



Fostering Exemption Guidance

Schedule 7 of the Children Act 1989 sets a limit of three on the number of children that a foster carer may foster at any one time. This may only be exceeded if the children are all siblings of each other, or (if not all siblings of each other) if an exemption is granted by the local authority where the foster carer resides. The exemption names the specific children that the foster carer may foster, and sets out any conditions which apply to the exemption.

Note: A local authority cannot grant an exemption to a foster carer living outside the local authority area.

When considering whether to grant an exemption, the local authority in whose area the foster carer lives must have regard to (Sch. 7(4)(2) CA1989):

- a. the number of children whom the person proposes to foster;
- b. the arrangements which the person proposes for the care and accommodation of the fostered children;
- c. the intended and likely relationship between the person and the fostered children;
- d. the period of time for which he proposes to foster the children; and
- e. whether the welfare of the fostered children (and of any other children who are or will be living in the accommodation) will be safeguarded and promoted.

The exemption must be notified in writing, naming each of the children who may be fostered and any conditions to which the exemption is subject. Exemptions may be varied or cancelled by the local authority that has granted the exemption.

LBH has an exemption form template in the document library
