

Government Circular No. 39/70.

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CHILDREN AND YOUNG PERSONS ACT, 1966

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**THE CHILDREN AND  
YOUNG PERSONS (Boarding Out)  
REGULATIONS, 1970.**

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Approved by Tynwald ..... 21st April, 1970

Coming into operation ..... 1st May, 1970

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PRICE : 1/-

**ISLE OF MAN**

**TO WIT**

By His Excellency Sir Peter Hyla Gawne Stallard, K.C.M.G., C.V.O., M.B.E.,  
Lieutenant Governor of the said Isle, &c., &c., &c.

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**THE CHILDREN AND YOUNG PERSONS  
(Boarding Out) REGULATIONS, 1970.**

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I, the said Lieutenant Governor, by virtue of the powers conferred on me by Section 94 of the Children and Young Persons Act, 1966 do hereby make the following Regulations:—

1. These Regulations may be cited as the Children and Young Persons (Boarding-Out) Regulations, 1970.

2. These Regulations shall come into operation on the 1st May, 1970.

3. (1) In these Regulations the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Act” means the Children and Young Persons Act, 1966 ;

“Board” means the Isle of Man Board of Education ;

“boarding out” means the placing of a foster child with a foster parent ;

“foster child” means a child or young person in the care of the Board under the Act ;

“foster parent” means a husband and wife, or a woman, with whom a foster child is boarded out ;

“visitor” means an Officer of the Board, or a Member of the Children Committee of the Board, who is appointed by the Board for the purpose of assisting the Board in the performance of their functions under these Regulations and, in particular, of exercising supervision over foster children, and arranging for boarding them out ;

“child” has the meaning given to it in Section 100 of the Act.

(2) The Interpretation Acts 1949 and 1968 shall apply to the interpretation of these Regulations as they apply to the interpretation of an Act of Tynwald.

4. The Board shall, except as hereinafter provided, make arrangements for every child coming into their care to be boarded out as soon as possible with a suitable foster parent and, where within three months of any child coming into their care he has not been boarded out or placed in a voluntary home under Section 93(b) of the Act, the Board shall report forthwith to the Governor the reasons therefor and apply for his consent to the alternative arrangements made.

5. A foster child shall not be boarded out, or be allowed to remain boarded out —

- (a) with a person who has at any time been convicted of an offence which renders him unfit to be a foster parent, or
- (b) in any environment which is likely to be detrimental to the child.

6. A foster child shall not be boarded out, or be allowed to remain boarded out, in a home where more than four other children or young persons are resident, unless all the children and young persons resident in the home are brothers or sisters of the foster child.

7. Before a foster child is boarded out, the Board shall arrange, where practicable, for him to be examined by a medical officer and shall obtain from that officer a certificate as to the physical health and mental condition of the child and his suitability for boarding out.

8. (1) A foster parent shall, on receiving a foster child to be boarded out with him, be required by the Board to sign in duplicate an agreement in the form set out in the Schedule to these Regulations or in a form to the like effect.

(2) One copy of the agreement shall be retained by the foster parent and the other shall be kept by the Board.

9. A foster child shall not be boarded out, or be allowed to remain boarded out, with a foster parent who is a party to any contract for the purpose of insuring the payment to him of a sum of money upon the illness or death of the child.

10. The Board in selecting a person with whom a foster child is to be boarded out shall, if possible, select a person who is of the same religious persuasion as the foster child or who gives an undertaking that the foster child will be brought up in accordance with that religious persuasion.

11. No foster child shall be boarded out unless the proposed foster parent and home have been visited by a visitor who, having been given full information about the child, has made due inquiry and is satisfied that

- (a) the proposed foster parent is of good reputation ;
- (b) he is in a position to take proper care of the child ;
- (c) the sleeping and living accommodation and other domestic conditions are satisfactory ; and
- (d) the home is likely to suit the particular needs of the child.

12. (1) The Board shall arrange for a visitor to visit and see the foster child and the home where he is boarded out —

- (a) within one month of his being placed in the home and thereafter as often as may be necessary, not being less often than once in every six weeks ; and

- (b) if a foster parent changes his address, within one month of the receipt by the Board of notice of the new address:

Provided that where a foster child is over nine years of age and has been for not less than one year in the same foster home, which is proving suitable to his needs, the Board may decide to reduce the number of periodical visits to not less than one in every three months.

