

64330 Procedure and Policy for Child Carers

Before a child is approved as a foster carer, kinship carer, or under a Special Guardianship or connected persons arrangement, what procedure or policy, if any, ensures that the Council checks whether the proposed carer, or another adult in the household, is subject to notification requirements under the Sexual Offences Act 2003, or has a conviction for a sexual offence? Please identify the specific policy or procedure document that governs this, rather than a general reference to a website.

Before a Child Arrangements Order or other private law order under section 8 of the Children Act 1989 (or the equivalent Scottish private law order naming a person with whom a child is to live) is granted, what safeguard or process, if any, ensures that the Court and/or the Council are made aware if that person is subject to the same notification requirements or conviction history? Please identify the specific policy or procedure document that governs this, rather than a general reference to a website.

[The requirement is set out in Schedule 3 of The Looked After Children \(Scotland\) Regulations 2009:](#)

[10. Details of any criminal offences of which the person has been convicted including details of any convictions which are spent within the meaning of section 1 of the Rehabilitation of Offenders Act 1974 and which may be disclosed by virtue of the Rehabilitation of Offenders Act 1974 \(Exclusions and Exemptions\) \(Scotland\) Order 2003.](#)

[The Protection of Vulnerable Groups \(Scotland\) Act 2007, Schedule 2 sets out the regulated roles covered by the Act.](#)

Does the Council operate a prohibition, a presumption against, or a case-by-case assessment process in relation to such placements? Please describe briefly which applies, and to which type of placement (e.g. mainstream fostering versus kinship/connected persons arrangements).

[See above. Foster, kinship carers and members of the household and family are subject to checks as required in Schedule 3.](#)

Does the Council maintain a central record identifying cases where an approved or proposed carer, or another adult in the household, is subject to Sexual Offences Act 2003 notification requirements or has a relevant conviction? A simple yes or no will suffice, together with confirmation of the format in which any such record is held.

[All information regarding approved foster and kinship carers, their family and members of the household are held in case records within our client management system.](#)

Has the Council's approach to any of the above changed at any point since January 2023?

[No.](#)