

WELSH GOVERNMENT INTEGRATED IMPACT ASSESSMENT

Title of proposal:	Strengthening Families: Legislative Reforms for Adoption, Fostering and Kinship Care in Wales
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Department:	Enabling People Division, Social Services and Integration, HSCEY
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Cabinet Secretary/Minister responsible:	Minister for Children and Social Care
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SECTION 1. WHAT ACTION IS THE WELSH GOVERNMENT CONSIDERING AND WHY?

Context and current position

The proposed changes considered within this assessment are:

- amend the Adoption Support Services (Local Authorities) (Wales) Regulations 2005 and the Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019, and revoke and replace the Adoption Support Services (Wales) Regulations 2019 to simplify arrangements for providers of these services, increase accessibility of support services for adopted children, young people and adults, and clarify key definitions to ensure consistency.
- the Code of Practice on the exercise of social services functions in relation to Part 6 (looked after and accommodated children) of the Social Services and Well-being (Wales) Act 2014 to bring together existing regulation and good practice guidance and combine the principles of the 2014 Act with the Adoption and Children Act 2002 and its associated regulations.
- the Fostering Panels (Establishment and Function) (Wales) Regulations 2018, the Care Planning, Placement and Case Review (Wales) Regulations 2015 and the Part 6 Code of Practice to provide a more flexible approach to assessing suitability for kinship care placements alongside a more flexible approach to the Children Looked After (CLA) framework in supporting the placement.
- the Fostering Panels (Establishment and Functions) (Wales) Regulations 2018 to support a more effective and efficient process to transfer foster carers between providers of fostering services.
- the Code of Practice on the exercise of social services functions in relation to Part 6 (looked after and accommodated children) of the Social Services and Well-being (Wales) Act 2014 to better explain how different types of foster carers can obtain the enhanced fostering allowance.

the Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010 to reflect the introduction of the brief report outlined within the Fostering Service Panels (Establishment and Functions) (Wales) Regulations 2018. The number of children looked after has been on an upward trend in recent years and peaked at 7,241 in 2021. Following a decrease in 2022, the number of children looked after increased in 2023 and further increased slightly to 7,198 as at 31 March 2024. This equates to a rate of 116.1 per 10,000 population aged under 18. The number has increased substantially in recent years, from 5,760 in 2013, or 91 per 10,000.

Local authorities provide various placements to accommodate looked after children:

- With a relative (a “kinship placement”)
- With foster parents
- In a children’s care home

- In other residential settings such as supported lodgings, a school or, for a small number of cases, a secure unit
- With a prospective adopter (in certain circumstances)

Of the current cohort of looked after children, 9% had lived in three or more placements during the previous 12 months. The majority (68%) were in foster placements, followed by being placed with their own parents or other person with parental responsibilities (14%) and 12% were in placements in residential settings.

Placements are currently provided by a local authority through its in-house services or by providers in the private and third sectors. In Wales, all providers of a care home service for children or a fostering service are required, by the Regulation and Inspection of Social Care (Wales) Act 2016, to register with the Welsh Government (in practice, Care Inspectorate Wales (CIW)).

The growth of the number of looked after children in Wales has resulted in a long-term trend of increasing use of care, along with presentation of more complex needs, and has presented significant challenges to local authorities and impacted on children and young people themselves.

Matching the needs of children with appropriate placements across the range of options such as fostering and care homes, is becoming more difficult. It is sometimes hard for local authorities to find suitable placements in suitable locations that meet children's needs. This can adversely affect placement choice, permanency and stability and consequently, outcomes for children and young people.

The Welsh Government is proposing regulatory changes to improve support for vulnerable children and families in Wales, focusing on adoption, fostering, kinship care, and special guardianship. These reforms are part of a wider ambition to make children's social care more responsive and person-centred.

The changes respond to the long-term challenges set out above, unfair suitability expectations placed on kinship carers, limited access to adoption counselling for adults, inconsistent support for special guardianship, and barriers to foster carer mobility. At the same time, they offer opportunities to modernise legislation, improve access to services, and empower carers and professionals.

