
WELSH STATUTORY INSTRUMENTS

2019 No. 291

**The Local Authority Adoption
Services (Wales) Regulations 2019**

PART 8

Other requirements on service providers

Records

28.—(1) The service provider must keep and maintain the records specified in Part 1 of Schedule 3.

(2) The service provider must—

- (a) ensure that records specified in Part 1 of Schedule 3 are accurate and up to date;
- (b) keep the records securely;
- (c) make suitable arrangements for the records to continue to be kept securely in the event the service closes;
- (d) make the records available to the service regulator on request;
- (e) where an adoption order has been made in relation to a child, retain records relating to the child and the child's adopter for at least 100 years from the date of the adoption order;
- (f) where adoption support services are provided to an individual, retain records relating to the individual for at least 100 years from the date of the last entry;
- (g) in a case which does not fall within sub-paragraph (e) or (f) retain—
 - (i) records relating to adults for 3 years from the date of the last entry;
 - (ii) records relating to children for 15 years from the date of the last entry;
- (h) ensure that individuals who use the service—
 - (i) can have access to their records, and
 - (ii) are made aware they can access their records.

Notifications

29.—(1) The service provider must notify the service regulator of the events specified in paragraphs 1 and 2 of Schedule 4.

(2) The service provider must notify the local authority for the area in which the child is placed for adoption of the event specified in paragraph 1 of Schedule 4.

(3) The notifications required by paragraphs (1) and (2) of this regulation must include details of the event.

(4) Unless otherwise stated, notifications must be made without delay and in writing.

(5) Notifications must be made in such manner and in such form as may be required by the service regulator.

Conflicts of interest

30. The service provider must have effective arrangements in place to identify, record and manage potential conflicts of interest.

Complaints policy and procedure

31.—(1) The service provider must have a complaints policy in place and ensure that the service is operated in accordance with that policy.

(2) The service provider must have effective arrangements in place for dealing with complaints including arrangements for—

- (a) identifying and investigating complaints,
- (b) giving an appropriate response to a person who makes a complaint, if it is reasonably practicable to contact that person,
- (c) ensuring that appropriate action is taken following an investigation, and
- (d) keeping records relating to the matters in sub-paragraphs (a) to (c).

(3) The service provider must provide a summary of complaints, responses and any subsequent action taken to the service regulator within 28 days of being requested to do so.

(4) The service provider must—

- (a) analyse information relating to complaints and concerns, and
- (b) having regard to that analysis, identify any areas for improvement.

Whistleblowing

32.—(1) The service provider must have arrangements in place to ensure that all persons working at the service (including any person allowed to work as a volunteer) are able to raise concerns about matters that may adversely affect the health, safety or well-being of persons for whom the service is provided.

(2) These arrangements must include—

- (a) having a whistleblowing policy in place and acting in accordance with that policy, and
- (b) establishing arrangements to enable and support people working at the service to raise such concerns.

(3) The service provider must ensure that the arrangements required under this regulation are operated effectively.

(4) When a concern is raised, the service provider must ensure that—

- (a) the concern is investigated,
- (b) appropriate steps are taken following an investigation, and
- (c) a record is kept relating to the matters in sub-paragraphs (a) and (b).