of his partners satisfies the requirements set out in paragraph (3);
- (b) is a partnership, and each of the partners satisfies the requirements set out in paragraph (3);
- (c) is an organisation and–
  - (i) the organisation has given notice to the RQIA of the name, address and position in the organisation of an individual (in these Regulations referred to as “the responsible individual”) who is a director, manager, secretary or other officer of the organisation and is responsible for supervising the management of the fostering agency; and
  - (ii) that individual satisfies the requirements set out in paragraph (3).
- (3) The requirements are that–
  - (a) he is of integrity and good character;
  - (b) he is physically and mentally fit to carry on the fostering agency; and
  - (c) full and satisfactory information is available in relation to him in respect of each of the matters specified in Schedule 5.
- (4) A person shall not carry on a fostering agency if that person–
  - (a) has within five years of the day the appointment would otherwise have taken effect been convicted, whether in the United Kingdom or elsewhere, of any offence and has been given a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine;
  - (b) has been dismissed, other than by reason of redundancy, from any paid employment with any Department(a), a health and social care body, a health service body, or a former health service body;
  - (c) is the subject of,
    - (i) a bankruptcy restrictions order under Schedule 2A to the Insolvency (Northern Ireland) Order 1989(b) or section 155 of the Bankruptcy (Scotland) Act 2016(c) or Schedule 4A to the Insolvency Act 1986(d);
    - (ii) an interim bankruptcy restrictions order under section 160 of the Bankruptcy (Scotland) Act 2016;
    - (iii) an interim bankruptcy restrictions order under Schedule 4A to the Insolvency Act 1986;
  - (d) is the subject of,
    - (i) a debt relief restrictions order under Schedule 2ZB to the Insolvency (Northern Ireland) Order 1989(e) or Schedule 4ZB to the Insolvency Act 1986(f)
    - (ii) an interim debt relief restrictions order under Schedule 4ZB to the Insolvency Act 1986;
  - (e) is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002(g) or the Company Directors Disqualification Act 1986(h);
  - (f) is subject to an order made under Article 86 of the Judgments Enforcement (Northern Ireland) Order 1981(a) or section 429(2)(b) of the Insolvency Act 1986;

---

(a) “any Department” means a Northern Ireland Department – see Article 3 of the Departments (Northern Ireland) Order 1999 (S.I. 1999/283 (N.I.1)), as amended by Sch. 2 to the Departments Act (Northern Ireland) 2016 (2016 c.5 (N.I.)).

(b) S.I. 1989/2405 (N.I.19). Sch. 2A inserted by the Insolvency (Northern Ireland) Order 2005 (S.I. 2005/1455 (N.I.10)), art 13(2), Sch. 5

(c) 2016 asp 21

(d) 1986 c.45. Sch. 4A inserted by the Enterprise Act 2002 c.40, ss. 257(2), Sch. 20.

(e) S.I.1989/2405 (N.I.19). Schedule 2ZB was inserted by the Debt Relief Act (Northern Ireland) 2010 c.16 (N.I.), s.3.

(f) S.I.1986 c.45. Sch. 4ZB was inserted by the Tribunals Courts and Enforcement Act 2007 c.15, s.108(2), Sch.19.

(g) S.I.2002/3150 (N.I.4)

(h) 1986 c.46

- (g) has been—
    - (i) removed from the office of charity trustee or trustee for a charity by order of the High Court of Northern Ireland or by order of the Charity Commission for Northern Ireland under section 33 of the Charities Act (Northern Ireland) 2008<sup>(b)</sup> on the grounds of any misconduct or mismanagement in the administration of the charity for which that person was responsible or to which that person was privy, or which that person by his conduct contributed to or facilitated;
    - (ii) removed under section 34 of the Charities and Trustee Investment (Scotland) Act 2005<sup>(c)</sup> (powers of the Court of Session to deal with management of charities), from being concerned in the management or control of the charity; or
    - (iii) disqualified from the office of trustee or charity trustee by virtue of section 178 of the Charities Act 2011 or by an order under section 181A of that Act<sup>(d)</sup>;
  - (h) is a Chair, chairman, member or non-executive director of a health and social care body, or a health service body;
  - (i) holds any paid employment or office with any Department, or a health and social care body;
  - (j) is a person who has been removed from the office as the Chair, chairman, member or non-executive director of a health and social care body, a health service body, or a former health service body;
  - (k) is a person who has been removed from office as the Chair or a member of the governing body of a clinical commissioning group;
  - (l) is a person whose application for registration under Part I of the Health and Personal Social Services Act (Northern Ireland) 2001<sup>(e)</sup>, or under Part IV of the Care Standards Act 2000<sup>(f)</sup> or under Part 3 of the Regulation of Care (Scotland) Act 2001<sup>(g)</sup>, has been refused or—
    - (i) whose registration has been suspended and the suspension has not been terminated; or
    - (ii) whose name has been removed from the register and not restored.
  - (m) is a person whose registration as a health care professional has been withdrawn or suspended; and
  - (n) is a person who has been barred from regulated activity relating to—
    - (i) children in accordance with Article 7(2) of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007; or
    - (ii) adults in accordance with Article 7(3) of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007.
- (5) For the purposes of paragraph (4)(a)–
- (a) the date of conviction shall be deemed to be the date on which the ordinary period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of its not being prosecuted; and
  - (b) there shall be disregarded any conviction by or before a court outside the United Kingdom for an offence in respect of conduct which, if it had taken place in any part of

---

(a) S.I. 1981/226 (N.I.6), as amended by S.I. 1989/2405 (N.I.19) s.381 & Sch 9, part 2; and S.I. 2002/3150 (N.I.4), Sch 3, para 1.