The changes aim to tackle long-standing issues by making services more accessible, consistent, and tailored to individual needs. By simplifying registration requirements, creating separate assessment requirements for kinship foster carers, introducing statutory templates for support plans, and updating care planning and review arrangements, the proposals aim to ease pressures on carers and staff, promote consistency, and ensure fairer, more tailored support across Wales. The reforms also strengthen the Independent Review Mechanism (the process by which a prospective or approved foster carer or a prospective adopter, can seek a review of a decision or 'qualifying determination' made by a fostering or adoption service), to bring greater fairness and clarity to decision making. Additionally, the clarification of access to the enhanced fee for kinship foster carers improves equity and ensures carers are fully informed of their entitlements, helping to sustain stable placements and reduce financial uncertainty.

Prevention

The issue at hand is the persistence of negative cycles such as poverty, poor mental health, family breakdown, and systemic barriers to accessing support services. These cycles often lead to children entering care unnecessarily or experiencing instability within care placements. The proposed actions seek to break these cycles by reforming the regulatory framework to make services more accessible, flexible, and person-centred.

- **Access to therapeutic support** will be widened by removing CIW registration requirements for specific adoption and counselling services, enabling earlier intervention and trauma-informed care.
- **Placement stability** will be strengthened through more proportionate and tailored kinship care assessments and fostering regulations, helping reduce breakdowns and emotional disruption.
- **Early intervention** is promoted via the Welsh Early Permanence Framework, supporting timely, stable placements and long-term well-being.
- **Support for special guardianship** will be made more consistent through statutory templates for support plans, ensuring equitable and proactive assistance across Wales.

These measures collectively aim to create a more responsive and preventative care system, reducing the need for children to enter or re-enter care.

Benefits

The changes focus on tackling root causes rather than just symptoms. The Welsh Government is reforming systems to make services more preventative and responsive to children and families. Care planning is being aligned across legal frameworks to ensure children's needs are met holistically. Reforms to kinship and special guardianship support family networks, reducing reliance on institutional care. Even where symptoms are addressed like improving foster carer transitions, the aim is to fix underlying inefficiencies that lead to instability and poor outcomes.

The legislative changes aim to reduce potential negative impacts by streamlining administrative processes, which may help lower resource use and emissions associated with bureaucracy through the operation of administrative functions. These efficiencies support a more sustainable approach to service delivery. They promote social cohesion by supporting children to stay within their families and communities, reducing isolation. Even where registration requirements are eased, strong safeguards and commissioning standards remain to ensure service quality and protect vulnerable individuals.

Integration

The Welsh Government's changes present a transformative opportunity not only for children's social care but also for broader public policy. By improving access to therapeutic support and simplifying service pathways, the reforms directly enhance mental health and emotional wellbeing for vulnerable children and families. They also promote cultural

inclusion by supporting identity, relationships, and the use of the Welsh language, helping children remain rooted in their communities.

In addressing worklessness, the changes take a strategic approach to supporting economic participation among carers and care-experienced young people. Changes to the transfer process between fostering service providers aim to reduce administrative delays and improve continuity, making it easier for foster carers to maintain stable roles and income. Clearer guidance on accessing enhanced fostering allowances will help carers understand their financial entitlements, enabling them to manage caregiving alongside employment or training.

For care leavers, improved care planning and placement stability, particularly through the integration of care and support plans, can support smoother transitions into adulthood and increase access to education, training, and employment. These reforms reflect a person-centred, whole-system approach that not only strengthens the social care framework but also contributes to wider health, cultural, and economic resilience across Wales.

The changes intersect with multiple policy areas, ensuring that children's social care reforms contribute to broader societal goals. These changes are deeply integrated with the Welsh Government's Programme for Government and well-being objectives. They contribute directly to several public policy agendas, including:

- **Health:** By improving access to therapeutic services for adopted adults and children, the proposals support mental health and emotional well-being.
- **Education:** Stable placements and better support for carers can lead to improved educational outcomes for children in care.
- **Worklessness and economic inclusion:** Enhanced support for carers, including access to allowances and streamlined processes, can reduce financial strain and improve economic participation.
- **Culture and Welsh language:** The consultation explicitly considered the impact on the Welsh language, promoting bilingual service delivery and ensuring parity between Welsh and English.

Collaboration and Involvement

We are committed to working closely with stakeholders to co-design reforms grounded in lived experience and professional expertise. Partners with a shared interest include local authorities, CIW, the National Adoption Service and regional collaboratives, AFKA Cymru, The Fostering Network, independent service providers, therapists, counsellors, social workers, children and families with lived experience, academics, and relevant Welsh Government departments. This broad partnership ensures the proposals are informed, inclusive, and responsive to sector needs.