(2) The Board shall require the visitor to make to them, after every visit to a foster child, a report in writing as to the health, welfare and conduct of the child, the condition of the home (including the sleeping and living accommodation), any complaint made by or concerning the child and whether the home appears suitable for the child.

13. (1) The Board shall remove a foster child from his foster home if he is no longer suitably placed in that home.

(2) Where conditions in the home are found to be seriously detrimental to the welfare of a foster child, the visitor shall have the power immediately to withdraw the child from the home.

14. (1) The foster parent shall arrange for a doctor to attend the foster child, and the name and address of the doctor shall be furnished to the Board.

(2) The Board shall arrange with the Isle of Man Medical Officer of health or the School Medical Officer for the foster child to be examined within a month of their boarding him out and for a report to be made to them, and thereafter for the child to be examined at least once a year.

(3) The Board shall arrange for the provision of all medical treatment ordered by the doctor and all necessary dental treatment.

(4) The Board shall require the foster parent to report to them all cases of serious illness or accident to the foster child and to summon a doctor at once in all such cases.

15. In the event of the death of the foster child the Board shall arrange for the decent and proper burial of the child, such expenses to be reclaimed if possible from the parents.

16. (1) In the case of a foster child over compulsory school age as defined in Section 165 of the Education Act, 1949, the Board shall make arrangements in consultation with the foster parent and the child for placing him in suitable employment and, where the child cannot conveniently continue to be boarded out with the foster parent, shall arrange for him to reside in a suitable hostel or lodgings except where he is placed in residential employment.

(2) Where a foster child has been placed in employment, the Board shall arrange that a visitor shall visit him within one month of his taking employment and not less often thereafter than once in every three months and, if he continues to be boarded out with the foster parent, so much of Regulation 12 of these Regulations as requires a visit once in every six weeks shall cease to apply.

17. The Board shall appoint duly authorised officers to act as visitors for the purpose of assisting the Board in the performance of their functions under these Regulations and, in particular, of visiting foster children.

18. (1) The Board shall keep a record of all foster children committed to their care.

(2) The Board shall cause the date of every visit to, and examination of, the child and the effect of every report made under these Regulations to be entered in their record.

19. (1) The Board shall arrange for a review by the Children Committee of the progress of the child, and such review shall be made at the expiration of three months from the date on which the child was committed to their care and thereafter at intervals of not more than six months.

(2) A note of the Committee's consideration shall be made in the record of each foster child.

20. The Board shall furnish to the Governor when so required, information regarding foster children committed to their care or under their supervision.

21. Where in the opinion of the Board it is desirable in the special circumstances of any case that the provisions of one or more of the foregoing Regulations should not apply, a special arrangement may be made with the prior consent of the Governor.

GIVEN under my hand this 3rd day of April, 1970.

P. H. G. STALLARD,

Lieutenant Governor.

SCHEDULE

AGREEMENT OF FOSTER PARENT

1. I, .....  
of .....  
do hereby agree with the Isle of Man Board of Education that :
- (a) I will receive ..... into my home and feed, clothe and look after him and bring him up as carefully and as kindly as I would a child of my own ;
  - (b) I will help him to become a good citizen, send him to school (work)\* and to his church (chapel)\*, and arrange for recreation suited to his age ;
  - (c) I will appoint a doctor to attend him and shall furnish the name and address of the Doctor to the Board ;
  - (d) I will look after his health and consult the doctor whenever the child is ill, and in the event of his serious illness or accident I will also notify the Isle of Man Board of Education immediately ;
  - (e) I will provide for the cleaning, mending and renewal of his clothing and its proper care ;
  - (f) I will at all times permit any person authorised by the Board to see the child, and his home and clothing, and I will attend to the advice of any such person ;
  - (g) I will allow him to be removed from my home when required by any person so authorised ; and
  - (h) I will notify the Board within two weeks if I change my address.
2. I make this agreement with the Board in consideration of my receiving the weekly sum of .....
3. I acknowledge having received .....  
into my home on ..... and agree that he brought with him the following articles of clothing and personal possessions:—

Date ..... Signature of foster parent .....

Address .....

\* Delete as applicable.