
WELSH STATUTORY INSTRUMENTS

2005 No. 3115

The Local Authority Adoption
Service (Wales) Regulations 2005

PART 1

GENERAL

Title, commencement and application

1.—(1) The title of these Regulations is the Local Authority Adoption Service (Wales) Regulations 2005 and they come into force on 30 December 2005.

(2) These Regulations apply in relation to Wales.

Interpretation

2.—(1) In these Regulations—

“adoption service” (*“gwasanaeth mabwysiadu”*) means the discharge by a local authority of relevant adoption functions within the meaning of section 43(3)(a) of the Care Standards Act 2000;

“adoption support services advisor” (*“cynghorydd gwasanaethau cymorth mabwysiadu”*) means the person appointed pursuant to regulation 6 of the Adoption Support Services (Local Authorities) (Wales) Regulations 2005(1).

“appropriate office” (*“swyddfa briodol”*) means in relation to a local authority adoption service—

(a) if an office controlled by the National Assembly has been specified by it as the appropriate office in relation to that local authority, that office;

(b) in any other case, any office of the National Assembly;

“children’s guide” (*“arweiniad plant”*) means the written guide produced in accordance with regulation 4;

“guardian” (*“gwarcheidwad”*) has the meaning given to it in section 5 of the Children Act 1989;

“manager” (*“rheolwr”*) is to be construed in accordance with regulation 6;

“National Assembly” (*“Cynulliad Cenedlaethol”*) means the National Assembly for Wales;

“statement of purpose” (*“datganiad o ddiben”*) means the written statement compiled in accordance with regulation 3(1).

(2) In these Regulations, a reference—

(a) to a numbered regulation or Schedule is to the regulation in, or Schedule to, these Regulations bearing that number;

- (b) in a regulation or Schedule to a numbered paragraph, is to the paragraph in that regulation or Schedule bearing that number;
- (c) in a paragraph to a lettered or numbered sub-paragraph is to the sub-paragraph in that paragraph bearing that letter or number.

(3) In these Regulations, unless the contrary intention appears, references to employing a person include—

- (a) employing a person whether or not for payment;
- (b) employing a person under a contract of service or a contract for services; and
- (c) allowing a person to work as a volunteer;

and references to an employee or to a person being employed are to be construed accordingly.

Statement of purpose

3.—(1) Each local authority must compile in relation to the adoption service a written statement (in these Regulations referred to as “the statement of purpose”) which must consist of a statement as to the matters listed in Schedule 1.

(2) The authority must supply a copy of the statement of purpose to the National Assembly and must make a copy of it available, upon request, for inspection by—

- (a) children who may be adopted, their parents and guardians;
- (b) persons wishing to adopt a child;
- (c) adopted persons, their parents, natural parents and former guardians;
- (d) persons who are seeking an assessment of their needs for the provision of adoption support services by the authority;
- (e) every person working for the purposes of the adoption service.

(3) Subject to paragraph (4), the authority must ensure that their adoption service is at all times conducted in a manner which is consistent with its statement of purpose.

(4) Nothing in paragraph (3) requires or authorises the authority to contravene, or not to comply with any other provision of these Regulations.

Children’s guide

4.—(1) Each local authority must produce a written guide to the adoption service (in these Regulations referred to as “the children’s guide”) which must consist of a statement as to the matters listed in Schedule 2.

(2) The authority must provide a copy of the children’s guide to—

- (a) the National Assembly;
- (b) every prospective adopter with whom the authority has placed a child for adoption; and
- (c) every child (subject to the age and understanding of that child), who may be or has been placed for adoption by the authority.

Review of statement of purpose and children’s guide

5. Each local authority must—

- (a) keep under review and, where appropriate, revise the statement of purpose and children’s guide; and
- (b) notify the National Assembly of any such revision within 28 days.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