People affected by the proposals have consistently called for more flexible, personalised support, especially for kinship carers and adopted adults, alongside easier access to therapeutic services and clearer, more consistent regulations. They have also stressed the importance of recognising carers as key members of the social care team.

Stakeholders have been actively involved throughout the development of the proposals. Engagement has included formal public consultation, targeted research by AFKA Cymru, and sector-led initiatives such as the Welsh Early Permanence Framework and the Transfer Protocol for Wales. Stakeholders have helped identify practical challenges and areas for improvement. Their continued involvement will be essential in shaping final decisions, supporting implementation through training and procedural updates, and contributing to ongoing monitoring and evaluation to ensure positive outcomes for children and families

Impact

The Welsh Government is proposing reforms to make adoption, fostering and kinship services more accessible, efficient, and responsive to the needs of children and families.

A key change is removing the requirement for certain adoption support and adult counselling providers to register with Care Inspectorate Wales (CIW). This will significantly reduce bureaucracy by removing administrative processes. Currently, providers must complete extensive registration processes and detailed compliance information before waiting for approval to deliver services which adds time and costs to both providers and public bodies; creating delays in commissioning and limiting service availability. Streamlining this process will enable quicker commissioning and encourage more providers to enter the field, improving access to support.

The changes also aim to streamline the transfer process for foster carers between providers, helping to reduce delays and maintain continuity of care for children.

To better support kinship care, a new category for kinship foster carers is proposed, allowing for more flexible assessments tailored to family circumstances. Statutory templates for Special Guardianship Support Plans will also be introduced to ensure consistency and fairness across local authorities.

Legal clarity will be improved through amendments to the Part 6 Code of Practice, aligning adoption care planning with existing legislation. While some registration requirements are being lifted, local authorities will retain their safeguarding duties, and robust commissioning checks will remain in place to ensure service quality.

Finally, changes to the Independent Review Mechanism (IRM) will enhance transparency and fairness in decisions affecting foster carers.

Together, these reforms aim to modernise the system, reduce administrative burdens, and ensure timely, consistent, and high-quality support for children and families.

Risks

While the regulatory changes offer clear benefits, there are some stakeholder concerns around safeguarding and service quality. Some stakeholders raised concerns that removing CIW registration for adoption support services could reduce oversight and lead to inconsistent, less accountable service delivery, especially in sensitive areas like adult adoption counselling. However, evidence from implementation of these changes in England would suggest that this is a low risk. Implementation may also be uneven, with risks of regional disparities if new templates and frameworks aren't consistently adopted.

The Welsh Government will seek sector feedback, monitor outcomes, and provide clearer guidance where needed to address these potential issues.

Costs and Savings

Full details of the costs and savings associated with the changes can be found in the relevant Regulatory Impact Assessments, which have been published to support the introduction of the changes

Mechanism

The changes will be introduced via secondary legislation in the form of Statutory Instruments and statutory Codes of Practice.

SECTION 8. CONCLUSION

8.1 How have people most likely to be affected by the proposal been involved in developing it?

People likely to be affected by the regulatory changes have been engaged through a broad and inclusive process designed to ensure their views inform its development. The Welsh Government has sought input from individuals and organisations with direct experience of the care system, including children and young people, their representatives, and those delivering services.

Engagement activities included consultation exercises, collaborative forums, and sector-led discussions. These were designed to be accessible and transparent, with bilingual materials and a range of formats offered to support participation across different needs and preferences. Efforts were made to ensure a wide range of perspectives were considered, including those from different backgrounds, communities, and language groups.

Feedback gathered through this process has shaped the proposals in meaningful ways. For example, changes aimed at improving access to adoption support and counselling services respond to concerns about current barriers. Adjustments to fostering and kinship care frameworks reflect the need for more flexible and proportionate systems. The development of special guardianship support plans builds on consultation with practitioners and stakeholders to promote consistency and clarity.

By grounding the changes in practical experience and professional insight, the Welsh Government aims to deliver reforms that are equitable, achievable, and responsive to the needs of those most affected.

8.2 What are the most significant impacts, positive and negative?

The Welsh Government's reforms to adoption, fostering, and kinship care services mark a significant step toward transforming children's social care in Wales. These changes aim to simplify regulation, improve access to support, and create a more person-centred system. The impacts, positive and negative, span across people, culture and the Welsh language, the economy, and the environment, and align with the seven well-being goals of the Well-being of Future Generations (Wales) Act 2015.