(b) 2008 c.12(N.I.)

(c) 2005 asp 10

(d) 2011 c.25. Section 181A was inserted by s.10 of the Charities (Protection and Social Investment) Act 2016 (c.4)

(e) 2001 c.3 (N.I.)

(f) 2000 c.14

(g) 2001 asp 8

the United Kingdom, would not have constituted an offence under the law in force in that part of the United Kingdom.

(6) For the purposes of paragraph (4)(b)–

- (a) a person shall not be treated as having been in paid employment by reason only of his being a Chair, chairman, member or non-executive director of a health and social care body, a health service body, or a former health service body; and
- (b) “dismissed” excludes dismissal which was established to have been unfair in industrial tribunal proceedings.

(7) In this regulation–

- (a) “health and social care body” has the same meaning as in section 1(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009(a);
- (b) “health service body” means–
  - (i) any of the following within the meaning of the National Health Service Act 2006(b)–
    - (aa) NHS England;
    - (bb) an integrated care board;
    - (cc) a Special Health Authority;
    - (dd) an NHS Trust(c);
    - (ee) an NHS foundation trust;
    - (ff) a Local Health Board;
  - (ii) any of the following within the meaning of the National Health Service (Scotland) Act 1978(d)–
    - (aa) a Health Board;
    - (bb) a Special Health Board;
    - (cc) the Common Services Agency for the Scottish Health Service;
    - (dd) Healthcare Improvement Scotland(e);
    - (ee) the Scottish Dental Practice Board(f);
  - (iii) the Wales Centre for Health established under section 2 of the Health (Wales) Act 2003(g);
  - (iv) the Care Quality Commission established under section 1 of the Health and Social Care Act 2008(h);
  - (v) the Health and Care Professions Council established under Article 3 of the Health and Social Work Professions Order 2002(i);
  - (vi) Social Care Wales established under section 54 of the Care Standards Act 2000(j);
  - (vii) the Scottish Social Services Council established under section 43 of the Regulation of Care (Scotland) Act 2001;

---

(a) 2009 c.1

(b) 2006 c.41

(c) Repealed by the Health and Social Care Act 2012 (2012 c.7), s 179(2). Date in force: to be appointed: see the Health and Social Care Act 2012, s 306(4).

(d) 1978 c.29

(e) Section 10A of the National Health Service Act 2006 was inserted by s.108 of the Public Services Reform (Scotland) Act 2020 asp 8

(f) Renamed from the Scottish Dental Estimates Board by ss12(1) of the Health and Medicines Act 1998 c.49

(g) 2003 c.4

(h) 2008 c.14

(i) S.I. 2002/254, as amended by s.214 of 2012 c.7

(j) Renamed from the Care Council for Wales by s.67 of the Regulation and Inspection of Social Care (Wales) Act 2016 anaw 2

- (viii) the Northern Ireland Social Care Council established under section 1 of the Health and Personal Social Services Act (Northern Ireland) 2001;
- (ix) the Health Services Safety Investigations Body established under section 109 of the Health and Care Act 2022(a).
- (c) “former health service body” means the National Health Service Commissioning Board(b), a Strategic Health Authority(c), a Primary Care Trust(d), a clinical commissioning group(e) or the Health Protection Agency(f); and
- (d) “health care professional” means a person who is registered as a member of any profession which is regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002(g).

### **Appointment of a manger**

- 28.**—(1) The registered provider shall appoint an individual to manage the fostering agency.
- (2) Where the registered provider is—
- (a) an organisation, it shall not appoint the person who is the responsible individual as the manager; or
  - (b) a partnership, it shall not appoint any of the partners as the manager.
- (3) The registered provider shall forthwith notify the RQIA of—
- (a) the name of any person appointed in accordance with this regulation; and
  - (b) the date on which the appointment is to take effect.

### **Fitness of manger**

- 29.**—(1) A person shall not manage a fostering agency unless he is fit to do so.
- (2) A person is not fit to manage a fostering agency unless—
- (a) he is of integrity and good character;
  - (b) having regard to the size of the fostering agency, its statement of purpose, and the numbers and needs of the children placed with foster parents approved by the registered person—
    - (i) he has the qualifications, skills and experience necessary for managing the fostering agency; and
    - (ii) he is physically fit and mentally fit to manage a fostering agency;
  - (c) full and satisfactory information is available in relation to him in respect of each of the matters specified in Schedule 5.

