



A good practice guide to the **fostering** provision in the
**Adoption and Fostering (Wales) (Miscellaneous Amendments) (Coronavirus)
Regulations 2020**

Introduction

This good practice guide has been commissioned by Welsh Government.

Welsh Government is introducing a new set of Regulations drafted to address the problems experienced by local authority fostering services and adoption agencies. This guide focuses on the fostering element of the regulations.

The regulations come into force on 1 November and will remain until 31 March 2021 or when circumstances improve, whichever is earliest.

The reason for the Regulation

The amendment is made in acknowledgement of the difficult circumstances under which local authority fostering services are working during the Covid pandemic. The checks and references obtained under Stage 1 and the assessment process undertaken under Stage 2 of the Fostering panels (Establishment and Functions (Wales) Regulations 2018 are taking longer to complete as a consequence of current circumstances.

An amendment to regulation 26 of the Care Planning, Placement and Case Review (Wales) Regulations 2015 (CPPCR(W)R)

Regulation 8 of the Coronavirus Regulations amends regulation 26 CPPCR(W)R. It extends the period that a local authority may make a temporary approval of a connected person / kinship carer from 16 weeks to 24 weeks.

All the remaining duties in respect of that temporary approval (that is approval that may last up until the kinship carer goes to the local authority's fostering panel for recommendation and decision maker for decision that they are suitable to be a foster parent) remain and are set out in regulation 26(2). The only difference, therefore, is that there is an additional eight weeks allowed for the temporary placement to continue to be lawful.

The provisions of regulation 27 are affected by the amendment to regulation 26, in that regulation 27(2) allows, where the temporary approval is likely to expire before the full fostering assessment process has been completed, for an extension for a further period of up to eight weeks. This now, therefore, takes the maximum period the temporary approval may last for to 32 weeks.

The remaining provisions of regulation 27 continue to apply. Regulation 27(4) states that before deciding whether to extend the temporary period (now from 24 to 32 weeks), the responsible authority must consider whether the placement is still the most appropriate available, seek the views of the fostering panel and inform the IRO (regulation 27(4)). The decision to extend must be made by the nominated officer (regulation 27(5)).

Proportionate use of the additional time

Local authorities will want to use this additional time if, and only if, it is needed to undertake a full and robust fostering assessment of the connected person / kinship carer.