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WELSH STATUTORY INSTRUMENTS

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**2019 No. 545 (W. 119)**

**SOCIAL CARE, WALES**

**The Local Authority Fostering Services  
(Wales) (Amendment) Regulations 2019**

<i>Made</i>	- - - -	<i>12 March 2019</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>13 March 2019</i>
<i>Coming into force</i>	- -	<i>29 April 2019</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon them by sections 87, 92, 94A and 196(2) of the Social Services and Well-being (Wales) Act 2014<sup>(1)</sup>.

**Title and commencement**

1.—(1) The title of these Regulations is the Local Authority Fostering Services (Wales) (Amendment) Regulations 2019.

(2) These Regulations come into force on 29 April 2019.

**Amendment of the Local Authority Fostering Services (Wales) Regulations 2018**

2. The Local Authority Fostering Services (Wales) Regulations 2018<sup>(2)</sup> are amended as follows—

- (a) in regulation 7(1) (requirement to appoint a local authority manager), for “one of its officers” substitute “an officer”;
- (b) in the Welsh text of regulation 10(5) (requirement to provide the service in accordance with policies and procedures), for “baragraff (1)(a), (b), (g) ac (i)” substitute “baragraff (1)(a), (b), (c) ac (h)”;
- (c) in the English text of regulation 11 (duty of candour)—
  - (i) for paragraph (d) substitute—

“(d) in the case of a child who is placed with an area authority, that area authority.”;
  - (ii) omit paragraph (e);

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(1) 2014 anaw 4; see section 197(1) for the definition of “regulations” and “specified”.

(2) S.I. 2018/1339 (W. 261).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (d) in regulation 26(1) (access to health services), for “the health and development” substitute “the physical, mental and emotional health and development”;
- (e) in regulation 29(2)(e) (fitness of staff), for “1 September 2022” substitute “1 April 2022”.

12 March 2019

*Julie Morgan*  
Deputy Minister for Health and Social Services,  
under authority of the Minister for Health and  
Social Services, one of the Welsh Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Local Authority Fostering Services (Wales) Regulations 2018 (S.I. 2018/1339 (W. 261)) (“the 2018 Regulations”).

Regulation 2(a) amends regulation 7 of the 2018 Regulations in order to allow a local authority provider to appoint an officer from another local authority to be responsible for the management of the fostering service.

Regulation 2(b) makes an amendment to the Welsh text of regulation 10 of the 2018 Regulations, to effect equivalence with the English text.

Regulation 2(c) makes an amendment to the English text of regulation 11 of the 2018 Regulations, to effect equivalence with the Welsh text.

Regulation 2(d) amends regulation 26 of the 2018 Regulations to specify that the reference in that regulation to health and development is changed to physical, mental and emotional health and development.

Regulation 2(e) amends regulation 29 of the 2018 Regulations so that 1 April 2022 is substituted as the date from which local authority providers may only employ a person to manage the local authority fostering service if that person is registered as a social care manager with Social Care Wales.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.