### **General requirements of the registered person**

- 30.**—(1) The registered provider and the registered manager shall, having regard to—
- (a) the size of the fostering agency, its statement of purpose, and the numbers and needs of the children placed with a foster parent approved by the registered person; and

---

(a) 2022 c.31  
 (b) Established under S.I. 2022 No. 2237  
 (c) Established under s.8 of the National Health Service Act 1977 c.49  
 (d) Established under s.16A of the National Health Service Act 1977 c.49. Section 16A was inserted by s.2 of the Health Act 1999 c.8  
 (e) Established in accordance with Chapter A2 of Part 2 of the National Health Service Act 2006 c.41. Chapter A2 was inserted by s.25 of the Health and Social Care Act 2012 c.7  
 (f) Established under S.I. 2003 No. 505  
 (g) 2002 c.17

- (b) the need to safeguard and promote the welfare of the children placed with a foster parent approved by the registered person,  
carry on or manage the fostering agency (as the case may be) with sufficient care, competence and skill.

(2) Where the registered provider is—

- (a) an individual, that person;
- (b) an organisation, the responsible individual; or
- (c) a partnership, one of the partners,

shall undertake, from time to time, such training as is appropriate to ensure that he has the experience and skills necessary for carrying on the fostering agency.

(3) The registered manager shall undertake from time to time such training as is appropriate to ensure that he has the experience and skills necessary to manage the fostering agency.

### **Notification of offences**

**31.** Where the registered person or the responsible individual is cautioned or convicted of any criminal offence, whether in Northern Ireland or elsewhere, he shall forthwith give notice in writing to the RQIA of—

- (a) the date and place of the conviction or caution;
- (b) the offence of which he was convicted or cautioned;
- (c) the penalty imposed on him in respect of the offence; and
- (d) the details of the offences pending.

### **Staffing of fostering agency**

**32.** The registered provider shall ensure that there is a sufficient number of suitably qualified, competent and experienced persons working for the purposes of the fostering agency, having regard to—

- (a) the size of the fostering agency, its statement of purpose, and the numbers and needs of the children placed with a foster parent approved by the registered person; and
- (b) the need to safeguard and promote the health and welfare of children placed with a foster carer approved by the registered person.

### **Fitness of workers**

**33.—**(1) The registered provider shall not—

- (a) employ a person to work for the purposes of the fostering agency unless that person is fit to work for the purposes of a fostering agency; or
- (b) allow a person to whom paragraph (2) applies, to work for the purposes of the fostering agency unless that person is fit to work for the purposes of a fostering agency.

(2) This paragraph applies to any person who is employed by a person other than the registered provider in a position in which he may in the course of his duties have regular contact with children placed with a foster parent approved by the registered person.

(3) For the purposes of paragraph (1), a person is not fit to work for the purposes of a fostering agency unless—

- (a) he is of integrity and good character;
- (b) he has the qualifications, skills and experience necessary for the work he is to perform;
- (c) he is physically and mentally fit for the work he is to perform; and
- (d) full and satisfactory information is available in relation to him in respect of each of the matters specified in Schedule 5.

(4) The registered provider shall take reasonable steps to ensure that any person working for a fostering agency who is not employed by him and to whom paragraph (2) does not apply, is appropriately supervised while carrying out his duties.

### **Employment of staff**

**34.**—(1) The registered provider shall—

- (a) ensure that all permanent appointments are subject to the satisfactory completion of a period of probation; and
- (b) provide all employees with a job description outlining their responsibilities.

(2) The registered provider shall operate a disciplinary procedure which, in particular—

- (a) provides for the suspension of an employee where necessary in the interests of the safety or welfare of children placed with the foster parents; and
- (b) provides that the failure on the part of an employee to report an incident of abuse or neglect, or suspected abuse or neglect of a child placed with foster parents to an appropriate person is a ground on which disciplinary proceedings may be instituted.

(3) For the purposes of paragraph (2)(b), an appropriate person is—

- (a) the registered person;
- (b) an officer of the RQIA;
- (c) an officer of the responsible authority;
- (d) an officer of the area authority if applicable;
- (e) an officer of the authority in whose area the agency is situated;
- (f) a police officer;
- (g) an officer of the National Society for the Prevention of Cruelty to Children.

(4) The registered provider shall ensure that all persons employed by him—

- (a) receive appropriate training, supervision and appraisal; and
- (b) are enabled from time to time to obtain further qualifications appropriate to the work they perform.

### **Staff records**

**35.**—(1) The registered provider shall maintain and keep up to date a record of the details specified in paragraph (2) in relation to each person working for the purposes of the fostering agency.

(2) The details referred to in paragraph (1) are—

- (a) full name;
- (b) sex;
- (c) date of birth;
- (d) home address;
- (e) qualifications;
- (f) whether the person is employed by the fostering service provider or a contract for services, or is employed by someone other than the fostering service provider; and
- (g) whether they work full-time or part-time and, if part-time, the average number of hours worked per week.

(3) The records referred to in paragraph (1) shall be retained for at least 15 years from the date of the last entry.

