
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for local authorities in Wales to provide adoption support services as part of the service maintained by them under section 3(1) of the Adoption and Children Act 2002.

Adoption support services are defined by section 2(6) of the Adoption and Children Act 2002 as counselling, advice and information, and other services prescribed by regulations, in relation to adoption. Such services are prescribed in regulation 3 of these Regulations, and include financial support (regulation 3(a)). Each local authority is required to appoint an adoption support services adviser to give advice and information to persons who may be affected by the adoption of a child (regulation 6).

Regulation 5 prescribes those persons who can provide adoption support.

Regulation 7 prescribes the persons, other than those mentioned in section 3(1) of the Act, who are entitled to an assessment of their needs for adoption support services. Regulation 8 specifies the procedure for assessment. After carrying out an assessment the local authority must give notice under regulation 9 of the adoption support services it proposes to provide. Regulation 10 requires the preparation of a plan in accordance with which services must be provided. Regulation 11 specifies the persons to whom financial support may be paid, and the circumstances in which it may be paid. Regulation 12 provides for the amount of financial support that is payable. Regulation 13 requires the local authority to decide, having regard to the assessment, its proposals notified under regulation 9, and any representations made in relation to these proposals, what services it is to provide and any conditions to be imposed, and to give notice of that decision.

Regulation 15 describes the responsibilities of local authorities for out of area placements and empowers a local authority to recover the cost of providing services from the authority who has placed a child for adoption in their area.

Regulations 16 and 17 provide for review of the provision of adoption support services and financial support.

By regulation 18, the Adoption Allowance Regulations 1991 and the Adoption Support Services (Local Authorities) (Wales) Regulations 2004 are revoked, and transitional provision is made.