
WELSH STATUTORY INSTRUMENTS

2007 No. 1357

**The Local Authority Adoption
Service (Wales) Regulations 2007**

PART 1

GENERAL

Adoption Panels

- 9.—(1)** Each local authority must—
- (a) establish an adoption panel in accordance with regulations 3 and 5 of the 2005 Adoption Agencies Regulations;
 - (b) have in place written policies that ensure that the panel is organised effectively and operates efficiently;
 - (c) ensure that adoption panels are properly advised by an appropriately qualified person in relation to adoptions with a foreign element if such a case is being considered;
 - (d) where it considers that adoption is the preferred method for permanence of the child, prepare a written report for the adoption panel which must include:—
 - (i) the information about the child, the child's family and others and the guardian, as specified in Parts 1, 3 and 4 of Schedule 1 of the 2005 Adoption Agencies Regulations;
 - (ii) a summary written by the local authority's medical adviser, of the child's state of health, the child's health history and any need for health care which might rise in the future;
 - (iii) the wishes and feeling of the child regarding the matters set out in regulation 13(1)(c) of the 2005 Adoption Agencies Regulations;
 - (iv) the wishes and feelings of the child's parent or guardian, and any other person the local authority considers relevant, regarding matters set out in regulation 14(1)(c) of the 2005 Adoption Agencies Regulations;
 - (v) the views of the local authority about the child's need for contact with the child's parent or guardian or with any other person the local authority considers relevant and the arrangements the local authority proposes to make for allowing any person contact with the child;
 - (vi) an assessment of the child's emotional and behavioural development and any related need;
 - (vii) an assessment of the parenting capacity of the child's parent or guardian, and if a father of a child does not have parental responsibility for the child and the father's identity is known, that of the child's father;
 - (viii) a chronology of the decisions taken by the local authority with regard to the child;

- (ix) an analysis of the options for the future care of the child which have been considered by the local authority and if applicable, why placement for adoption is considered the preferred option; and
 - (x) any other information which the local authority considers relevant.
- (e) the local authority must send the written report as soon as reasonably practicable as well as other relevant information which might be requested by the adoption panel and send that information to the adoption panel;
- (f) the local authority must obtain, so far as is practicable, any other relevant information which might be requested by the adoption panel and send that information to the adoption panel.

(2) Where the local authority, after having followed the procedures referred to in regulations 23 and 25 of the 2005 Adoption Agencies Regulations, considers a prospective adopter may be suitable to be an adoptive parent, it must carry out an assessment in accordance with the 2005 Adoption Agencies Regulations;

- (a) The local authority must obtain such particulars about the prospective adopter as are referred to in Part 1 of Schedule 4 of the 2005 Adoption Agencies Regulations;
- (b) The local authority must also obtain:—
 - (i) a written report from a registered medical practitioner about the health of the prospective adopter which must deal with the matters specified in Part 2 of Schedule 4 of the 2005 Adoption Agencies Regulations, unless such a report has been made within 6 months of an adoption panel's consideration of the case under regulation 27 of the Adoption Agencies (Wales) Regulations 2005 and is available to the local authority;
 - (ii) a written report of each of the interviews with the persons nominated by the prospective adopter as personal referees; and
 - (iii) a written report from the local authority in whose area the prospective adopter lives, and where the prospective adopter has lived in that area for a period of less than twelve months the local authority must obtain a written report also from the local authority in whose area the prospective adopter lived previously.
- (c) The local authority must prepare a written report which must include —
 - (i) the details of the prospective adopter as set out in Part 1 of Schedule 4 of the 2005 Adoption Agencies Regulations;
 - (ii) a summary, written by the local authority's medical adviser, of the state of health of the prospective adopter;
 - (iii) the local authority's assessment of the prospective adopter's suitability to adopt a child, and in determining the suitability of a couple to adopt a child the local authority must have proper regard to the need for stability and permanence in their relationship;
 - (iv) any relevant information the local authority obtains under Regulation 26 (4)(f) of the 2005 Adoption Agencies Regulations;
 - (v) any other information which the local authority considers relevant.
- (d) In a case where section 83 of the 2002 Act applies, the report must include —
 - (i) the name of the country ("country of origin") from which the prospective adopter wishes to adopt;
 - (ii) confirmation that the prospective adopter meets the eligibility requirements to adopt from the country of origin;

- (iii) additional information obtained as a consequence of the country of origin; and
 - (iv) the local authority's assessment of the prospective adopter's suitability to adopt a child who is habitually resident outside the British Islands.
- (e) The local authority must notify the prospective adopter if the application is to be referred to the adoption panel and at the same time send the prospective adopter a copy of the local authority's report referred to in paragraph (c) above, and invite any observations on the report to be sent in writing to the local authority within 10 working days, beginning with the date on which the notification was sent.
- (f) At the end of the period of 10 working days referred to in paragraph (e) above (or earlier if any observations made by the prospective adopter are received before the 10 working days have expired) the local authority must send —
- (i) the report referred to in paragraph (c) above, together with any observations provided by the prospective adopter under paragraph (e) above;
 - (ii) the report referred to in paragraph (d) above; and
 - (iii) any other relevant information obtained by the agency under this regulation to the adoption panel.
- (h) the local authority must obtain, so far as is reasonably practicable, any other relevant information which may be required by the adoption panel and send that information to the panel.
- (i) Where the local authority considers that the proposed placement should proceed, the local authority must—
- (i) carry out an assessment of the needs of the child and the prospective adoptive family for adoption support services in accordance with regulations made under section 4(6) of the 2002 Act;
 - (ii) consider the arrangements for allowing any person contact with the child;
 - (iii) consider whether the parental responsibility of any parent or guardian, or of prospective adopters, is to be restricted to any extent;
 - (iv) prepare a written report which must include—
 - (aa) the local authority's reasons for proposing the placement;
 - (bb) the information obtained by virtue of paragraphs 32(3)(d) of the 2005 Adoption Agencies (Wales) Regulations;
 - (cc) its proposals for the provision of adoption support services, if any, in accordance with regulations made under section 4(6) of the 2002 Act;
 - (dd) the arrangements the local authority proposes to make for allowing any person contact with the child;
 - (ee) the local authority's proposals for restricting the parental responsibility of any parent or guardian, or prospective adopter; and
 - (ff) any other information relevant to the proposed placement.