## CHAPTER 5

### Miscellaneous

#### Notifications and records

**36.**—(1) Where a fostering agency is to cease carrying out the functions of a fostering agency (“the old fostering agency”) the registered provider must without delay notify—

- (a) the authority in whose area the old fostering agency is situated;
- (b) the RQIA;
- (c) every foster parent currently approved by the old fostering agency under regulation 6 and every other foster parent for whom the old fostering agency has responsibility by virtue of paragraph (2); and
- (d) the responsible authority for every child currently placed with a foster parent falling within sub-paragraph (c),

of the fact that it is to cease carrying out the functions of a fostering agency and, in the case of notifications under sub-paragraphs (c) and (d), of the identity of the new fostering service provider.

(2) The registered provider of the old fostering agency may agree with—

- (a) an authority; or
- (b) another fostering service provider,

that it will become the “new fostering agency” or in the case of an authority (“the new fostering service provider”) in relation to some or all of the foster parents falling within paragraph (1)(c).

(3) In the absence of an agreement under paragraph (2) in relation to some or all of the foster parents falling within paragraph (1)(c), the authority in whose area each foster parent lives will become the new fostering service provider in relation to them.

(4) The registered provider of the old fostering agency must, before the date on which the agency ceases carrying out the functions of the fostering agency—

- (a) arrange for the records of the old fostering agency maintained by virtue of regulations 14 and 15 in relation to the foster parents falling within paragraph (1)(c) to be passed to the relevant new fostering service provider; and
- (b) arrange for all other records maintained by the old fostering agency to be passed to the authority in whose area the old fostering agency is situated.

#### New fostering service providers

**37.**—(1) Within 16 weeks of and including the date on which the old fostering agency ceases carrying out the functions of a fostering agency, the new fostering service provider must, unless it is not reasonably practicable to do so, carry out an assessment of any foster parent for whom it has assumed responsibility by virtue of regulation 36(2) or (3) (“the transferred foster parent”) and decide whether to approve them as a foster parent in accordance with the provisions of regulations 5 and 6, with the modification that regulation 6(3) does not apply.

(2) Where it is not reasonably practicable for the new registered provider to complete his assessment and make his decision within the period of 16 weeks referred to in paragraph (1), the transferred foster parent’s approval may be extended for such a period as is necessary for the new registered provider to make his decision, subject to approval by the RQIA.

(3) The transferred foster parent’s approval by the old fostering agency is terminated—

- (a) when the new registered provider makes his decision under regulation 6; or
- (b) subject to paragraph (2), if the new registered provider fails to carry out the assessment and make his decision within the period of 16 weeks referred to in paragraph (1); or

- (c) when the authority under regulation 36(2) or (3) makes his decision under regulation 6.

### **Review of quality of care**

**38.**—(1) The registered provider shall establish and maintain a system for—

- (a) monitoring the matters set out in Schedule 6 at appropriate intervals; and
- (b) improving the quality of foster care provided by the fostering agency.

(2) The registered provider shall supply to the RQIA upon request a report in respect of any review conducted by him for the purposes of paragraph (1) and make a copy of the report available upon request to any authority.

(3) The system referred to in paragraph (1) shall provide for consultation with foster parents, children placed with foster parents, and the responsible authority.

### **Notifiable events**

**39.**—(1) If any of the events listed in column 1 of the table in Schedule 7 takes place, the registered person must without delay, notify the persons or bodies indicated in respect of the event in column 2 of the table.

(2) Any notification made in accordance with this regulation which is given orally must be confirmed in writing.

### **Financial position**

**40.**—(1) The registered provider shall carry on the fostering agency in such manner as is likely to ensure that it will be financially viable for the purpose of achieving the aims and objectives set out in its statement of purpose.

(2) The registered provider shall—

- (a) ensure that adequate accounts are maintained and kept up to date in respect of the fostering agency; and
- (b) supply a copy of the accounts, certified by an accountant, to the RQIA.

(3) The registered provider shall, if the RQIA so requests, provide the RQIA with such information as it may require for the purposes of considering the financial viability of the fostering agency, including—

- (a) the annual accounts of the fostering agency, certified by an accountant;
- (b) a reference from a bank expressing an opinion as to the registered provider's financial standing;
- (c) information as to the financing and financial resources of the fostering agency;
- (d) where the registered provider is a company, information as to any of its associated companies; and
- (e) a certificate of insurance for the registered provider in respect of liability which may be incurred by him in relation to the fostering agency in respect of death, injury, public liability, damage or other loss.

(4) In this regulation one company is associated with another if one of them has control of the other, or both are under the control of the same person.

### **Notice of absence**

**41.**—(1) Where the registered manager proposes to be absent from the fostering agency for a continuous period of 28 days or more, the registered provider shall give notice in writing to the RQIA of the proposed absence.



