
WELSH STATUTORY INSTRUMENTS

2019 No. 291

**The Local Authority Adoption
Services (Wales) Regulations 2019**

PART 2

General requirements on service providers

Requirements in relation to the provision of the service

3. The service provider must ensure that the service is provided with sufficient care, competence and skill, having regard to the statement of purpose.

Content of statement of purpose

4. The service provider must prepare a statement of purpose which contains the information listed in Schedule 1.

Requirements in relation to statement of purpose

5.—(1) The service provider must provide the service in accordance with the statement of purpose.

(2) The service provider must—

- (a) keep the statement of purpose under review, and
- (b) where appropriate, revise the statement of purpose.

(3) Unless paragraph (4) applies, the service provider must notify the persons listed in paragraph (6) of any revision to be made to the statement of purpose at least 28 days before it is to take effect.

(4) This paragraph applies in cases where it is necessary to revise the statement of purpose with immediate effect.

(5) If paragraph (4) applies, the service provider must, without delay, notify the persons listed in paragraph (6) of any revision made to the statement of purpose.

(6) The persons who must be notified of any revision to the statement of purpose in accordance with paragraph (3) or (5) are—

- (a) the service regulator;
- (b) individuals;
- (c) any representatives, unless it is not appropriate to do so or would be inconsistent with the well-being of an individual.

(7) The service provider must provide the up to date statement of purpose to any person on request, unless it is not appropriate to do so or would be inconsistent with the well-being of an individual.

Requirements in relation to monitoring and improvement

6.—(1) The service provider must ensure that there are effective arrangements in place for monitoring, reviewing and improving the quality of the service.

(2) Those arrangements must include arrangements for seeking the views of—

- (a) individuals;
- (b) any representatives, unless this is not appropriate or would be inconsistent with the individual's well-being;
- (c) any other local authority or local authority in England which has arranged for the provision of adoption support services by the service;
- (d) staff,

on the quality of the service and how this can be improved.

(3) When making any decisions on plans for improvement of the quality of the service, the service provider must—

- (a) take into account the views of those persons consulted in accordance with paragraph (2), and
- (b) have regard to the quality of service report prepared by the manager in accordance with regulation 39(4).

Requirement to appoint a manager

7.—(1) Each service provider must appoint one of its officers to be responsible for the management of the service.

(2) The service provider must immediately give notice in writing to the service regulator of—

- (a) the name of the person appointed as manager, and
- (b) the date on which the appointment is to take effect.

(3) The service provider must notify the service regulator in writing if the person appointed under paragraph (1) ceases to manage the service.

Fitness requirements for appointment of manager

8.—(1) The service provider must not appoint a person to manage the service unless that person is fit to do so.

(2) For the purposes of paragraph (1), a person is not fit to manage the service unless the requirements of regulation 22(2) (fitness of staff) are met in respect of that person.

Other requirements in relation to the manager

9.—(1) A service provider must ensure that the person who is appointed as the manager—

- (a) is supported to carry out their duties effectively, and
- (b) undertakes appropriate training.

(2) The service provider must ensure that the manager complies with the requirements of Parts 9 to 12 (duties to be carried out by the manager).

(3) In the event that the service provider has reason to believe that the manager has not complied with a requirement imposed by the regulations in Parts 9 to 12, the service provider must take such action as is necessary to ensure that the requirement is complied with.

(4) The service provider must put suitable arrangements in place to ensure that the service is managed effectively at any time when there is no manager appointed or when the manager is absent from the service.

Requirements to provide the service in accordance with policies and procedures

10.—(1) The service provider must ensure that the following policies and procedures are in place for the service—

- (a) safeguarding (see regulation 19);
- (b) supporting and developing staff (see regulation 23);
- (c) staff discipline (see regulation 25);
- (d) complaints (see regulation 31);
- (e) whistleblowing (see regulation 32).

(2) The service provider must also have such other policies and procedures in place as are reasonably necessary to support the aims and objectives of the service set out in the statement of purpose.

(3) The service provider must ensure that the content of the policies and procedures which are required to be in place by virtue of paragraphs (1) and (2) is—

- (a) appropriate to the needs of individuals for whom support is provided,
- (b) consistent with the statement of purpose, and
- (c) kept up to date.

(4) The service provider must ensure that the service is provided in accordance with those policies and procedures.

Duty of candour

11. The service provider must act in an open and transparent way with—

- (a) individuals;
- (b) any representatives of those individuals.