For people, the most notable benefit is improved access to support services. By removing the requirement for certain providers to register with CIW, particularly those contracted by local authorities or offering adult counselling, the Welsh Government anticipates an increased number of professionals will be available to provide support. This is especially important for adopted adults, who currently face barriers due to limited registered providers. The reforms also clarify care planning for adoption, helping social workers navigate complex legal frameworks and improving outcomes for children.

Kinship carers will benefit from a tailored assessment process that recognises their unique circumstances. The creation of separate assessment requirements for kinship foster carers, with distinct criteria, acknowledges the difference between family-based care and

mainstream fostering. This flexibility is expected to reduce unnecessary bureaucracy and better reflect the realities of kinship arrangements, leading to more stable placements and improved well-being for children.

The introduction of a statutory requirement for local authorities to use the Special Guardianship Support Plan template is another key development. This template provides a consistent framework for identifying and meeting the needs of special guardians, children, and families. It incorporates best practice and research, and its consistent use will help reduce disparities in support across Wales, ensuring families receive the help they need regardless of location.

The changes to the Independent Review Mechanism (IRM) will also strengthen fairness and transparency. By updating the regulations to allow the IRM panel to request a full assessment following a brief report, the Welsh Government ensures that applicants are not unfairly excluded from fostering due to incomplete evaluations. This change enhances the integrity of the review process and supports the rights of prospective carers.

In fostering, the reforms to the transfer process between service providers are particularly impactful. Currently, delays and information-sharing issues can hinder carers' ability to move between providers. By embedding elements of the Transfer Protocol for Wales into legislation, the Welsh Government aims to streamline this process, improve safeguarding, and reduce administrative burdens. This will make it easier for foster carers to continue their work without unnecessary disruption and will support continuity of care for children.

There are concerns that removing registration requirements could reduce oversight, however the Welsh Government is confident that existing commissioning arrangements and statutory checks will maintain standards. There may also be some transitional requirements for local authorities, including the need for staff training and system updates.

Culturally, the regulatory changes are broadly positive. The consultation emphasises the importance of treating the Welsh language equally and supports bilingual service provision. The new kinship assessment criteria include consideration of cultural and linguistic background, supporting placements that respect children's heritage. Nonetheless, without strong enforcement, there is a risk of inconsistency in Welsh language provision across regions.

Economically, the reforms are expected to deliver efficiencies. Streamlining registration and transfer processes will reduce administrative burdens and delays, potentially lowering costs for local authorities and providers. By making it easier for professionals to offer services, the changes may stimulate growth in the social care sector.

While the changes do not directly target environmental outcomes, indirect benefits may arise. Encouraging local placements and flexible visit schedules could reduce travel for social workers and carers.

Themes emerging from stakeholder engagement include the need for greater flexibility in kinship care, improved access to adult counselling, and clearer guidance for practitioners. There is strong support for recognising foster carers' contributions and streamlining their movement between providers. These priorities align with several well-being goals, including a healthier Wales (through improved mental health support), a more equal Wales

(by reducing systemic barriers), and a Wales of cohesive communities (by supporting family-based care).

Compared to current Welsh Government action, which is often constrained by rigid frameworks and inconsistent support, the changes represent a shift toward more responsive, inclusive, and efficient services. They reflect a commitment to radical, whole system change and a vision of Wales as a nurturing place for children and young people to grow up.

8.3 In light of the impacts identified, how will the proposal:

- **maximise contribution to our well-being objectives and the seven well-being goals; and/or,**
- **avoid, reduce or mitigate any negative impacts?**

The Welsh Government's reforms aim to create a more inclusive, equitable, and person-centred care system. These changes support the seven well-being goals of *the Well-being of Future Generations (Wales) Act 2015*

A Healthier Wales

At the core of the reforms is a commitment to improving emotional well-being and mental health for children, families, and adopted adults. By removing barriers to accessing support such as the requirement for certain providers to register with CIW, the Welsh Government aims to expand the availability of counselling and therapeutic services. This person-centred approach ensures that individuals receive timely, appropriate support, contributing directly to a healthier Wales where mental health is prioritised alongside physical health.