(2) Except in the case of an emergency, the notice referred to in paragraph (1) shall be given no later than one month before the proposed absence is to start, or within such shorter period as may be agreed with the RQIA, and the notice shall specify–

- (a) the length or expected length of the proposed absence;
- (b) the reason for the proposed absence;
- (c) the arrangements which have been made for the running of the fostering agency during that absence;
- (d) the name, address and qualifications of the person who will be responsible for the fostering agency during the absence; and
- (e) the arrangements that have been made or are proposed to be made for appointing another person to manage the fostering agency during the absence, including the proposed date by which the appointment is to start.

(3) Where the absence arises as a result of an emergency, the registered provider shall give notice of the absence within one week of its occurrence, specifying the matters mentioned in subparagraphs (a) to (e) of paragraph (2).

(4) Where the registered manager has been absent from the fostering agency for a continuous period of 28 days or more, and the RQIA has not been given notice of the absence, the registered provider shall without delay give notice in writing to the RQIA specifying the matters mentioned in paragraph (2).

(5) The registered provider shall notify the RQIA of the return to duty of the registered manager not later than 7 days after and including the date of his return.

### **Notice of changes**

**42.**—(1) The registered provider shall give notice in writing to the RQIA as soon as it is practicable to do so if any of the following events takes place or is proposed to take place–

- (a) a person other than the registered person carries on or manages the fostering agency;
- (b) a person ceases to carry on or manage the fostering agency;
- (c) where the registered provider is an individual, he changes his name;
- (d) where the registered provider is a partnership, there is any change in the membership of the partnership;
- (e) where the registered provider is an organisation–
  - (i) the name or address of the organisation is changed;
  - (ii) there is any change of director, manager, secretary or other similar officer of the organisation; or
  - (iii) there is to be any change in the identity of the responsible individual;
- (f) where the registered provider is an individual, a trustee in bankruptcy is appointed or he makes any composition or arrangements with his creditors; or
- (g) where the registered provider is a company or a partnership, a receiver, a manager, a liquidator or a provisional liquidator is appointed in respect of the registered provider.

(2) The registered person shall notify the RQIA in writing and without delay of the death of the registered provider or the registered manager.

### **Appointment of liquidators**

**43.**—(1) Any person to whom paragraph (2) applies shall–

- (a) forthwith notify the RQIA of his appointment indicating the reason for it;
- (b) appoint a manager to take full-time day to day charge of the fostering agency in any case where there is no registered manager; and

- (c) not more than 28 days after and including the date of their appointment, notify the RQIA of their intentions regarding the future operation of the fostering agency.
- (2) This paragraph applies to any person appointed as—
  - (a) the receiver or manager of the property of a company or partnership which is a registered provider of a fostering agency;
  - (b) a liquidator or provisional liquidator of a company or partnership which is a registered provider of a fostering agency; or
  - (c) the trustee in bankruptcy of a registered provider of a fostering agency.

## **Offences**

- 44.**—(1) A contravention of any of the provisions of regulations 21 to 42 shall be an offence.
- (2) The RQIA shall not bring proceedings against a person in respect of any contravention of the regulations specified in paragraph (1) unless—
- (a) he is a registered person;
  - (b) notice has been given to him in accordance with paragraph (3);
  - (c) the period specified in the notice, within which the registered person may make representations to the RQIA, has expired; and
  - (d) in a case where, in accordance with paragraph (3)(d), the notice specifies any action that is to be taken within a specified period, the period has expired and the action has not been taken within that period.
- (3) Where the RQIA considers that the registered person has contravened any provision of the regulations specified in paragraph (1), it may serve a notice on the registered person specifying—
- (a) which provision of those regulations the registered person has contravened;
  - (b) in what respect in its opinion the registered person has contravened any of the regulations;
  - (c) where it is practicable for the registered person to take action for the purpose of complying with any of those regulations, the action which, in the opinion of the RQIA, the registered person should take for that purpose;
  - (d) the period, not exceeding three months, within which the registered person should take any action specified in accordance with sub-paragraph (c); and
  - (e) the period, not exceeding one month, within which the registered person may make representations to the RQIA about the notice.

## **Compliance with regulations**

**45.** Where there is more than one registered person in respect of a fostering agency, anything which is required under these Regulations to be done by the registered person shall, if done by one of the registered persons, not be required to be done by any of the other registered persons.

# **PART VIII**

## **Amendment to legislation**

## **Transitional provisions**

**46.**—(1) This regulation applies to persons who, by virtue of the provisions of the 2003 Order are required to be registered, in respect of a fostering agency, under Part III of that Order but who immediately prior to 3 October 2016 were not required to be so registered.

(2) Where paragraph (1) applies, a person who immediately prior to 3 October 2016 was carrying on or managing a foster agency, may continue to manage the agency—

- (a) during a period of 6 months beginning on the date on which these Regulations come into operation; and
- (b) if within that period an application is made to the RQIA for registration under Part III of the 2003 Order, until that application is finally disposed of or withdrawn.

(3) Where paragraph (2) applies, Article 12 (1), (4), and (5) of the 2003 Order shall not apply to such a person.

(4) In this regulation, “finally disposed of” means the date 28 days following the grant or refusal of registration and, if an appeal is made, the date when the appeal is finally determined or abandoned.

