
WELSH STATUTORY INSTRUMENTS

2003 No. 237

The Fostering Services (Wales) Regulations 2003

PART III

CONDUCT OF FOSTERING SERVICE

Fitness of workers

20.—(1) The fostering service provider must not—

- (a) employ a person to work for the purposes of the fostering service unless that person is fit to work for the purposes of a fostering service; or
- (b) allow a person to whom paragraph (2) applies, to work for the purposes of the fostering service unless that person is fit to work for a fostering service.

(2) This paragraph applies to any person who is employed by a person other than the fostering service provider in a position in which he or she may in the course of his or her duties have regular contact with children placed by the fostering service.

(3) For the purposes of paragraph (1), a person is not fit to work for a fostering service unless—

- (a) the person is of integrity and good character;
- (b) the person has the qualifications and experience necessary for the work he or she is to perform;
- (c) the person is physically and mentally fit for the work he or she is to perform; and
- (d) full and satisfactory information is available in relation to the person in respect of each matter specified in Schedule 1.

(4) The fostering service provider must take reasonable steps to ensure that any person working for a fostering service who is not employed by the fostering service provider and to whom paragraph (2) does not apply is appropriately supervised while carrying out his or her duties.

(5) Subject to regulation 52(7), the fostering service provider must not employ to work for the purposes of the fostering service in a position to which paragraph (6) applies, a person who is—

- (a) a foster parent approved by the fostering service, or
- (b) a member of the household of such a foster parent.

(6) This paragraph applies to any management, social work or other professional position, unless in the case of a position which is not a management or a social work position, the work is undertaken on an occasional basis, as a volunteer, or for no more than 5 hours in any week.