
WELSH STATUTORY INSTRUMENTS

2003 No. 237

The Fostering Services (Wales) Regulations 2003

PART II

**REGISTERED PERSONS AND MANAGEMENT
OF LOCAL AUTHORITY FOSTERING SERVICE**

Fostering agency — fitness of provider

- 5.—(1) A person must not carry on a fostering agency unless the person is fit to do so.
- (2) A person is not fit to carry on a fostering agency unless the person—
- (a) in the case of an independent fostering agency, is an individual who carries on the fostering agency; or
 - (b) is an organisation and—
 - (i) the organisation has given notice to the appropriate office of the National Assembly of the name, address and position in the organisation of an individual (in these Regulations referred to as “the responsible individual”) who is a director, manager, secretary or other officer of the organisation and is responsible for supervising the management of the fostering agency; and
 - (ii) that individual satisfies the requirements set out in paragraph (3).
- (3) The requirements are that—
- (a) the individual is of integrity and good character;
 - (b) the individual is physically and mentally fit to carry on the fostering agency; and
 - (c) full and satisfactory information is available in relation to the individual in respect of each matter specified in Schedule 1.
- (4) A person must not carry on a fostering agency if—
- (a) he or she has been adjudged bankrupt or sequestration of his or her estate has been awarded and (in either case) he or she has not been discharged and the bankruptcy order has not been annulled or rescinded; or
 - (b) he or she has made a composition or arrangement with his or her creditors and has not been discharged in respect of it.