

Fostering

Exemptions and Extensions

The Trust Board has granted the Chief Executive of the Sandwell Children's Trust the authority to approve this document.

Exemptions and Extensions

Regulations and Standards

[The Fostering Services \(England\) Regulations 2011](#)

Fostering Services: National Minimum Standards:

[STANDARD 14 - Fostering panels and the fostering service's decision maker](#)

Scope of this chapter

Please note that applications for exemption in relation to foster carers living in a different local authority area must be made to the manager of the fostering service for the local authority in whose area the foster carer lives.

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1. Usual Fostering Limit on Number of Children

A person may not foster more than three children in each foster home except where all children are siblings.

In all other circumstances, foster carers may only exceed this number if an exemption has been agreed.

2. Reasons why an Exemption may be Considered

Applications will usually be made because of the following exceptional circumstances:

- The child concerned was previously placed with the foster carers and his or her placement elsewhere has disrupted;
- The foster carers have special skills to meet the child's needs which are not available elsewhere;
- The placement of the child over the limit is the most appropriate way of meeting the child's needs arising from disability, race, religion, language and/or culture;
- The placement is required to keep siblings together.

Applications can only be made with the agreement of the foster carers concerned.

When considering an exemption, the following factors should be regarded:

- The number, ages and circumstances of the children concerned;
- The arrangements proposed for the care and accommodation of the children concerned;
- The relationship between the foster carers and the children concerned;
- The period of time over which the placement is likely to last;
- The likely effect on the children concerned and any other children living in the household;
- The foster carers' capacity to provide sufficient care for all the children in the placement;
- The need to safeguard and promote the welfare of the fostered children / young people and any other children / young people who live in the foster home.

3. The Process for Exemptions

3.1 Planned Exemptions

The need for an exemption will be identified at the point when the fostering service is seeking to identify a suitable placement for a child or children, i.e. where a foster carer is identified as the most appropriate option to meet the child's needs, and this is agreed by the Supervising Social Worker for the carers and the foster carer.

The social worker(s) to any other child in the placement should be consulted in order to seek their views on any impact (positive or negative) from an exemption being granted.

All applications for planned exemptions for foster carers must be made in writing, supported by reasons, to the Local Authority (or Trust) for the area in which the foster carers live. The written application will be prepared by the Supervising Social Worker in conjunction with the relevant child's social worker.

The Local Authority's (or Trust's) decision whether or not to grant an exemption will be recorded in writing, together with reasons. Any exemption will be specific to a child or children and can be subject to conditions. The Fostering Service will be notified in writing of the decision and will ensure the foster carer is notified.

Upon the granting of an exemption, a time limit will be specified and an exemption can only extend beyond that date if the Local Authority (or Trust) authorises it.

The decision must be recorded.

The decision will be reported to the next available Fostering Panel for information.

3.2 Emergency Exemptions

Depending on the Local Authority (or Trust) involved, there may be arrangements in place for a Duty Manager within the Local Authority (or Trust) to agree for a child to be placed in a foster home above the usual limit in an emergency.

If such arrangements exist an application for an emergency exemption must be made to the relevant manager in line with their procedures.

Otherwise emergency exemptions cannot be granted.

Any emergency decisions to grant an exemption must be confirmed in writing and copies of the decision, together with the reasons, must be placed on the foster carer's record. A copy must also be sent to the foster carer.

4. Review and Monitoring of Exemptions

The Fostering Panel will be responsible for the ongoing monitoring of any exemptions for any of the Trust's approved foster carers.

The Fostering Service is responsible for recording the ending the exemption when the exemption is no longer required.

5. Variations to Foster Carer Approvals

Where a foster placement is identified for a child and would be within the usual fostering limit but outside of the foster carer's terms of approval, a variation to their approval is required.

An application for a variation must be made as soon as practicable thereafter and any such variation needs to be presented to the ADM, who can agree it.