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STATUTORY INSTRUMENTS

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**2002 No. 57**

**The Fostering Services Regulations 2002**

**PART IV**

**APPROVAL OF FOSTER PARENTS**

**Reviews and terminations of approval**

**29.**—(1) The fostering service provider shall review the approval of each foster parent in accordance with this regulation.

(2) A review shall take place not more than a year after approval, and thereafter whenever the fostering service provider considers it necessary, but at intervals of not more than a year.

(3) When undertaking a review, the fostering service provider shall—

(a) make such enquiries and obtain such information as it considers necessary in order to review whether the person continues to be suitable as to act as a foster parent and his household continues to be suitable; and

(b) seek and take into account the views of—

(i) the foster parent;

(ii) (subject to the child's age and understanding) any child placed with the foster parent; and

(iii) any responsible authority which has within the preceding year placed a child with the foster parent.

(4) At the conclusion of the review the fostering service provider shall prepare a written report, setting out whether—

(a) the person continues to be suitable to act as a foster parent and his household continues to be suitable; and

(b) the terms of his approval continue to be appropriate.

(5) The fostering service provider shall on the occasion of the first review under this regulation, and may on any subsequent review, refer its report to the fostering panel for consideration.

(6) If the fostering service provider decides, taking into account any recommendation made by the fostering panel, that the foster parent and his household continue to be suitable and that the terms of his approval continue to be appropriate, it shall give written notice to the foster parent of its decision.

(7) If, taking into account any recommendation made by the fostering panel, the fostering service provider is no longer satisfied that the foster parent and his household continue to be suitable, or that the terms of the approval are appropriate, it shall—

(a) give written notice to the foster parent that it proposes to terminate, or revise the terms of, his approval as the case may be, together with its reasons, and

(b) invite him to submit any written representations within 28 days of the date of the notice.

(8) If the fostering service provider does not receive any representations within the period referred to in paragraph (7)(b), it may proceed to make its decision.

(9) If the fostering service provider receives any written representations within the period referred to in paragraph (7)(b), it shall—

- (a) refer the case to the fostering panel for its consideration; and
- (b) make its decision, taking into account any recommendation made by the fostering panel.

(10) As soon as practicable after making the decision referred to in paragraph (8) or (9)(b), the fostering service provider shall give written notice to the foster parent stating, as the case may be—

- (a) that the foster parent and his household continue to be suitable, and that the terms of the approval continue to be appropriate;
- (b) that his approval is terminated from a specified date, and the reasons for the termination; or
- (c) the revised terms of the approval and the reasons for the revision.

(11) A foster parent may give notice in writing to the fostering service provider at any time that he no longer wishes to act as a foster parent, whereupon his approval is terminated with effect from 28 days from the date on which the notice is received by the fostering service provider.

(12) A copy of any notice given under this regulation shall be sent to the responsible authority for any child placed with the foster parent (unless the responsible authority is also the fostering service provider), and the area authority.