

## WELSH STATUTORY INSTRUMENTS

# 2004 No. 1011

## The Adoption Support Services (Local Authorities) (Wales) Regulations 2004

PROSPECTIVE

### Procedure for assessment

6.—(1) The assessment of a person's needs for adoption support services must be carried out by, or under the supervision of, a person who has suitable qualifications, experience and skills necessary for the purposes of the assessment.

(2) In carrying out the assessment, the local authority must have regard to the following considerations —

- (a) the needs of the person;
- (b) the needs of the person's adoptive family;
- (c) in the case of an adoptive child who has been placed for adoption, the circumstances that led to the child being placed for adoption;
- (d) any special needs of the adoptive child arising from the fact that —
  - (i) the child has been looked after by a local authority;
  - (ii) the child has been habitually resident outside the British Islands;
  - (iii) the adoptive parent is a relative of the child.
- (3) The local authority must, where it considers it appropriate to do so —
  - (a) interview the person and, where the person is an adoptive child, its adoptive parents;
  - (b) prepare a written report of the assessment.
- (4) The local authority must, having regard to the assessment, decide —
  - (a) whether the person has needs for adoption support services; and
  - (b) if so, whether to provide any such services to him or her,

and, subject to paragraphs (6) and (7), must give notice in writing in accordance with paragraph (5), of that decision and the reasons for the decision.

- (5) The notice referred to in paragraph (4) must be given —
  - (a) where the person is an adult, to that person;
  - (b) where the person is a child and —
    - (i) it appears to the local authority that the child is of sufficient age and understanding for it to be appropriate to give him or her such notice; and
    - (ii) in all the circumstances it does not appear inappropriate to do so, to the child;
  - (c) in any other case where the person is a child, to —

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Adoption Support Services (Local Authorities) (Wales) Regulations 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (i) the person who an adoption agency has decided in accordance with regulation 11(1) of the 1983 Regulations would be a suitable adoptive parent for the child;
- (ii) the person with whom the child has been placed for adoption;
- (iii) the person by whom the child has been adopted; or

if no person falls within heads (i) to (iii) of this sub-paragraph, the person who proposes to adopt the child.

(6) Where the assessment relates only to the provision of information, the requirement in paragraph (4) to give notice will not apply where the local authority does not consider it appropriate to give such notice.

(7) Where the assessment relates to a person's need for financial support, the notice to be given in relation to the local authority's decision as to the provision of financial support must be given in addition to any notice which is to be given in accordance with regulations 12 and 13.

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#### **Commencement Information**

**II** Reg. 6 in force at 1.10.2004, see [reg. 1\(1\)](#)

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**Changes and effects yet to be applied to :**

- Regulations revoked by [S.I. 2005/1512 reg. 18\(1\)](#)
- reg. 6 coming into force by [S.I. 2004/1011 reg. 1\(1\)](#)