

---

STATUTORY INSTRUMENTS

---

**2011 No. 581**

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

**PART 5**

**Approval of Foster Parents**

**Constitution and membership of fostering panel**

**23.**—(1) The fostering service provider must maintain a list of persons who are considered by them to be suitable to be members of a fostering panel (“the central list”), including one or more social workers who have at least three years’ relevant post-qualifying experience.

(2) A person who is included in the central list may at any time ask to be removed from the central list by giving one month’s notice in writing.

(3) Where the fostering service provider are of the opinion that a person included in the central list is unsuitable or unable to remain on the list, the fostering service provider may remove that person’s name from the list by giving them one month’s notice in writing.

(4) Subject to paragraph (5), the fostering service provider must constitute one or more fostering panels, as necessary, to perform the functions of a fostering panel under these Regulations, and must appoint panel members including—

- (i) a person to chair the panel who, in the case of any appointment made after 1st October 2011, must be independent of the fostering service provider, and
- (ii) one or two persons who may act as chair if the person appointed to chair the panel is absent or that office is vacant (“the vice chairs”)

from the persons on the central list.

(5) A fostering panel may be constituted jointly by any two or more fostering service providers, in which case the appointment of members must be made by agreement between the fostering service providers.

(6) A local authority may pay to any member of a fostering panel constituted by them such fee as they may determine, being a fee of a reasonable amount.

(7) The fostering service provider must ensure that the fostering panel has sufficient members, and that individual members have between them the experience and expertise necessary, to effectively discharge the functions of the panel.

(8) Any fostering panel member may resign at any time by giving one month’s notice in writing to the fostering service provider which appointed them.

(9) Where a fostering service provider are of the opinion that any member of the fostering panel appointed by them is unsuitable or unable to continue as a panel member, they may terminate that member’s appointment at any time by giving the member notice in writing.

(10) For the purposes of this regulation and regulation 24—

- (a) a person is not independent of the fostering service provider if—
  - (i) they are currently approved by the fostering service provider as a foster parent,

- (ii) in the case of a local authority fostering service, the person is an elected member of that local authority, or is employed by that local authority for the purposes of the fostering service or for the purposes of any of that local authority's functions relating to the protection or placement of children, or
  - (iii) in the case of a fostering agency, the person is employed by, or is a trustee of, that fostering agency, and
- (b) 'social worker' means a person who is registered as a social worker in a register maintained by the General Social Care Council or by the Care Council for Wales under section 56 of the Care Standards Act 2000<sup>(1)</sup>, or in a corresponding register maintained under the law of Scotland or Northern Ireland.

---

<sup>(1)</sup> Section 56 was amended by regulations 230 and 232(a) of [S.I. 2007/3101](#).