



CARE STANDARDS ACT 2000

APPLICATION TO REGISTER A FOSTERING AGENCY NOTES FOR APPLICANTS

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1. Purpose

1.1. These notes for applicants are relevant to both individuals and organisations that wish to apply to carry on a Fostering Agency. Where an application is from an organisation, the 'responsible individual' who will be responsible for supervising the management of the agency will need to be identified.

1.2. We hope that these notes will assist you in:

- understanding what you need to think about before applying for registration, and
- beginning to understand what the Fostering Services (Wales) Regulations 2003 and National Minimum Standards for Fostering Services are intended to achieve and the part they play in the registration process.

1.3. When you have read these notes and the other documents provided we hope you will have an outline of:

- what needs to happen before you will be ready to lodge your application,
- what we will do when we get your application, and
- what we are looking for.

1.4. Because arranging foster care for vulnerable children and young people places them at potential risk, great care needs to be taken to check that everything is as it should be, before an agency can be registered. The registration process must be completed before an agency can begin to operate.

1.5. The process is necessarily detailed and inherently intrusive. We therefore want you to know that the information we collect is treated carefully and kept strictly confidential at all times. We also want you to know that inspectors will work with you to make sure everything is done as well as it can be. The most important part of our work is to see that potentially vulnerable children get high quality services and our aim in commenting on your proposals is to help you meet and exceed the requirements of the [Care Standards Act 2000, the Regulations and the National Minimum Standards](#).

1.6. Achieving registration requires a great deal of work on the part of both the applicant and the regulator. Properly approached, it serves to establish a sound basis for the longer term regulatory relationship.

2. Why am I required to register?

2.1 The law regulates anyone who operates or manages a fostering service in Wales. The purpose of such regulation is to:

- make sure that you are suitable to carry this responsibility,

- check that you have the knowledge and resources needed to provide and sustain a good quality of service,
- ensure that you will engage and support staff with the appropriate qualifications, experience, knowledge and skills to meet the needs of the users of the service you intend to provide,
- check that any premises you use as an office are suitable for the purpose,
- make sure that the way you go about running your service is satisfactory, and that the records which must be kept are satisfactory and will, in future, help us to check the quality of the service you are providing.

2.2 The following sections take each of these points in turn.

3. How do we set about deciding if you are a suitable person?

3.1 We will seek to do this through the information collected in the application form and the papers we ask you to complete at the same time.

- We will check that you are who you say you are, by the checking of your birth certificate, passport, marriage and any other relevant documents.
- We will look into your background. We will undertake checks with the Disclosure and Barring Service (DBS) and take up personal, professional and financial references.
- We will check on your physical and emotional health. We will send your doctor and any specialist(s) who you have had treatment from, a copy of the medical history which you provide us with, and ask for their comments.

The Rehabilitation of Offenders Act (1974) says that, for most purposes, after a fixed time people no longer have to declare their convictions.

YOU SHOULD NOTE THAT THIS DOES NOT APPLY TO YOUR APPLICATION TO BE REGISTERED TO CARRY ON A FOSTERING AGENCY

3.2 This is important as, if you or any one else has any convictions, we will need to make a judgement about whether the material revealed by the DBS renders you unsuitable to act in the capacity for which you are applying. We will carefully consider how old you were at the time, your personal circumstances then and now and the chances of this aspect of your character affecting the care you might give now. It is possible to approve applications in this situation.

3.3 However, if you fail to declare any conviction or caution in connection with any offence it may look as if you are trying to conceal information that may be relevant to your application. If someone is dishonest in order to obtain registration, they are no longer a suitable person.

3.4 Please note that your record of convictions and cautions will be included in the DBS certificate which will be sent to you. Before we can determine your

application to register we will need to see the original copy of the DBS certificate.

3.5 As the person carrying on the agency, you will ensure that all staff have been DBS checked. . In order to do this you will need to be registered with the Disclosure and Barring Service. They can be contacted at either, Disclosure and Barring Service, PO Box 165 Liverpool L69 3JD or [DBS](#). Alternatively, a number of umbrella bodies are registered with DBS which could undertake these checks on your behalf.

3.6 CIW may at any time require you to demonstrate that you have checked all staff backgrounds to the required standard.

4. How will we check on your knowledge and resources?

4.1 There are standards set for the experience, qualifications, knowledge and skills registered providers and any staff must have. We will seek to satisfy ourselves that you meet these standards through the information provided in both parts of your application form and in a formal interview.

