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WELSH STATUTORY INSTRUMENTS

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**2003 No. 710**

**The Local Authority Adoption Service and  
Miscellaneous Amendments (Wales) Regulations 2003**

**PART 3**

**CONDUCT OF LOCAL AUTHORITY ADOPTION SERVICE**

**Arrangements for the protection of children**

- 10.** Each local authority must prepare and implement a written policy which—
- (a) is intended to safeguard from abuse or neglect every child placed for adoption by the authority; and
  - (b) sets out the procedure to be followed in the event of any allegation of abuse or neglect.

**Staffing**

- 11.** Each local authority must ensure that there is, having regard to—
- (a) the size of the authority and its statement of purpose; and
  - (b) the need to safeguard and promote the health and welfare of children who may be, or have been, placed for adoption by the authority,

a sufficient number of suitably qualified, competent, and experienced persons working for the purposes of the adoption service.

**Fitness of workers**

- 12.—(1)** A local authority must not—
- (a) employ a person to work for the purposes of their adoption service unless that person is fit to work for the purposes of an adoption service; or
  - (b) allow a person to whom paragraph (2) applies, to work for the purposes of the adoption service unless that person is fit to work for the purposes of an adoption service.

(2) This paragraph applies to any person who is employed by a person other than the authority in a position in which he or she may in the course of his or her duties have regular contact with children who may be, or have been, placed for adoption by the authority.

(3) For the purposes of paragraph (1), a person is not fit to work for the purposes of an authority's adoption service unless—

- (a) he or she is of integrity and good character;
- (b) he or she has the qualifications, skills and experience necessary for the work he or she is to perform;
- (c) he or she is physically and mentally fit for the work he or she is to perform; and

(d) full and satisfactory information is available in relation to him or her in respect of each of the matters specified in Schedule 3.

(4) The authority shall take reasonable steps to ensure that any person working for the purposes of the adoption service who is not employed by the authority and to whom paragraph (2) does not apply is appropriately supervised while carrying out his or her duties.

### **Employment of staff**

**13.**—(1) Each local authority must—

- (a) ensure that all permanent appointments made by the authority for the purposes of the adoption service are subject to the satisfactory completion of a period of probation; and
- (b) provide all employees employed by the authority for the purposes of their adoption service with a job description outlining their responsibilities.

(2) The authority must ensure that all persons employed by the authority for the purposes of the adoption service —

- (a) receive appropriate training, supervision and appraisal; and
- (b) are enabled from time to time to obtain further qualifications appropriate to the work they perform.

### **Staff disciplinary procedure**

**14.**—(1) Each local authority must operate a disciplinary procedure which, in particular—

- (a) provides for the suspension of an employee where necessary in the interests of the safety or welfare of children who may be, or have been, placed for adoption by the authority ;
- (b) provides that the failure on the part of an employee to report to an appropriate person an incident of abuse, or suspected abuse of a child placed for adoption by the authority is a ground on which disciplinary proceedings may be instituted .

(2) For the purposes of paragraph (1)(b), an appropriate person is —

- (a) the manager of the adoption service;
- (b) an officer of the National Assembly;
- (c) a police officer;
- (d) an officer of the National Society for the Prevention of Cruelty to Children;
- (e) an officer of the local authority in whose area the child is placed for adoption where this is a different authority.

### **Arrangements for absence of manager**

**15.** Each local authority must establish a system to ensure that where the manager proposes to be or is absent from the local authority for a continuous period of 28 days or more an identified person is responsible for the management of the adoption service until such time as the manager returns to the adoption service or (as the case may be) a new manager is appointed by the authority.

### **Records with respect to staff**

**16.**—(1) Each local authority must maintain and keep up to date the records specified in Schedule 4.

(2) The records referred to in paragraph (1) shall be retained for at least 15 years from the date of the last entry.

### **Fitness of premises**

17.—(1) The local authority must not use premises for the purposes of their adoption service unless the premises are suitable for the purpose of achieving the aims and objectives set out in the statement of purpose.

(2) The authority must ensure —

- (a) that there are adequate security arrangements at the premises, and in particular, that there are secure facilities for the storage of records; and
- (b) that any records which are, for any reason, not on the authority's premises are kept in conditions of appropriate security.

### **Complaints**

18. Each local authority must

- (a) ensure that a written record is made of any complaint, including details of the investigation made, the outcome and any action taken in consequence, and that the record is retained for at least 3 years from the date it is made; and
- (b) supply to the National Assembly at its request a statement containing a summary of any complaints made in respect of their adoption service during the preceding 12 months and the action (if any) taken as a result of the outcome of the investigation.