

**THE DEPARTMENT OF HEALTH AND SOCIAL SECURITY  
OF THE ISLE OF MAN**

**THE CHILDREN AND YOUNG PERSONS ACT  
2001**

**GUIDANCE**

**VOLUME G**

**PRIVATE FOSTERING**

## **PREFACE**

The Children and Young Persons Act 2001 introduces reforms of law relating to the care and welfare of persons under the age of 18 years. It is based, in large part, on the Children Act 1989 of Parliament. It re-enacts Parts I and II of the Family Law Act 1991.

Part 8 of the Act deals with Proceedings involving Children and Young Persons. Part 9 deals with fertilisation, embryology and surrogacy. The Guidance provided in this series covers the remaining eight parts of the Act. These two important aspects are covered elsewhere.

This Guidance is issued by the Department of Health and Social Security as one of a series designed to explain the principles of the Children and Young Persons Act and to consider their implications for policy, procedure and practice. It is written for managers, practitioners and anyone who is interested in children and families who may be affected by the Act. Though drafted before the Act comes into force it is written in the present tense.

This volume is based on the guidance relating to Part IX of the Children Act 1989.

For ease of reference and to avoid constant repetition the relevant part of the Act or other statute or publication is shown in the left hand column, next to the passage to which it relates.

# CONTENTS

<b>CHAPTER 1</b>	
<b>INTRODUCTION</b>	<b>1</b>
APPROACH TO PRIVATE FOSTERING	1
SUMMARY OF THE LEGISLATION	2
Definitions	2
Notification of private fostering	4
Who may not be a private foster carer	4
Limit to the number of children in a private foster home	5
The welfare of privately fostered children	6
Children in need	6
<b>CHAPTER 2</b>	
<b>THE DEPARTMENT'S ROLE</b>	<b>8</b>
INTRODUCTION	8
THE LAW ABOUT NOTIFICATION OF PRIVATE FOSTERING	8
Responsibilities	8
Timescales	9
Notifications to be made by prospective and actual foster carers	10
Systems and procedures in relation to notification	11
Disqualification	11
Changes of circumstances	12
Failure to notify	12
ASSESSING THE SUITABILITY OF PRIVATE FOSTER CARERS	12
Initial enquiries	12
Checking police records	13
The initial assessment visit - matters to be explored	14
Purpose and duration of the fostering arrangement	16
Ascertaining the wishes of the child	16
PROMOTING THE WELFARE OF PRIVATELY FOSTERED CHILDREN	18
The frequency of visits	18
Supervisory visits	18
Contact with the child's family	19
Needs of siblings	20
Ethnicity, culture, religion and linguistic needs	20
Recording the child's development	21
DEPARTMENTAL RECORDS	22
Contents	22
Case records	22
Safekeeping	22
Access to records	22
Retention of records	22

## CONTENTS

<b>CHAPTER 3</b>	
<b>THE WELFARE OF THE CHILD</b>	<b>24</b>
PREPARING THE GROUND	24
CHILD DEVELOPMENT	24
WELL BEING	25
HEALTH	26
Health care	27
Child's medical history	27
Medical examinations	28
Consent to medical examination or treatment	28
Registration with a General Practitioner	29
EDUCATION	29
PHYSICAL CARE	29
CONTACT WITH THE CHILD'S FAMILY	30
SERVICES FOR CHILDREN WITH DISABILITIES	30
FEMALE CIRCUMCISION	30
MALE CIRCUMCISION	31
ETHNIC, CULTURE, RELIGION AND LINGUISTIC NEEDS	31
EQUAL OPPORTUNITIES	32
CONTINUITY AND CHANGE	32
RECORDING THE CHILD'S DEVELOPMENT	33
<b>CHAPTER 4</b>	
<b>INFORMATION FOR PRIVATE FOSTER CARERS</b>	<b>34</b>
ARRANGING THE PLACEMENT OF CHILDREN	34
Parental responsibility	34
THE LAW ABOUT NOTIFICATION OF PRIVATE FOSTERING	35
PURPOSE AND DURATION OF THE ARRANGEMENT	35
SUITABILITY OF ACCOMMODATION	36
FINANCIAL ARRANGEMENTS	36
ADVICE FOR PRIVATE FOSTER CARERS	36
Scope of advice	36
Welfare of the child	37
The Department's role	37