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STATUTORY INSTRUMENTS

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**2011 No. 581**

**The Fostering Services (England) Regulations 2011**

**PART 5**

**Approval of Foster Parents**

**Retention and confidentiality of records**

**32.**—(1) The records compiled in relation to a foster parent under regulation 30(1), and any entry relating to that foster parent in the register maintained under regulation 31, must be retained for at least 10 years from the date on which their approval is terminated.

(2) The records compiled by a local authority under regulation 30(4) in relation to a person with whom a child is placed under regulation 24 [<sup>F1</sup>or regulation 25A] of the Care Planning Regulations, and any entry relating to such a person in the register maintained under regulation 31, must be retained for at least 10 years from the date on which the placement is terminated.

(3) The records compiled under regulation 30(5) must be retained for at least 3 years from the refusal or withdrawal, as the case may be, of the application to become a foster parent.

(4) The requirements in paragraphs (1) to (3), and in regulation 22, may be complied with by retaining the original written records or copies of them, or by keeping all or part of the information contained in them in some other accessible form such as a computer record.

(5) Subject to paragraph (6), any records or register maintained in accordance with regulation 22, 30 or 31 must be kept securely and may not be disclosed to any person except in accordance with—

- (a) any provision of, or made under or by virtue of, a statute under which access to such records is authorised,
- (b) any court order authorising access to such records.

[<sup>F2</sup>(6) A fostering service provider must provide access to their records compiled under regulation 30 or 31 in relation to a foster parent—

- (a) to another fostering service provider within 15 working days of a request under regulation 26(1A)(e), or
- (b) to an adoption agency within 15 working days of a request under regulation 30F(4) of the Adoption Agencies Regulations 2005.]

**Textual Amendments**

- F1** Words in reg. 32(2) inserted (1.7.2013) by [The Care Planning, Placement and Case Review and Fostering Services \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/984\)](#), regs. 1, **11(a)**
- F2** Reg. 32(6) substituted (1.7.2013) by [The Care Planning, Placement and Case Review and Fostering Services \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/984\)](#), regs. 1, **11(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Fostering Services (England) Regulations 2011, Section 32.