STANDARD 10 - Providing a suitable physical environment for the foster child

Underpinning Legislation:

26 – Assessment of prospective foster parents

Schedule 3 – Information as to prospective foster parent and other members of their household and family

10.4) Foster carers understand the service’s policy concerning safety for children in the foster home and in vehicles used to transport foster children. The service’s policy is regularly reviewed in line with the most recent guidance from relevant bodies. (NMS, 2011)

The road worthiness of the foster carers’ car used to transport children in placement is subject to the annual Health and Safety risk assessment undertaken of all foster carers and will include review of:

* Full business class insurance
* Road tax (where applicable)
* MOT (where applicable)

All NCT foster carers’ must ensure that the cars they use for the business of being foster carers and those of their regular family support network are comprehensively covered by business class insurance. Where this involves an additional premium to be paid by the foster carer, this can be mitigated against any tax liability as a self-employed person (as is the status of all foster carers approved with NCT’s Fostering Service).

All NCT foster carers must ensure that they have the appropriate car seats for the age, height and weight of the children in their care and they observe the regulations in respect of transporting children in cars as determined under the Road Traffic Act (1988).

NCT Fostering Service does not permit the use of backless booster seats.

Where a foster carer is newly approved or has had a change of approval to support younger children being placed in their care, consideration can be given by the Registered Manager as to whether or not a discretionary ‘start up’ grant can be made towards the purchase of the correct car seat to transport the child. Outside of this ‘one off’ consideration, any cost incurred by the foster carer in purchasing car seats in order to offer a foster placement to children can be mitigated against any tax liability as a self-employed person.

Foster carers transporting children on behalf of the NCT must be aware that the behaviour of children, regardless of age, can be unpredictable, and transport of children therefore needs to be carefully planned and risk assessed before it occurs. Consideration must be given to the likelihood of predictable problems during any journey.

In Car Safety:

**Fitting a child car seat:**

You must only use a child car seat if your car’s seat belt has a diagonal strap, unless the seat is either:

* specifically designed for use with a lap seat belt
* fitted using ISOFIX anchor points

You must also:

* deactivate any front airbags before fitting a rear-facing baby seat in a front seat
* not fit a child car seat in side-facing seats.

All children travelling in a car must use the correct child restraint for their weight and height:

* Until they are 135 cm tall

OR

* 12 years of age

(whichever they reach first). After this they must use an adult seat belt.

Children under 3 must be in a child car seat. If there is no room for a third child car seat in the back of the vehicle, the child must travel in the front seat with the correct child car seat. Where children do sit in the front using a car seat, the car’s air bags need to be disabled for the front passenger seat.

Children 3 years and over, up to 135 cm tall, must sit in the rear and use an adult seat belt. Children aged 12 years or more, or over 135 cm tall, may travel the front, but must wear the seat belt.

**Height-based seats:**

Height-based seats are known as ‘i-Size’ seats. They must be rear facing until your child is over 15 months old. Your child can use a forward-facing child car seat when they are over 15 months old. You must check the seat to make sure it is suitable for the height and weight of your child.

**Weight-based seats:**

|  |  |  |
| --- | --- | --- |
| **Type of Child Restraint** | **Regulation** | **Weight Range** |
| Forward-facing car seat | R44 | Group 1, 2 and 3 9 - 36 kg (20 - 79 lbs) |
| R129 (i-size) | Phase 2 100 - 135cm Specific vehicles 135 - 150cm |
| High-backed Booster Seat |  | Group 2 15 - 25 kg (33 - 55 lbs) |
| High-backed Booster Seat |  | Group 2 and 3 15 - 36 kg (33 - 79 lbs) |

It is the driver's responsibility to ensure that children under the age of 14 years are restrained correctly in accordance with the law.

There are free car seat fitting checks available across Northamptonshire to include:

* Halfords - [Halfords Store Locations in Northamptonshire - StoreLocate.co.uk](https://www.storelocate.co.uk/halfords/northamptonshire.html)

References:

[Fostering Guidance - MASTER (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/192705/NMS_Fostering_Services.pdf)

[Road Traffic Act 1988 (legislation.gov.uk)](https://www.legislation.gov.uk/ukpga/1988/52/contents)

[The Highway Code - Guidance - GOV.UK (www.gov.uk)](https://www.gov.uk/guidance/the-highway-code)

[Child car seats: the law: Using a child car seat or booster seat - GOV.UK (www.gov.uk)](https://www.gov.uk/child-car-seats-the-rules)

[Car seats - RoSPA](https://www.rospa.com/road-safety/advice/vehicles/car-seats)

[Car seats for older children: High back vs backless booster seats - Which?](https://www.which.co.uk/reviews/child-car-seats/article/booster-seats-are-you-breaking-the-law-ai0Sm4c3meO0)

<https://www.gov.uk/browse/driving/highway-code-road-safety>