STATUTORY INSTRUMENTS

1982 No. 447

CHILDREN AND YOUNG PERSONS

The Boarding-Out of Children (Amendment) Regulations 1982

Made - - - -	*26th March* 1982
Laid before Parliament	*5th April* 1982
Coming into Operation	*30th April* 1982

The Secretary of State for Social Services, in exercise of the powers conferred on him by sections 22 and 61(1) of the Child Care Act 1980 (**a**) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Boarding-Out of Children (Amendment) Regulations 1982 and shall come into operation on 30th April 1982.

(2) In these regulations "the principal regulations" means the Boarding-Out of Children Regulations 1955 (**b**).

Amendment of regulation 10(3) *of the principal regulations*

2. In regulation 10(3) of the principal regulations (case records to be kept by local authorities and voluntary organisations)—

(a) after the words "under this Regulation' there are inserted the words "or a microfilm recording thereof"; and

(b) after the words "before attaining that age, and" there are inserted the words "such microfilm recording or, where there is none, such case record,".

Insertion of new regulation 10A *after regulation* 10 *of the principal regulations*

3. After regulation 10 of the principal regulations there is inserted the following regulation—

"Microfilming of case records

10A. A local authority or voluntary organisation may make and preserve a microfilm recording of any case record compiled under Regulation 10 of these Regulations and may destroy any case record of which they have made a microfilm recording.".

(**a**) 1980 c.5.
(**b**) S.I. 1955/1377, amended by S.I. 1965/654.

Substitution for regulation 21 *of the principal regulations*

4. In Part II of the principal regulations (Provisions Applicable to Boarding-Out for a Period Exceeding Eight Weeks), for regulation 21 (visits during boarding-out) there is substituted the following regulation—

"*Visits during boarding-out*

21.—(1) In the case of a child who is boarded out with one person as a member of a household which does not include any other person, the local authority or voluntary organisation who have arranged the boarding-out of the child shall ensure that a visitor sees the child and visits the dwelling of the foster parent—

(a) within two weeks after the commencement of the boarding-out and within the two weeks next following those two weeks;

(b) thereafter as often as the welfare of the child requires, but not less often than—

(i) in the case of a child boarded out with a foster parent in whose household he has been less than two years, once in every six weeks, or

(ii) in the case of a child who has been in the household of the foster parent more than two years, once in every three months;

(c) within one month after any change of dwelling by the foster parent; and

(d) forthwith after the receipt of a complaint by or concerning the child, unless it appears that action thereon is unnecessary.

(2) In any other case, a local authority or voluntary organisation who have arranged the boarding-out of a child shall ensure that a visitor sees the child and visits the dwelling of the foster parents—

(a) within one month after the commencement of the boarding-out;

(b) thereafter as often as the welfare of the child requires, but not less often than—

(i) in the case of a child boarded out with foster parents in whose household he has been less than two years, if the child has not attained the age of five years, once in every six weeks, or, if he has attained that age, once in every two months, or

(ii) in the case of a child who has been in the household of the foster parents more than two years, once in every three months;

(c) within one month after any change of dwelling by the foster parents; and

(d) forthwith after the receipt of a complaint by or concerning the child, unless it appears that action thereon is unnecessary.".

Amendment of regulation 32 *of the principal regulations*

5. In regulation 32(1) of the principal regulations (interpretation)—

(a) for the definition of "child" there is substituted the following definition—

" "child" has the meaning assigned to it by section 87(1) of the Child Care Act 1980;";

(b) for the definition of "local authority" there is substituted the following definition—

" "local authority" has the meaning assigned to it by section 87(1) of the Child Care Act 1980;".

Revocation

6. Regulation 2 of the principal regulations (persons with whom children may be boarded out) is hereby revoked.

Norman Fowler,
Secretary of State for Social Services.

26th March 1982.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Boarding-Out of Children Regulations 1955.

They increase the frequency with which a person carrying out duties under those regulations to see children who are boarded out and to visit the homes of foster parents must perform those duties in respect of a child boarded out with one person where there is no other person in the household and the period of boarding-out exceeds eight weeks. They also permit local authorities and voluntary organisations to make and keep microfilms of case records and to destroy case records which they have microfilmed.

The regulations revoke regulation 2 of the Boarding-Out of Children Regulations 1955 which restricted the classes of persons with whom a child could be boarded out.

They also substitute for the definitions in those regulations of "child" and "local authority" the definitions in section 87(1) of the Child Care Act 1980.

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