### **Revocation**

**47.** The Foster Placement (Children) Regulations (Northern Ireland) 1996<sup>(a)</sup> are hereby revoked.

Sealed with the Official Seal of the Department of Health on 1st February 2025.



*Name*  
A senior officer of the  
Department of Health

## **SCHEDULE 1**

Regulation 4(2)

### **Agreement between an authority and a registered person relating to the discharge of the authority’s functions**

**1.** The written agreement between an authority and a registered person referred to in regulation 4(2)(b) must contain the following information—

- (1) the services to be provided to the authority by the registered person;
- (2) the arrangements for the selection by the authority of the foster parent from those approved by the registered person;
- (3) a requirement for the registered person to submit reports to the authority on any placements as may be required by the authority; and
- (4) the arrangements for the termination of the agreement.

**2.** Where the written agreement referred to in regulation 4(2)(b) relates to a particular child, it must also contain the following information—

- (1) the foster parent’s details;
- (2) details of any services that the child is to receive and whether the services are to be provided by the authority or by the registered person;
- (3) the terms (including as to payment) of the proposed agreement;

---

<sup>(a)</sup> S.R. 1996 No. 467 Relevant amending instrument is S.R. 2012 No. 229

- (4) the arrangements for record keeping about the child and for the return of records at the end of the placement;
- (5) a requirement for the registered person to notify the responsible authority immediately in the event of any concerns about the placement; and
- (6) whether, and on what basis, other children may be placed with the foster parent.

## SCHEDULE 2

Regulation 5

### Information as to prospective foster parent (“X”) and other members of his household and family

1. His full name, address and date of birth.
2. Details of his health (supported by a medical report), personality, marital status, and details of his current and any previous marriage, civil partnership<sup>(a)</sup> or similar relationship.
3. Particulars of any other adult members of his household.
4. Particulars of the children in his family, whether or not members of his household, and any other children in his household.
5. Particulars of his accommodation, and any health and safety considerations relevant to the placement of children.
6. His religious persuasion, and his capacity to care for a child from any particular religious persuasion.
7. His racial origin, his cultural and linguistic background and his capacity to care for a child from any particular origin or cultural and linguistic background.
8. His past and present employment or occupation, his standard of living and leisure activities and interests.
9. His previous experience (if any) of caring for his own and other children and his ability in this respect.
10. His skills, competence and potential relevant to his capacity to care effectively for a child placed with him.
11. The outcome of any request or application made by him or any other member of his household to foster or adopt children, or for registration for child minding or day care, including particulars of any previous approval or refusal of approval relating to him or to any other member of his household.
12. In relation to X and any other member of X’s household who is aged 10 and over, an enhanced criminal record certificate issued under section 113B of the Police Act 1997<sup>(b)</sup> which includes suitability information relating to children (within the meaning of section 113BA(2) of that Act).

---

(a) within the meaning of section 1 of the Civil Partnership Act 2004 [2004 c.33]

(b) 1997 c.50. Section 113B inserted by 2005 c.15, s. 163(2). Section 113BA inserted by 2006 c.47, Sch. 9 para 14(4)

## SCHEDULE 3

Regulation 6(6)

### Matters and obligations to be covered in foster care agreements

1. The matters which must be recorded in the foster care agreement referred to in regulation 6(6)(b) are—

- (a) the terms of the foster parent's approval;
- (b) the support and training to be given to the foster parent;
- (c) the procedure for the review of approval of the foster parent;
- (d) in the case of an authority or a voluntary organisation responsible for the placement of children with foster parents, the procedure in connection with the placement of children and the matters to be included in any placement plan;
- (e) the arrangements for meeting any legal liabilities of the foster parent arising by reason of a placement;
- (f) the fostering service provider's arrangements for any financial support during the placement;
- (g) the procedure available to foster parents for making complaints and representations.

2. The obligations on the foster parent which must be included in the foster care agreement referred to in regulation 6(6)(b) are—

- (a) to care for any child placed with them in accordance with the assessed needs of the child and as if the child were a child of the foster parent's family and to promote that child's welfare having regard to the long and short-term plans for the child;
- (b) to give written notice to the fostering service provider without delay, with full particulars, of—
  - (i) any intended change of the foster parent's address;
  - (ii) any change in the composition of the household;
  - (iii) any other change in the foster parent's personal circumstances and any other event affecting either their capacity to care for any child placed or the suitability of the household; and
  - (iv) any request or application to adopt children;
- (c) not to administer corporal punishment to any child placed with the foster parent;
- (d) to ensure that any information relating to—
  - (i) a child placed with the foster parent,
  - (ii) the child's family, or
  - (iii) any other person,

which has been given to the foster parent in confidence in connection with a placement is kept confidential and is not disclosed to any person without the consent of the fostering service provider;

- (e) to comply with the terms of any placement plan;
- (f) to comply with the policies and procedures of the fostering service provider issued under regulations 23 to 26;
- (g) to co-operate as reasonably required with the RQIA and in particular to allow a person authorised by the RQIA to interview the foster parent and visit the foster parent's home at any reasonable time;
- (h) to keep the registered manager informed about the child's progress and to notify him as soon as is reasonably practicable of any significant events affecting the child;
- (i) where regulation 11(1) or (2) applies, to allow the child to be removed from the foster parent's home by the responsible authority or (as the case may be) the area authority.

