

## Fosterline Wales Factsheet

### Transferring fostering agency

#### Introduction

Sometimes, foster carers want to change their agency, for a variety of reasons. Foster carers have the right to free movement between fostering agencies. However, foster carers can only be registered with one agency at a time. If a foster carer is fostering a child or young person, that child or young person's needs must be paramount in any decisions and in the plans for transferring to another agency.

Although people often talk about transferring agency, in reality it involves applying to a new agency and resigning from the current agency. Wales does not currently have an agreed transfer protocol. Transfer protocols guide the way in which fostering services should manage the movement of foster carers between fostering services, although many agencies choose to use [The Fostering Network protocol](#) which was adopted in England.

#### Reasons for transferring

There are many reasons why a foster carer might wish to change to another fostering agency:

- lack of children placed with you
- poor matching in previous placements
- improving the support to the fostered children or yourself
- availability of training and career development
- moving home and wanting to foster for a local agency
- disagreement with your current fostering agency
- terms and conditions

No agency should approach you to ask you to move to them, neither should an agency pressure you to transfer. An independent agency should not try to 'poach' you from the local authority or even vice versa. The local authority who placed a child or young person with you should not pressure you to transfer to them as a condition of a child or young person remaining with you.

#### Relevant legislation

The regulations about foster carer registration can be found in:

- [Part 2 to 16 of The Regulated Fostering Services \(Services Providers and Responsible Individuals\) \(Wales\) Regulations 2019](#)
- [The Independent Review of Determinations \(Adoption and Fostering\) \(Wales\) Regulations 2010](#)

*Links to these can also be found in Resources further on in this factsheet.*

## **The transfer process**

If you want to change your agency, you will need to apply to a new agency and once approved, you will need to resign from your current agency, giving your current agency 28 days' notice on or before the date of your approval with your new agency. The regulations around approval and resignation apply when you transfer agency, not just your initial approval and when you stop being registered as a foster carer.

You can approach a new agency without telling your current agency. However, you need to tell your current agency before you formally apply to a new agency. If you have a child in placement, you also need to tell the local authority that placed the child with you, of your application to a new agency

The agency you apply to will ask your current agency for a reference and will usually request a copy of your assessment paperwork. The assessment paperwork belongs to your current agency, and they are not obliged to pass it on. They are, however, obliged to provide a reference.

The reference should include the following information about the fostering household:

- length of registration
- current approval category (if any) and date this was agreed
- significant variations in approval in the last five years
- age, sex and length of stay of all foster children during the last five years
- extent to which the foster carers were able to achieve placement objectives
- strengths and skills of the foster carers
- recent training courses attended by the foster carer/s and skills gained post-approval
- date and outcome of any investigation of allegations or concerns
- details of any current allegations or concerns
- a copy of your last annual review report

The agency to which you apply will need to carry out a full assessment. If your current agency has provided your assessment paperwork, there will be some information that does not need collecting again. Your training record belongs to you, even if held by your current fostering agency, so you can request it and use it as evidence of prior training.

Once the new agency has indicated they will be recommending to approve, you should write a letter of resignation to your current agency. This takes effect 28 days later. If you currently have a placement, it is essential the two agencies coordinate timings, so you are deregistered by your current agency on the same day as you are approved by your new agency.

The entire process typically takes three to four months but can take longer.

## **Transferring while a child or young person is in placement**

It is possible to transfer agencies while a child or young person is in placement. The child or young person's interests must come first in any decision about whether they stay with you, by moving to the new agency, or move to another placement.

You must give written notice to your current agency that you plan to move to another agency. If you are not fostering for the local authority that placed the child with you, then you must also notify that local authority. The local authority will notify the child's Independent Reviewing Officer who will convene a review meeting of the placing authority, the current agency, the agency you are applying to and yourself.

The final decision about whether or not the child or young person remains with you is made by the local authority who placed them with you.

The Fostering Network protocol lays out the arrangements between agencies when a child or young person remains with you. If your agencies have not agreed to operate under the protocol, you may still want to check the protocol to see what kind of good practice arrangements need to be made.

## **When something goes wrong**

Transferring is not always smooth. The agency to which you apply may postpone the presentation of your assessment to their panel, or recommend not to approve you. Your current agency may not make the transfer easy for you. The Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010 explains your rights to challenge to the Independent Review Mechanism (IRM) a decision not to approve you. If you wish to make a complaint against your current agency, you can use the Social Services 'official complaints' procedure (if a local authority) or the agency's own complaints procedure.

## **Resources**

The Fostering Network transfer protocol (England)

[thefosteringnetwork.org.uk/sites/www.fostering.net/files/content/transfer-protocol.pdf](http://thefosteringnetwork.org.uk/sites/www.fostering.net/files/content/transfer-protocol.pdf)

*(Please note that this has not yet been formally adopted in Wales, although many agencies are using it.)*

Part 4 of the Fostering Services (Wales) Regulations 2003

[legislation.gov.uk/wsi/2003/237/contents/made](http://legislation.gov.uk/wsi/2003/237/contents/made)

The Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010

[gov.wales/topics/health/publications/socialcare/guidance1/ird2010/?lang=en](http://gov.wales/topics/health/publications/socialcare/guidance1/ird2010/?lang=en)

The Independent Review Mechanism

[irm.cymru/fostering](http://irm.cymru/fostering)

## How The Fostering Network can help

The Fostering Network offers advice, information and support. Our expertise and knowledge are always up-to-date and available through our vital member helplines, publications, training and consultancy.

### Advice

Fosterline Wales

Call us on 0800 316 7664 from 9.30am - 12.30pm Monday to Friday.

If you call outside this time, please leave a message and someone will call you back as soon as possible.

You can email us at:

[fosterlinewales@fostering.net](mailto:fosterlinewales@fostering.net)

### Support and resources

Our website is an essential source of information, while our online community brings together foster carers for peer support and advice. You can login to share your experience and get advice from other foster carers. Our online community is a safe and secure area to discuss foster care matters.

[thefosteringnetwork.org.uk](http://thefosteringnetwork.org.uk)

### Training and consultancy

Wherever you are in your fostering career, as a foster carer, social worker or manager, The Fostering Network has a range of training designed to meet your development needs.

For more information contact our learning and development manager, Sarah Mobedji at [sarah.mobedji@fostering.net](mailto:sarah.mobedji@fostering.net)

### About The Fostering Network

The Fostering Network is the UK's leading fostering charity, bringing together everyone who is involved in the lives of fostered children to make foster care the very best it can be.

### Contact

To find out more about our work in Wales, please contact:

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