
WELSH STATUTORY INSTRUMENTS

2018 No. 1333

The Fostering Panels (Establishment and Functions) (Wales) Regulations 2018

Fostering panels

4.—(1) Subject to paragraph (2), the fostering services provider must constitute one or more fostering panels, as necessary, to perform the functions of a fostering panel under these Regulations, and must appoint from the persons on the central list panel members including—

- (a) a person to chair the panel who must be independent of the fostering services provider (see paragraph (7)), and
- (b) one or two persons who may act as chair if the person appointed to chair the panel is absent or that office is vacant (“the vice chairs”).

(2) A fostering panel may be constituted jointly by any two or more fostering services providers, in which case the appointment of members must be made by agreement between the fostering services providers, provided that no member appointed is, or ever has been, approved as a foster parent by either or any of the fostering services providers who are constituting the joint panel.

(3) A fostering services provider may pay to any member of a fostering panel constituted by them such fee as they may determine, being a fee of a reasonable amount.

(4) The fostering services provider must ensure that the fostering panel has sufficient members, and that individual members have between them the experience and expertise necessary, to effectively discharge the functions of the panel.

(5) Any fostering panel member may resign at any time by giving one month’s notice in writing to the fostering services provider which appointed them.

(6) Where a fostering services provider is of the opinion that any member of the fostering panel appointed by them is unsuitable or unable to continue as a panel member, they may terminate that member’s appointment at any time by giving the member notice in writing, setting out the reasons for the decision.

(7) For the purposes of this regulation and regulation 6, a person is not independent of the fostering services provider if—

- (a) they are currently approved by the fostering services provider as a foster parent,
- (b) they are related to an employee of the fostering services provider, or to any person concerned in the management of that service,
- (c) in the case of a local authority fostering service, the person is an elected member of that local authority, or is employed by that local authority for the purposes of the fostering service or for the purposes of any of that local authority’s functions relating to the protection or placement of children,
- (d) in the case of a regulated fostering service, the person is employed by, or is a trustee of, that service,
- (e) for the purposes of sub-paragraph (b), a person (“person A”) is related to another person (“person B”) if person A is—

- (i) a member of the household of, or married to or the civil partner of person B;
- (ii) the son, daughter, mother, father, sister or brother of person B; or
- (iii) the son, daughter, mother, father, sister or brother of the person to whom person B is married or with whom person B has registered a civil partnership.