

SL(6)788 – The Independent Review of Determinations (Adoption and Fostering) (Wales) (Amendment) Regulations 2026

Background and Purpose

The Independent Review of Determinations (Adoption and Fostering) (Wales) (Amendment) Regulations 2026 (the “**Amendment Regulations**”) amend the Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2026 (the “**2026 Regulations**”).

The 2026 Regulations revoked and replaced the Independent Review of Determinations (Adoption and Fostering) (Wales) Regulations 2010 to modernise and clarify the legal framework governing the Independent Review Mechanism (“**IRM**”) in Wales.

The IRM is 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.

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 point is 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.**

The Amendment Regulations make two technical changes to the 2026 Regulations to correct cross-references to the Adoption Agencies (Wales) Regulations 2005. The Explanatory Memorandum explains that these amendments are made in response to this Committee’s report on the 2026 Regulations (SL(6)759).



Welsh Government response

A Welsh Government response is not required.

Legal Advisers

Legislation, Justice and Constitution Committee

09 March 2026



Senedd Cymru

Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad

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Welsh Parliament

Legislation, Justice and Constitution Committee