A More Equal Wales

The reforms are designed to reduce disparities in service provision and ensure fairness across the country. The introduction of a statutory requirement for local authorities to use the Special Guardianship Support Plan template will help standardise support, ensuring that special guardians, children, and families receive consistent care regardless of location. Additionally, improvements to the IRM, such as allowing the panel to request a full assessment, enhance transparency and fairness in fostering decisions. These measures promote equality by ensuring that all individuals are treated justly and have access to the same quality of support.

Importantly, the clarification of the enhanced fee for kinship foster carers improves transparency and access to financial support. Kinship carers often take on significant responsibilities, and clearer guidance ensures they understand their entitlement to the enhanced fee. This helps remove confusion and ensures kinship carers are treated equitably, supporting a more consistent and fair approach across Wales.

A Wales of Cohesive Communities

Recognising the importance of family and community connections, the proposals include a distinct assessment pathway for kinship foster carers. This pathway acknowledges existing relationships and family dynamics, reducing unnecessary bureaucracy and supporting

more stable placements. By keeping children within their extended families and communities, the reforms strengthen social bonds and contribute to cohesive communities. Streamlining the transfer process for foster carers between service providers also helps maintain continuity of care, reducing disruption for children and supporting carers in their roles.

A Globally Responsible Wales

The reforms uphold ethical standards in care provision, reinforcing Wales's commitment to global responsibility. While deregistering certain providers from CIW may raise concerns about oversight, the Welsh Government has built in safeguards through commissioning arrangements. Local authorities remain legally responsible for verifying qualifications, references, and criminal records, ensuring that high standards of care and safety are maintained. Enhancements to the IRM process further protect the rights of prospective carers, ensuring decisions are based on complete and accurate information.

A Wales of Vibrant Culture and Thriving Welsh Language

Cultural and linguistic identity is central to the well-being of children and families. The changes include specific measures to support Welsh language provision, such as incorporating cultural and linguistic considerations into assessment criteria and encouraging bilingual service delivery. The consultation process also invites feedback on how to strengthen the use of Welsh, ensuring that the language is treated no less favourably than English. These steps help preserve and promote Wales's cultural heritage, ensuring services reflect the diverse identities of those they support.

A Prosperous Wales

Economic efficiency is a key consideration in the proposed reforms. By reducing bureaucracy, streamlining processes, and building on existing frameworks such as the Welsh Early Permanence Framework and the Transfer Protocol, the Welsh Government aims to deliver better outcomes with more effective use of resources. Supporting carers and families through simplified systems and consistent guidance can reduce long-term costs by preventing placement breakdowns and improving stability. These changes contribute to a more prosperous Wales by ensuring that public services deliver value while meeting the needs of citizens.

A Resilient Wales

Although the changes do not directly target environmental outcomes, they may lead to indirect benefits that support resilience. Encouraging local placements and flexible visit schedules could reduce travel for social workers and carers, lowering carbon emissions and promoting sustainability. By embedding flexibility and responsiveness into care systems, the reforms also enhance the resilience of services, enabling them to adapt to changing needs and circumstances.

Conclusion

Together, these reforms mark a significant transformation of adoption, fostering, kinship care, and special guardianship services in Wales. They aim to improve outcomes for children and families while supporting the Welsh Government's well-being goals. By promoting health, equality, community cohesion, cultural inclusion, and economic fairness, alongside safeguards to reduce risks, the reforms reflect a responsible and ambitious vision for a nurturing, inclusive Wales.

8.4 How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?

The impact of the changes will be monitored and evaluated through a combination of statutory mechanisms, sector collaboration, and feedback loops embedded within the regulatory framework. As the proposed changes are implemented, local authorities and service providers will be expected to adhere to updated Codes of Practice and amended regulations, which include clearer guidance and expectations for service delivery, assessment, and review processes.

Monitoring will be supported by independent oversight, such as the role of the Independent Reviewing Officer in determining review timings for kinship placements, and by CIW where registration remains applicable. Additionally, the Welsh Government will publish a summary of consultation responses and may commission further analysis through accredited third parties to assess the effectiveness of the changes.

Evaluation will also occur through sector engagement, including feedback from practitioners, carers, and service users. For example, the statutory use of Special Guardianship Support Plan templates will promote consistency and allow for comparative analysis across local authorities.

At the end of the implementation phase, the changes will be reviewed collectively to evaluate their overall effectiveness. This will help determine whether the intended improvements have been achieved and ensure that the reforms are contributing meaningfully to better outcomes for children and families across Wales.