**Appendix 3- Disqualifications**

Section 68 of The Children Act 1989 disqualifies certain people from being Private Foster Carers. Carers will be disqualified unless the disqualification has been disclosed and the Local Authority has given their written consent and agreement to them becoming a private Foster Carer. However, a person should not foster a child privately if he/she is disqualified from doing set by Regulations made by the Secretary of State.

The Disqualification from Caring for Children (England) Regulations 2002 lists the grounds for refusal to becoming a private Foster Carer.

There are numerous grounds for disqualification under the Regulations. The Regulations will need to be consulted in each individual case. Social Care Managers should consult with the Private Fostering Lead/Strategic Lead for Placement Services and discuss whether advice on individual cases should be sought from the Legal Department.

**Some Reasons for Disqualification:**

* Persons who have been convicted of offences against children or vulnerable adults. The list of offences which can be used to identify those who present a risk, or potential risk, to children together with the relevant Home Office Guidance is available.
* Being the parent of a child who has been the subject of a Care Order under Section 31 of the Children Act 1989 or the parent of a child who had been subject to a Care Order under the legislation that was applicable before the Children Act came into force in 1991.
* People who have been prohibited to foster, who have been refused registration or had their registration terminated.
* People who are refused registration in respect of children’s homes or whose registration has been cancelled, or who were in the management or had financial interest in the running of children’s homes and whose registration was cancelled.