

SL(6)740 – The Fostering Panels and Care Planning (Miscellaneous Amendments) (Wales) Regulations 2026

Background and Purpose

The Fostering Panels and Care Planning (Miscellaneous Amendments) (Wales) Regulations 2026 (the “**2026 Regulations**”) amend the Care Planning, Placement and Case Review (Wales) Regulations 2015 (the “**2015 Regulations**”) and the Fostering Panels (Establishment and Functions) (Wales) Regulations 2018 (the “**2018 Regulations**”).

The 2018 Regulations impose requirements on fostering services providers in relation to the establishment and functions of fostering panels, and the assessment of prospective foster carers. The 2015 Regulations make provision about care planning for looked after children, and other associated matters.

The 2026 Regulations amend the 2018 and 2015 Regulations to:

- establish a distinct category of kinship foster carer within the fostering regulations;
- update the process for the assessment of prospective foster carers to reflect new requirements, especially for those who are relatives, friends, or connected persons;
- update requirements regarding the specific information required when assessing a prospective foster carer who is a connected person (such as a relative, friend or someone with a pre-existing relationship with the child);
- make provision requiring fostering services providers to share information with each other without cost to support better decision-making;
- provide that visits to children in placements with connected persons must happen at least every 6 months, and further provide that those placements must be reviewed at least every 12 months.

Procedure

Senedd annulment procedure.

The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.



Merits Scrutiny

The following two points are identified for reporting under Standing Order 21.3 in respect of this instrument.

1. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.

We note that the Explanatory Memorandum outlines the consultation undertaken in respect of the 2026 Regulations. It states:

“A 12-week consultation ran from 4 August 2025 to 27 October 2025 on the proposed changes. The consultation was drawn to the attention of a wide audience of key stakeholders including local authorities, third sector organisations, independent fostering providers, third sector fostering providers and foster carers.

There was broad agreement to the proposals in the consultation. One minor change was made as a result of the responses - the inclusion of a reference to past employment within the new Part 3 of Schedule 1 to the 2018 Regulations.”

2. Standing Order 21.3(ii) – that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd.

We note that the 2026 Regulations will be subject to a Post Implementation Review. The Explanatory Memorandum states:

“A Post Implementation Review (PIR) will be conducted within three years of the Fostering Panels and Care Planning (Miscellaneous Amendments) (Wales) Regulations 2026 coming into force. The review will assess whether the policy objectives have been met, identify any unintended consequences, and inform future policy development. It will cover three key areas: foster carer transitions, kinship foster carer assessment reform, and flexible reviews and visits for kinship carers. The Welsh Government will collect both quantitative and qualitative data from stakeholders, including carers, children, IROs, and local authorities. Key performance indicators will measure compliance, efficiency, satisfaction, and safeguarding outcomes. Oversight will be provided by the Social Services & Integration Directorate, with findings used to guide future amendments, update guidance, and share best practice across the sector.”

Welsh Government response

A Welsh Government response is not required.

Committee Consideration

The Committee considered the instrument at its meeting on 9 February 2026 and reports to the Senedd in line with the reporting points above.