## SCHEDULE 4

Regulation 8(5)

### Matters and obligations to be covered in foster placement agreements

1. The provision by the responsible authority of a statement containing all the information which the responsible authority considers necessary to enable the foster parent to care for the child and, in particular, information as to—

- (a) the responsible authority's arrangements for the child and the objectives of the placement;
- (b) the child's personal history, religious persuasion, racial origin and cultural and linguistic background;
- (c) the child's state of health and need for health care and surveillance; and
- (d) the child's educational needs,

including a requirement for the statement to be provided either at the time of the signing of the agreement or, where this is not practicable, within the following 14 days.

2. The responsible authority's arrangements for the financial support of the child during the placement.

3. Any arrangements for giving consent to the medical or dental examination or treatment of the child.

4. Any agreements relating to delegation of decisions in respect of the child having regard to guidance issued by the Department.

5. The circumstances in which it is necessary to obtain in advance the approval of the responsible authority for the child to live, even temporarily, away from the foster parent's home.

6. The arrangements for visits to the child, in connection with the supervision of the placement, by the person authorised by or on behalf of the responsible authority or area authority and the frequency of visits and reviews under the Review of Children's Cases Regulations (Northern Ireland) 1996(a).

7. The arrangements for the child to have contact with his parents and other persons, including any arrangements in pursuance of Article 53 of the 1995 Order (parental contact etc. with children in care) in relation a child in care, or any contact order (as defined in Article 8(1) of the 1995 Order).

8. Compliance by the foster parent with the terms of the agreement set out in Schedule 3.

9. Co-operation by the foster parent with any arrangements made by the responsible authority for the child.

## SCHEDULE 5

Regulations 27, 29 and 33

### Information required in respect of persons seeking to carry on, carrying on, managing or working for the purposes of a fostering agency

1. Positive proof of identify including a recent photograph.

2. Evidence that the requirements of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007(b) and the Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005(c) have been complied with, where applicable.

---

(a) S.R.1996 No. 461  
(b) S.I.2007/1351 (N.I.11)  
(c) S.R. 2005 No.99

**3.** Two written references, including a reference from the person's most recent employer, if any.

**4.** Where a person has previously worked in a position whose duties involved work with children or vulnerable adults, so far as reasonably practicable, verification of the reason why the employment or position ended.

**5.** Documentary evidence of any relevant qualifications.

**6.** A full employment history, together with a satisfactory written explanation of any gaps in employment.

## **SCHEDULE 6**

Regulation 38(1)

### **Matters to be monitored by the registered provider**

**1.** Compliance in relation to each child placed with foster parents, with the responsible authority's arrangements for the care of the child.

**2.** All accidents, injuries and illnesses of children placed with foster parents.

**3.** Complaints in relation to children placed with a foster parent approved by the registered person and their outcomes.

**4.** Any allegations or suspicions of abuse in respect of children placed with a foster parent approved by the registered person and the outcomes of any investigation.

**5.** Recruitment records and conduct of required checks of new workers.

**6.** Notifications of events listed in Schedule 7.

**7.** Any unauthorised absence from the foster home of a child accommodated there.

**8.** Use of any measures of behaviour management/support in respect of children accommodated in a foster home.

**9.** Medication, medical treatment and first aid administration to any child placed with a foster parent approved by the registered person.

**10.** Where applicable, the standard of any education provided by the fostering agency.

**11.** Records of assessments.

**12.** Records of persons working for the fostering agency on any given day.

**13.** Records of employee's training, supervision, appraisal and disciplinary action (if any) taken against them.

**14.** Minutes of staff meetings.

## SCHEDULE 7

Regulation 39(1)

### Notifications to be made following certain events

<i>Column 1</i>	<i>Column 2</i>					
	RQIA	Responsible Authority	DoH	Area Authority	Police(a)	Public Health Agency(b)
Death of a child placed with foster parent.	Yes	Yes	Yes	Yes	Yes	
Information is provided to the Disclosure and Barring Service under any of Articles 37, 38, 41, 43 or 47 of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 in respect of an individual working for a fostering agency.	Yes	Yes				
Serious illness or a serious accident of a child placed with foster parents.	Yes	Yes		Yes		

(a) The Police Service of Northern Ireland within the meaning of s.1 of the Police (Northern Ireland) Act 2000 c.32

(b) The Regional Agency for Public Health and Social Well-being established under s.12 of the Health and Social Care (Reform) Act (Northern Ireland) 2009 c.1



Outbreak at the home of a foster parent of any infectious disease which in the opinion of a registered medical practitioner attending the home is sufficiently serious to be so notified.	Yes	Yes			Yes
Allegation that a child placed with foster parents has committed a serious crime.	Yes	Yes			Yes
Concerns or confirmation that a child placed with foster parents is being sexually exploited.	Yes	Yes		Yes	Yes
Serious incident relating to a child placed with foster parents necessitating calling the police to the foster parent's home.		Yes			
A child placed with the foster parents is missing.		Yes		Yes	
Any serious	Yes	Yes		Yes	

allegation or  
complaint about any  
foster parent  
approved by the  
registered person.  
Investigation and  
outcome of any child  
protection enquiry  
involving a child  
placed with foster  
parents.

