
WELSH STATUTORY INSTRUMENTS

2005 No. 1313

The Adoption Agencies (Wales) Regulations 2005

PART 6

PLACEMENTS AND REVIEWS

Independent reviewing officers

38.—(1) An adoption agency which is a local authority or a registered adoption society which is a voluntary organisation which provides accommodation for a child, must appoint a person (“the independent reviewing officer”) in respect of the case of each child authorised to be placed for adoption by the agency to carry out the functions mentioned in section 26(2A) of the 1989 Act.

(2) The independent reviewing officer must have significant experience in social work and hold a Diploma in Social Work or a Social Work Degree or an equivalent qualification recognised by the Care Council for Wales.

(3) Where the independent reviewing officer is an employee of the adoption agency the independent reviewing officer’s post within that agency must not be under the direct management of—

- (a) a person involved in the management of the case;
- (b) a person with management responsibilities in relation to a person mentioned in subparagraph (a); or
- (c) a person with control over the resources allocated to the case.

(4) The independent reviewing officer must, as far as reasonably practicable chair any meeting held in connection with the review of the child’s case.

(5) The independent reviewing officer must, as far as is reasonably practicable, take steps to ensure that the review is conducted in accordance with regulation 37 and in particular to ensure—

- (a) that the child’s views are understood and taken into account;
- (b) that the persons responsible for implementing any decision taken in consequence of the review are identified; and
- (c) that any failure to review the case in accordance with regulation 37 or to take proper steps to make or carry out arrangements agreed at the review is brought to the attention of persons at an appropriate level of seniority within the agency.

(6) If the child whose case is reviewed wishes to take proceedings under the Act on his own account, for example, to apply to the court for revocation of a placement order, it is the function of the independent reviewing officer—

- (a) to assist the child to obtain legal advice; or
- (b) to establish whether an appropriate adult is able and willing to provide such assistance or bring the proceedings on the child’s behalf.

(7) The adoption agency must inform the independent reviewing officer of—

- (a) any significant failure to make or to carry out arrangements in accordance with a review;

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- (b) any significant change of circumstances occurring after the review that affects those arrangements.