



Llywodraeth Cymru
Welsh Government

CLOSED CONSULTATION

The Adoption and Fostering (Wales) (Miscellaneous Amendments) (Coronavirus) Regulations 2020

We want your views on amendments affecting the Adoption Agencies (Wales) Regulations 2005 and the Care Planning, Placement and Case Review (Wales) Regulations 2015.

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Introduction

During the COVID-19 pandemic, concern has been raised by stakeholders on the ability to comply with some of the requirements outlined in two sets of Regulations and which have the potential of disrupting the flow of service delivery within Wales.

The Adoption and Fostering (Wales) (Miscellaneous Amendments) (Coronavirus) Regulations 2020 were therefore introduced on 1st November 2020 to support the sector during the pandemic.

Adoption Agencies (Wales) Amendment Regulations 2005 – stage 1 and 2 assessment process

A. Easements of certain procedural requirements were introduced which enabled stage 1 and stage 2 of the two stage assessment process to run concurrently. The requirement remained however that all the necessary checks need to be fully completed before an adopter is approved.

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Applicants are not able to access the independent review mechanism (IRM) where their applications are unsuccessful for reasons relating to DBS or health checks, as would have been the case if these checks were completed in stage 1.

Adopters can access the IRM after stage 2, if their application fails for any other reason not relating to DBS or health checks.

B. Easements associated with the timescales for completion of stages 1 and 2 and length of time prospective adopter can pause between stage 1 and 2 were introduced:

- timescales for stage one and stage two of the process from 2 months (stage 1) and 4 months (stage 2) remain in place but agencies will only be required to meet the timescales where reasonably practicable during the outbreak
- the 6 month limit on the length of time a prospective adopter could leave between stage 1 and stage 2 has been removed

Care Planning, Placement and Case Review (Wales) Regulations 2015

An extension was provided to the period from 16 to 24 weeks during which a person related to or otherwise connected with a child may receive temporary approval to act as a local authority foster parent for that child.

We are aware that the sectors are still currently experiencing pressures due to the continuing restrictions being imposed due to the pandemic.

I am writing to inform you of, and consult with you on the proposal to introduce an amending set of Regulations that will change the date of which the changes brought into effect through the 2020 Regulations will expire. This is currently 31st March 2021.

We are aware that the continued issues associated with the pandemic and the pressures that the local authorities, third sector and health teams are experiencing means that an extension would be beneficial to reduce the risk of

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potentially disrupting the flow of service delivery within the sectors. We are therefore proposing that we extend these Regulations for a further 6 months up to 30th September 2021. If the Welsh Government considers the situation to be improving, it can revoke these Regulations at an earlier date.

We would therefore welcome your comments on this proposal.

Timing of response

In view of the urgency, I would be grateful if you could respond with any comments or questions on these proposals to the [PlantSynDerbynGofal@llyw.cymru mailbox](mailto:PlantSynDerbynGofal@llyw.cymru) by 12:00am on 2nd March 2020 so that we can take these into account before the amending Regulations are finalised.

About this document

This document is a copy of the web page [The Adoption and Fostering \(Wales\) \(Miscellaneous Amendments\) \(Coronavirus\) Regulations 2020](#) downloaded.

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