- We will ask you to provide a full record of what you have done since leaving school. This will include any periods of study, unpaid work and qualifications you have undertaken.
- We will check with previous employers as necessary even if you have not given them as referees to establish what relevant skills and experience you have.
- We will look at any training courses you have attended and, where necessary, check on the detail of what was studied. Where any qualifications are involved we will want to see your certificates and may check details with the body that awarded them.
- If you lack the required experience and qualifications to be registered to be in day to day control yourself you may employ a manager to undertake this task. The manager will be required to submit an application and will be subject to the same checks as you.
- Some of this checking will be done through a 'fit person' interview. This process will be completed before a formal decision is made about whether you are to be registered and what, if any, conditions might apply to your registration.

5. How will we ensure you engage and support staff with the appropriate qualifications, experience, knowledge and skills?

5.1 The range and numbers of staff along with the relevant qualifications, experience knowledge and skills will be dependent upon the nature and size of agency you intend to provide. Standards set out in general terms what these must be. You will need to discuss the particular staffing proposals for your agency with the inspector.

6. How will we go about checking the premises?

6.1 Working from information supplied in the application form and a site visit or visits to the building you intend to use we will check::

- that you have sufficient control over the premises you intend to use to ensure that staff and others with a proper interest can have access during normal office hours.
- that the premises and any records you keep – whether on an IT system or otherwise are secure.
- that the premises are properly equipped.
- that the proposed premises and contents are adequately insured.

7. How will we check your proposed way of working?

7.1 We will look carefully in Part 2 of the application form at what you tell us you will do to meet the National Minimum Standards. We will use a formal 'fit person' interview or interviews to discuss any of your answers where we feel we do not have enough information to make a decision. We will:

- look at your proposed means of meeting each of the National Minimum Standards.
- examine your proposals to assess whether the information you have supplied adequately upholds the Statement of Purpose.
- look in detail at how you intend to assess, select and prepare staff and the records you intend to keep.
- look at the way in which you intend to assess and introduce individuals into your care.
- examine the documents and information you intend to supply to children and carers and how you intend to use them.
- carefully assess the suitability of the policies you intend to use.
- consider how you intend to keep the records you are required to keep.
- look at how you intend to use your time and that of staff and at the range of opportunities you intend to provide for children and carers.
- We will wish to understand how you will manage, monitor and control the quality of all aspects of the service you provide.

8. Next steps

8.1 We suggest that you now take a close look at the relevant Regulations and National Minimum Standards for the service you propose to provide. The Fostering

Services (Wales) Regulations 2003 and the matching Standards can be accessed through the CIW website at: www.careinspectorate.wales

8.2 Once you have done this, we hope that the structure, purpose and requirements of the attached application forms (namely Part 1 for an individual application and Part 1B for organisations, 1A (Manager), Part 2 (evidence of ability to meet NMS), DBS Request and Medical Declaration and financial enquiry will all become clearer. Where the application is from an organisation, checks will be carried out on the responsible individual and additional information about the organisation will be required.

8.3 Should you have any questions at this stage about the requirements and process, we would be glad to discuss these. You should however note that it is for you to prepare and structure your application and you should be prepared to obtain advice from your own independent sources. **It is up to you to demonstrate that you will be able to meet – and continue to meet - the requirements of the Regulations and Standards.** The onus is on you to provide evidence for this purpose. It would clearly be inappropriate for your future regulator to become involved in advising on the detailed nature of your business decisions, choices and risks.

9. What we do with the information we receive from you.

9.1 We process any personal and/or sensitive information we hold about you fairly and lawfully, and we only ask for such information where it is necessary for us to carry out our role. For more information about how we process your personal data, and your rights in relation to this, please see our Privacy Notice at <https://careinspectorate.wales/how-we-use-your-information>, or contact us for a paper copy.

10. Conclusion

10.1 As you can see the process is complex, demanding and detailed. Preparing a satisfactory application can involve a considerable initial investment of time and some unavoidable expense. Nonetheless we believe, as we said at the outset of this explanation, that the process of preparing for and securing registration provides an opportunity to create a sound foundation for the future regulatory relationship between registered providers and CIW.

10.2 We will endeavour to do all we can to make the process and requirements clear and the basis of the regulatory process transparent. We hope that you will find this to be the case and look forward to working with you.