Yes

Yes

Yes

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made under the Children (Northern Ireland) Order 1995 and The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.

These Regulations replace The Foster Placement (Children) Regulations (Northern Ireland) 1996 (as amended).

The Regulations apply to the placement of children by authorities and voluntary organisations, other than placements to which The Placement of Children with Parents etc. Regulations (Northern Ireland) 1996 apply and placements for adoption or with a person having parental responsibility for a child (regulation 3).

Part II of the Regulations allows authorities to make arrangements with fostering agencies to assess, approve and review foster parents on the authorities' behalf (regulation 4 and Schedule 1).

Part III of the Regulations sets out the requirements for the assessment of prospective foster parents by an authority or fostering agency, including the information to be obtained and checks to be carried out in relation to that person and members of their household and family (regulation 5 and Schedule 2); requires the foster parent with whom a child is placed to be approved by an authority or fostering agency, sets out the process of approval, and allows for a person who is informed they are unlikely to be approved to submit representations to the fostering service provider (regulation 6 and Schedule 3); and makes provision for reviews and terminations of approval (regulation 7).

Part IV of the Regulations makes provision for the placement of a child with a foster parent (regulation 8 and Schedule 4); for the supervision of placements (regulation 9); for authority visits to children placed with foster parents by voluntary organisations (regulation 10); for the termination of placements (regulation 11); for the application of the Regulations to short-term placements (regulation 12); and for emergency and immediate placements by authorities (regulation 13).

Part V of the Regulations provides for authorities and fostering agencies to maintain records of any placements made with a foster parent approved by them, of applicants who have not been approved by them, and in the case of an authority, of any foster parent with whom a child is placed in an emergency or immediate placement (regulation 14); for authorities and fostering agencies to maintain a register of foster parents approved by them (regulation 15); and for the retention and confidentiality of the registers and records (regulation 16).

Part VI of the Regulations concerns the conduct of an authority which places a child with a foster parent. It places a duty on that authority to promote the health, educational achievement and leisure activities of the child (regulation 17); and to provide support, training and information to the foster parent (regulation 18).

Part VII of the Regulations relates only to fostering agencies. Chapter 1 places upon the fostering agency a duty to safeguard and promote the welfare of children placed with foster parents approved by the agency (regulation 19); and to promote contact between foster children and their families (regulation 20). Chapter 2 requires the fostering agency to have a statement of purpose setting out the aims, objectives, services and facilities provided by the agency, and a children's guide to the service (regulation 21); and to keep the statement of purpose and children's guide under review (regulation 22). Chapter 3 places a duty on the fostering agency to prepare and implement a policy and procedure for the protection of children (regulation 23); to prepare and implement a policy regarding acceptable behaviour intervention and support (regulation 24); to prepare and implement a procedure to be followed if children are missing from a foster parent's home (regulation 25); and to establish a written procedure for considering complaints and representations made by or on behalf of foster children, foster parents, and any person deemed not suitable to be a foster parent (regulation 26). Chapter 4 makes provision about the fitness of the registered provider within the fostering agency (regulation 27 and Schedule 5); the appointment of

a manager (regulation 28); the fitness of a manager (regulation 29 and Schedule 5); the general requirements of the registered provider and the manager (regulation 30); the notification of offences (regulation 31); the staffing of the fostering agency (regulation 32); the fitness of any persons working for the fostering agency (regulation 33 and Schedule 5); the employment of staff within the agency (regulation 34); and the maintenance and keeping of staff records (regulation 35). Chapter 5 makes miscellaneous provision about fostering agencies, including those which cease to carry out the functions of fostering agencies; for relevant persons to be notified (regulation 36); and for a new provider to take over responsibility for foster parents approved by the old agency and for the re-assessment of those foster parents by the new provider (regulation 37). Chapter 5 also places a duty on the registered provider to maintain a system for monitoring and improving the service provided by the fostering agency (regulation 38 and Schedule 6); to make notifications of certain serious events to the relevant body (regulation 39 and Schedule 7); to ensure the financial viability of the fostering agency (regulation 40); and to notify the Regulation and Quality Improvement Authority (RQIA) of certain changes within the management of the fostering agency (regulations 41 and 42). This Chapter also requires certain actions to be taken in the event of the appointment of liquidators (regulation 43); enables the RQIA to bring proceedings against the registered provider or registered manager of a fostering agency (regulation 44); and sets out the requirement for compliance with the Regulations, in the event that an agency has more than one registered person (regulation 45).

Part VIII introduces transitional provisions (regulation 46) and revokes The Foster Placement (Children) Regulations (Northern Ireland) 1996 (regulation 47).