

## Introduction

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- This revised guide is for use in England, by those who provide, or work in fostering services and agencies (managers, practitioners and foster carers) as well as by those social workers who make and support placements.
- It is intended to facilitate understanding of the obligations and expectations of all relevant law, regulations, statutory and non-statutory guidance. Appendix 2 reproduces the 2011 'Foster Carers' Charter' issued by the Secretary of State which sets out basic standards and principles for carers and their children, and the expectations of how councils should support foster families.
- The Chief Inspector of the Office for Standards in Children's Services, Education and Skills (Ofsted) assesses, based on the Fostering Services (England) Regulations 2011 as amended (compliance with which is mandatory), and achievement of the national minimum standards (issued by the Secretary of State under s.23(1) CSA 2000), whether services provided by a local authority, independent fostering agency (IFA) or a voluntary organisation are satisfactory.
- When the Chief Inspector makes any decision about registration, cancellation, variation or imposition of conditions, s/he must take the national minimum standards and any other factors considered reasonable and relevant into account.
- With respect to IFAs and voluntary organisations, if a regulation is breached and an offence committed, providers will be given a notice setting out:
  - Regulation breached
  - How the service is considered deficient
  - What must be done to remedy the deficiency
  - A timescale for the deficiency to be remedied.
- If the deficiency is not remedied, a prosecution may follow.

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- In the case of a local authority service, the enforcement route is via the Secretary of State to whom the Chief Inspector will report a substantial failure to meet a regulation. If there is a failure which is not substantial, the Chief Inspector may serve an enforcement notice under s.47(5) CSA 2000.