

THE FOSTER CARE REGULATIONS, 2014

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LEGAL NOTICE NO. 20

REPUBLIC OF TRINIDAD AND TOBAGO

THE CHILDREN'S COMMUNITY RESIDENCES, FOSTER CARE AND
NURSERIES ACT, 2000

REGULATIONS

MADE BY THE CHILDREN'S AUTHORITY OF TRINIDAD AND TOBAGO WITH
THE APPROVAL OF THE MINISTER UNDER SECTION 53 OF THE
CHILDREN'S COMMUNITY RESIDENCES, FOSTER CARE AND NURSERIES
ACT, 2000 AND SUBJECT TO AFFIRMATIVE RESOLUTION OF PARLIAMENT

THE FOSTER CARE REGULATIONS, 2014

1. These Regulations may be cited as the Foster Care Regulations, Citation
2014.

2. In these Regulations—

“board” means the Board of Management established under
section 7 of the Children's Authority Act;

Interpretation

Chap. 46:10

“Foster Care Unit” means the unit referred to in section 11 of the
Children's Authority Act;

“harm” has the meaning assigned to it by section 50(14) of the
Children Act, 2012;

No. 12 of 2012

“member of the household”, in relation to an applicant, means a
person who habitually resides in the same dwelling house
as the applicant.

3. (1) An application for approval as a foster parent shall be in such Application
form as the Authority may approve.

(2) An application under subregulation (1) shall be accompanied
by—

(a) a medical certificate of fitness;

(b) photo identification;

(c) the names and contact information of two referees; and

(d) a police certificate of character issued within six months
before the application in respect of each member of the
household over eighteen.

Assessment of
applicant

4. (1) Where an investigation is conducted in accordance with section 29 to determine the suitability of an applicant to be a foster parent and of the home of the applicant to receive a child for foster care, the Authority may—

- (a) verify the applicant's information;
- (b) conduct interviews, as necessary, to assess the suitability of the applicant;
- (c) conduct a background check on the applicant, members of the household of the applicant, persons in visiting relationships and other visitors to the home of the applicant, as the Authority sees fit;
- (d) assess the applicant's skills, training and competence relevant to their capacity to care for a child placed with them;
- (e) inspect the home of the applicant;
- (f) verify the criminal records of the applicant, any other members of the household of the applicant and person in visiting relationships, and other visitors to the home of the applicant, as the Authority sees fit; and
- (g) carry out any other investigations that the Authority considers necessary.

(2) A person authorized by the Authority shall conduct the investigation under subregulation (1) and prepare a written report of the applicant's suitability and the suitability of the home of the applicant.

(3) A report prepared under subregulation (2) shall be submitted to the Foster Care Unit.

(4) The Foster Care Unit shall submit the report, together with its recommendations to the Board.

(5) The Board shall examine—

- (a) the application submitted;
- (b) the personal and home assessment;
- (c) reports of household interviews;
- (d) background checks conducted;
- (e) training undertaken; and
- (f) any other requirement as the Authority sees fit including any history of sexual or child abuse.

(6) Where the Board is satisfied that the applicant meets the requirements of the Authority, the Board shall approve the applicant as a foster parent.

5. The Board shall inform an applicant of its decision in writing, and where the application has been refused, it shall furnish reasons. Notification of approval
6. Where the Board approves the application, the applicant's name and address shall be placed on the Register of approved foster parents. Register of approved foster parents
7. Where a child is to be placed into the care of a foster parent, the foster parent shall enter into a written Foster Care Agreement with the Authority, which shall be signed by the foster parent and the Authority and kept in a record maintained by the Authority. Foster Care Agreement
8. The Foster Care Agreement shall include— Terms of Agreement
- (a) the terms and conditions of the foster parent's approval;
 - (b) the duties of the foster parent;
 - (c) the duties of the Authority;
 - (d) provisions for the allowance for the maintenance and support of the foster child; and
 - (e) such other matters as considered necessary by the Authority.
9. The foster parent shall be required to report bimonthly to the Authority, from the date of placement or as directed by the Authority, to keep the Authority informed of the child's progress. Duty to periodically report to the Authority
10. The foster parent shall be required to notify the Authority immediately where— Duty to notify the Authority
- (a) a foster child in his care has—
 - (i) died;
 - (ii) become seriously ill; or
 - (iii) been involved in a serious accident;
 - (b) an incident occurs at the foster home or elsewhere which involves the police;
 - (c) an incident occurs which causes such harm to a foster child in his care so as to cause concern for the welfare of the child; or
 - (d) a foster child in his care is missing.

Dated this 14th day of November, 2014.

S. DALY
*Chairman,
Children's Authority of
Trinidad and Tobago*

Approved by the Minister this 18th day of November, 2014.

C. DE COTEAU
*Minister of Gender, Youth and
Child Development*

Approved by the Senate this 3rd day of December, 2014.

N. ATIBA-DILCHAN
Clerk of the Senate

Approved by the House of Representatives this 21st day of January,
2015.

J. SAMPSON-MEIGUEL
Clerk of the House