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STATUTORY INSTRUMENTS

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**2020 No. 445**

**The Adoption and Children (Coronavirus)  
(Amendment) Regulations 2020**

**PART 8**

**Fostering Services**

**Amendment of the Fostering Services (England) Regulations 2011**

- 9.**—(1) The 2011 Regulations are amended as follows.
- (2) In regulation 4(b) (review of statement of purpose and children’s guide), for “within 28 days” substitute “as soon as is reasonably practicable”.
- (3) In regulation 6(3) (appointment of manager), for “without delay” substitute “as soon as is reasonably practicable”.
- (4) In regulation 9 (notification of offences), for “without delay” substitute “, as soon as is reasonably practicable,”.
- (5) In regulation 10 (manager), for “without delay” in both places it occurs substitute “as soon as is reasonably practicable”.
- (6) In regulation 23 (constitution and membership of fostering panel)—
- (a) in paragraph (4)—
- (i) for “must constitute” substitute “may constitute”, and
- (ii) after “Regulations, and” insert “where a panel is constituted, the fostering service provider”,
- (b) in paragraph (7) omit “the fostering panel has sufficient members, and that”.
- (7) For regulation 24(1)(iii) (meetings of fostering panel) substitute—
- “(iii) one other independent person, and”.
- (8) In the opening words of regulation 25(4) (functions of fostering panel), for “must also” substitute “may also”.
- (9) In regulation 26 (assessment of prospective foster parent)—
- (a) in paragraph (1C)(b) for “may not be given more than 10 working days” substitute “must be sent as soon as is reasonably practicable”,
- (b) for the opening words of paragraph (2) substitute—
- “(2) Subject to paragraphs (2A) and (3), where the fostering service provider have obtained all the information set out in paragraph (1A) and have not given the notification in paragraph (1B), the fostering service provider must—”,
- (c) in paragraph (2)(d) at the beginning insert “decide whether to refer the case to the fostering panel or to proceed to make a decision under regulation 27 without such a referral and, where the case is referred the fostering service provider must”,

- (d) after paragraph (2) insert—
  - “(2A) The fostering service provider may comply with paragraph (2)(a) even if the information required by paragraphs 2 and 9 of Schedule 3 has yet to be obtained.”, and
- (e) For the opening words to paragraph (4) substitute—
  - “(4) As soon as is reasonably practicable after X’s observations are received the fostering service provider must, where the case is being referred to the fostering panel, send—”,
- (10) In regulation 27 (approval of foster parents)—
  - (a) in paragraph (2)(b) at the beginning insert “where the case was referred to the fostering panel,”,
  - (b) in paragraph (3) for “A fostering” substitute “Where the case was referred to the fostering panel a fostering,”,
  - (c) in paragraph (6)(a) after “their reasons and” insert “, where the case has been referred to the fostering panel,”,
  - (d) for paragraph (9) substitute—
    - “(9) If within the period referred to in paragraph (6)(b) the fostering provider receive any written representations, they may refer the case to the fostering panel for further consideration and, where a case is referred, the fostering service provider must make their decision taking into account any further recommendation made by the fostering panel.”, and
  - (e) in paragraph (10) for “into account the” substitute “into account any”.
- (11) For regulation 28(2) (reviews and terminations of approval) substitute—
  - “(2) A review must, where reasonably practicable, take place not more than a year after approval, and thereafter whenever the fostering service provider consider it necessary.”,
- (12) In regulation 30(2)(a) (case records relating to foster carers and others) after “fostering panel” insert “(if any)”.
- (13) Omit regulation 42(2)(b)(i) (application of these regulations with modifications for short breaks).
- (14) In paragraph 2 of Schedule 3 (information as to prospective foster parent (“X”) and other members of their household and family) omit “(supported by a medical report)”, and
- (15) In Column 2 of Schedule 7 (events and notifications) omit “yes” in the 4th place in which it occurs in the column headed “chief inspector”.