**What is an Emergency Variation of a Foster Carers terms of approval?**

The Care Planning, Placement and Case Review (England) Regulations 2010 (Regulation 23) prescribes that where it is necessary to place a child in an emergency, the responsible authority may place a child with any local authority foster parent who has been approved, even if the terms of that foster carers approval are not consistent with the placement, provided that the placement is for no longer than 6 working days. When the period of 6 working days expires the responsible authority MUST terminate the placement unless the terms of that person’s approval has been amended to be consistent with the placement.

An example of when a variation is required

A foster carer is approved to care for males aged 0-12 years, in an emergency the fostering service has placed a male aged 16 years with the foster carer, this placement is outside of the carer’s terms of approval, and it is likely that this placement will last longer than 6 working days – a variation of the carers terms of approval is needed.

**When should the variation of carers approval be requested?**

In Dudley after a child has been in placement for 3 working days the SSW allocated to the foster carer the child has been placed with should complete the Exemption/ Variation of carers approval form and send to the Fostering Service Manager, copying in the Team Manager. The email should be marked urgent and be titled “Exemption/Variation”

The SSW should add a case note to the carers LCS record indicating that this variation form has been sent to the Fostering Service Manager.

**What is an Exemption?**

The Children Act 1989 (Section 63 Schedule 7) prescribes the usual fostering limit of Three children in foster homes, except in the case of one sibling group. Local Authorities have the power to grant an exemption from the usual fostering limit of three children.

**An example of where an Exemption is required**

There are 3 children living with carers, one of the children’s siblings foster placement has broken down and there is a plan to move this sibling into the foster home, this would result in their being 4 foster children placed in the foster home. An Exemption would be required due to their being more than 3 children placed.

**When should an Exemption be requested?**

Wherever possible an Exemption should be requested prior to 4 children being placed together in a foster home (outside of where these children are siblings).

In Dudley it is expected that the allocated SSW to the foster carers the 4 children are placed with or are to be placed with as the case may should complete the Exemption/ Variation of carers approval form and send to the Fostering Service Manager, copying in the Team Manager. The Email should be marked urgent and titled “Exemption/Variation”

The SSW should add a case note to the carers LCS record indicating that this Exemption form has been sent to the Fostering Service Manager.

Other areas for consideration:

There may be cases where both an exemption and Variation of carers approval is required in these instances both should be applied for following the above guidance by the SSW.

Once the Fostering Service Manager has given agreement for the Exemption or Variation or both the SSW should share the Exemption / Variation certificate signed by the Fostering Service Manager with the foster carer, this should be shared with the fostering panel advisor also.

Recording the Exemption / Variation Certificate

The SSW should ensure that the Exemption / Variation certificate is added to the foster carers LCS record under documents and the fact that this is in place should be added to the case summary section alongside the review date.

The SSW should be mindful of the timescales given within the Fostering Service Manager agreement for the Variation / Exemption and ensure that where necessary the certificate is reviewed by the FSM / presented to fostering panel to ensure that the placement remains compliant with the Care planning, placement, and case review (England) Regulations and the Children Act 1989 Volume 4.

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