

---

WELSH STATUTORY INSTRUMENTS

---

**2006 No. 3100**

**The Independent Review of Determinations  
(Adoption) (Wales) Regulations 2006**

**PART 2**

**PANELS**

**Membership of Panels**

- 5.—(1) The maximum number of people who may be appointed to a panel is five.
- (2) A panel must be advised by:
- (a) A social worker within the meaning of Part IV of the Care Standards Act with appropriate qualifications, skills and experience;
  - (b) A registered medical practitioner with relevant expertise in adoption work;
- (3) A panel may, where the panel considers it appropriate, be advised by:
- (a) A legal advisor with knowledge and expertise in adoption legislation;
  - (b) Any other person who the panel considers has relevant expertise in relation to the determination being considered.
- (4) Where the qualifying determination being reviewed is a disclosure determination, the panel must include at least two persons falling within regulation 4 (3)(a).
- (5) The National Assembly must—
- (a) appoint to chair a panel a person who has the skills and experience necessary for chairing a panel; and
  - (b) in the case of a panel constituted to review a suitability determination, appoint one of the members of the panel as vice chair to act as chair if the person appointed to chair the panel is absent or if the office of chair is vacant.
- (6) A person must not be appointed to a panel if—
- (a) that person is a member of the adoption panel of the adoption agency that made the qualifying determination;
  - (b) where the adoption agency which made the qualifying determination is a local authority the person is, or has been within the period of two years prior to the date on which the qualifying determination was made, employed by that authority in their children and family social services or a member of that authority;
  - (c) where the adoption agency which made the qualifying determination is a registered adoption society the person is, or has been within the period of two years prior to the date on which the qualifying determination was made, an employee or a trustee of that agency;
  - (d) that person is related to a person falling within sub-paragraph (a), (b) or (c);
  - (e) that person has within the last two years had a child placed for adoption with him or her by the adoption agency which made the qualifying determination;

---

**Status:** This is the original version (as it was originally made).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

---

- (f) that person was within the last two years approved as a prospective adopter by the adoption agency that made the qualifying determination; or
  - (g) that person knows the applicant in a personal or professional capacity.
- (7) In this regulation—
- (a) “employed” includes employed whether or not for payment and whether under a contract of service or a contract for services or as a volunteer; and
  - (b) a person (“*person A*”) is related to another person (“*person B*”) if person A is—
    - (i) a member of the household of, or married to or the civil partner of, person B;
    - (ii) the son, daughter, mother, father, sister or brother of person B; or
    - (iii) the son, daughter, mother, father, sister or brother of the person to whom person B is married or with whom person B has formed a civil partnership.